



Town of Carrboro

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

Meeting Agenda Town Council



Tuesday, November 10, 2020

7:00 PM

Remote Meeting - View Livestream or Cable TV

18

7:00-7:10

A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [20-400](#) Proclamation - Veterans Day 2020

7:10-7:15

B. ROLL CALL

7:15-7:20

C. ANNOUNCEMENT OF UPCOMING MEETINGS

7:20-7:40

D. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

Comments are limited to three minutes per speaker.

7:40-7:50

E. CONSENT AGENDA

1. [20-403](#) Approval of Minutes from the October 6, October 13, and October 20, 2020 Meeting
2. [20-404](#) NPDES Stormwater Permit Notification and Resolution
PURPOSE: The purpose of this agenda item is for the Council to adopt a resolution committing to compliance with the Town's NPDES stormwater permit.
Attachments: [NPDES Resolution 20201103](#)
[Carrboro NCS000450 NOV Signed 11.02.2020](#)
[Response letter-Draft](#)
[NPDES Audit StaffMemo](#)

3. [20-409](#) Appointment to the Arts Committee
PURPOSE: The purpose of this agenda item is for the Town Council to make an appointment to the Arts Committee.

Attachments: [Attachment A - Appointment Resolution](#)
[Attachment B - Matrix](#)
[Attachment C - Chair Report and Application](#)

4. [20-399](#) Progress Report on the County-wide Long Term Recovery Plan

PURPOSE: The purpose of this item is for the Town Council to receive a progress report on the County-wide Long Term Recovery Plan.

Attachments: [Attachment A - Hagerty Elected Officials Briefing Memo](#)
[Attachment B - Hagerty Elected Official Briefing PPT](#)

5. [20-408](#) Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA) Amendment

PURPOSE: The purpose of this item is to provide an opportunity for the Town Council to consider approving a possible amendment to the WASMPBA.

Attachments: [A- Resolution](#)
[B- Petition of Property Owners](#)
[C - Vicinity Map - Bayberry](#)

6. [20-415](#) Resolution Authorizing Preparation of Draft Boundary Resolution Mechanism for Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA) Amendment

PURPOSE: The purpose of this item is to provide an opportunity for the Town Council to support the preparation of a draft WASMPBA map interpretation/boundary resolution mechanism for consideration by all partners to the agreement.

Attachments: [A - Resolution](#)

F. PUBLIC HEARING

7:50-8:00

1. [20-398](#) Second Public Hearing on CDBG-CV Grant Application for Emergency Housing Assistance

PURPOSE: The purpose of this item is to (1) hold a public hearing on the draft application from the Town of Carrboro for Federal Community Development Block Grant - Coronavirus (CDBG-CV) Funds, and (2) to authorize the Town to submit an

application for CDBG-CV funds.

Attachments: [Attachment A - Resolution Approving the Town of Carrboro Application for CDBG-CV](#)
[Attachment B – CDBG-CV Information](#)
[Attachment C – EHA Overview](#)
[Attachment D - EHA Data Summary](#)

8:00-8:45

2. [20-406](#)

Public Hearing on Land Use Ordinance Text Amendments Relating to Historic Rogers Road Neighborhood

PURPOSE: The purpose of this item is for the Town Council to receive public comment on land use ordinance amendments that would establish new zoning districts and associated performance standards for the Historic Rogers Road neighborhood.

Attachments: [Attachment A - Draft LUO Ordinance w LUTABLE 11-06-2020-Alternatives F](#)
[Attachment B - Staff Report](#)

8:45-9:30

3. [20-405](#)

The 203 South Greensboro Project -Public Hearing on Schematic Design and Project Cost

PURPOSE: The purpose of this item is to provide the Town Council an opportunity to receive public comment on the 203 South Greensboro Project schematic design and cost estimate.

Attachments: [A - Location map](#)
[B- 2018-2020 comparison](#)

G. OTHER MATTERS

9:30-10:00

1. [20-407](#)

Westwood Cemetery Concept Plan

PURPOSE: The purpose of this item is to provide the Council with the conceptual master plan for Westwood Cemetery.

10:00-10:20

2. [20-410](#)

Update from Chief Schmidt on COVID-19

H. MATTERS BY COUNCIL MEMBERS



Town of Carrboro

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

Agenda Item Abstract

File Number:20-400

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Proclamation - Veterans Day 2020



Town of Carrboro

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

Agenda Item Abstract

File Number:20-404

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

NPDES Stormwater Permit Notification and Resolution

PURPOSE: The purpose of this agenda item is for the Council to adopt a resolution committing to compliance with the Town's NPDES stormwater permit.

DEPARTMENT: Public Works

CONTACT INFORMATION: Randy Dodd, Stormwater Utility Manager, (919) 918-7341

INFORMATION: NPDES permits require the implementation of a comprehensive stormwater management program to reduce pollutants in stormwater runoff based upon implementation of six Minimum Control Measures (MCMs): Public Education & Outreach; Public Involvement & Participation; Illicit Discharge Detection & Elimination; Construction Site Runoff Controls; Post-Construction Site Runoff Controls; Pollution Prevention & Good Housekeeping for Municipal Operations.

In 2019, NCDEQ began to incorporate compliance audits into the NPDES program as a component of the permit renewal process. NCDEQ performed an audit of the Town's permit performance on August 12th and provided a Notice of Violation (NOV) on November 2nd. Per previously provided agenda items and the Stormwater monthly report, this NOV has been anticipated. NCDEQ has reported that of the 46 audits that have been completed to date, 36 permittees have received a NOV, 5 have received a Notice of Deficiency, and 5 have received a Notice of Compliance. EPA and NCDEQ are requiring higher performance standards than in the past, and are specifically going through a "compliance assistance" process to identify program deficiencies, assist permittees in the establishment of a compliant program, and more clearly articulate performance expectations. The violations requiring improved performance are primarily related to the Illicit Discharge and Pollution Prevention MCMs. As audit and NOV follow up, Stormwater staff will specifically be: submitting a written letter of response (draft attached); submitting a self-assessment for the three other MCMs and a new Stormwater Management Plan; and providing information for the Stormwater Advisory Commission to review as part of this process given their expertise and program oversight role. The NOV requires the Town Council to pass the attached resolution committing to compliance. The language included in the resolution is per the template provided by NCDEQ staff.

FISCAL & STAFF IMPACT: There is no fiscal impact associated with passing the attached resolution. There will be a staff impact in continuing to follow up, especially through early 2021.

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

RECOMMENDATION: Staff recommends that the Town Council adopt the attached resolution.

A RESOLUTION REAFFIRMING TOWN OF CARRBORO SUPPORT REGARDING IMPLEMENTATION OF A COMPLIANT NPDES MS4 STORMWATER PROGRAM

A RESOLUTION to develop and implement a compliant stormwater management program that meets the requirements of the Town of Carrboro National Pollutant Discharge Elimination System (NPDES) Municipal Storm Sewer System (MS4) Permit number NCS000450 to discharge stormwater, inclusive of the required Stormwater Management Plan to be prepared by the Town of Carrboro and approved by the North Carolina Department of Environmental Quality.

WHEREAS, Section 402(p) of the Federal Clean Water Act requires NPDES permits for stormwater discharges from municipal storm sewer systems; and

WHEREAS, in North Carolina, NPDES Permits are issued by the North Carolina Department of Environmental Quality; and

WHEREAS, the North Carolina Department of Environmental Quality issued the Town of Carrboro its third NPDES MS4 Permit for discharge of stormwater on February 20, 2017; and

WHEREAS, the Town of Carrboro was issued Notice of Violation number NOV-2020-PC-0457 on November 02, 2020 for noncompliance with the issued NPDES MS4 Permit; and

WHEREAS, the Town of Carrboro acknowledges the specific Notice of Violation requirement to obtain a new individual NPDES Permit; and

WHEREAS, the Town of Carrboro acknowledges the specific Notice of Violation requirement to conduct a self-audit of permit compliance for the balance of permit requirements not specifically audited by the North Carolina Department of Environmental Quality, and to develop a draft Stormwater Management Plan to comply with Section 402(p)(3)(B)(iii) of the Clean Water Act, 40 CFR 122.34(b) and NPDES MS4 Permit requirements, and to submit its draft Stormwater Management Plan to the North Carolina Department of Environmental Quality no later than 120 days from November 2, 2020 for review and approval; and

WHEREAS, the Town of Carrboro acknowledges the specific Notice of Violation requirement to adopt a Town Council Resolution to implement a compliant and enforceable stormwater management program as defined by both the NPDES MS4 Permit number NCS000450 and the required new Stormwater Management Plan, and said resolution be submitted to the North Carolina Department of Environmental Quality no later than 60 days from November 2, 2020; and

WHEREAS, the Town of Carrboro acknowledges the requirement to provide adequate funding and staffing to implement a Stormwater Management Program that complies with its NPDES MS4 Permit and approved Stormwater Management Plan, and

WHEREAS, the Town of Carrboro acknowledges that the North Carolina Department of Environmental Quality enforcement action and penalties could result from non-compliance with the specific requirements in Notice of Violation number NOV-2020-PC-0457; and

WHEREAS, the Town of Carrboro acknowledges that any North Carolina Department of Environmental Quality enforcement action and penalties may not prohibit the U. S.

Environmental Protection Agency from taking its own enforcement action for non-compliance with the issued NPDES MS4 Permit.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Carrboro hereby reaffirms its support for the development and implementation of a compliant NPDES MS4 Stormwater Program.

Adopted this 10th day of November, 2020.

ROY COOPER

Governor

MICHAEL S. REGAN

Secretary

BRIAN WRENN

Director



NORTH CAROLINA
Environmental Quality

October 29, 2020

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

7017 0190 0000 2485 6547

Town of Carrboro
Attn: Randy Dodd, Stormwater Utility Manager
301 West Main Street
Carrboro, North Carolina 27510

Subject: NOTICE OF VIOLATION (NOV-2020-PC-0457)
Town of Carrboro
NPDES MS4 Permit No. NCS000450
Orange County

Dear Mr. Dodd:

On August 12, 2020, staff from the North Carolina Department of Environmental Quality (DEQ) conducted a compliance audit of the Town of Carrboro National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit. For your reference, a copy of the MS4 Program Audit Report issued by DEQ is enclosed with this notice. This report lists and describes the serious deficiencies with certain components of the MS4 permit, which constitutes a violation of the Clean Water Act and is grounds for enforcement action.

In accordance with Part VI of the permit and DEQ policy, a new 5-year MS4 permit will be issued in response to the audit. To address the MS4 permit deficiencies, the Town of Carrboro is required to complete the following actions:

- (1) Respond in writing within thirty (30) calendar days from the date of receipt of this notice to acknowledge these requirements and the intent to comply.
- (2) Adopt a Council Resolution within sixty (60) calendar days from the date of receipt of this notice. The resolution must declare support for a compliant stormwater management program. A sample council resolution with the minimum requirements is enclosed with this letter. An original signed document must be submitted to DEQ.



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
Raleigh Regional Office | 1626 Mail Service Center | 3800 Barrett Drive | Raleigh, North Carolina 27609
919.791.4200

- (3) Submit documentation for review and comment within one hundred twenty (120) calendar days from the date of receipt of this letter:
 - a. Conduct a self-audit which includes, at a minimum, an evaluation of compliance with the permit conditions found in Part II Section B: Public Education and Outreach; Section C, Public Involvement and Participation; Section E: Construction Site Runoff Controls; Section H: Total Maximum Daily Loads. The self-audit must be documented utilizing the DEQ standard MS4 Permit Compliance Audit Report Template.
 - b. Develop a Draft Stormwater Management Plan (SWMP) which details specific actions, measurable goals, and implementation timelines to bring the stormwater management program into compliance with NPDES MS4 requirements over the new 5-year permit term. The SWMP must be documented utilizing the DEQ Phase II MS4 SWMP Template. The SWMP must address all known compliance deficiencies including, at a minimum, the items detailed in the DEQ MS4 Program Audit Report and the Town of Carrboro self-audit.
- (4) Submit an NPDES MS4 permit application within thirty (30) days of receiving written DEQ concurrence that the submitted Draft SWMP documents a compliant stormwater management program. A new 5-year NPDES MS4 permit will be public noticed along with the submitted SWMP.
- (5) Respond to public comments on the Draft SWMP and submit a Final SWMP for DEQ approval and final permit issuance. The final DEQ-approved SWMP shall become an enforceable component of the NPDES MS4 permit.

Required documentation shall be submitted via e-mail to thad.valentine@ncdenr.gov, or to:

DEQ-DEMLR Stormwater Program
Attn: Jeanette Powell
1612 Mail Service Center
Raleigh, NC 27669

If the Town of Carrboro fails to meet the aforementioned requirements and/or submits a significantly noncompliant Draft SWMP, DEQ may proceed with enforcement. As is stated in Part V, Section A.1(c) of the permit:

Under state law, a daily civil penalty of not more than twenty-five thousand dollars (\$25,000) per violation may be assessed against any person who violates or fails to act in accordance with the terms, conditions, or requirements of a permit [North Carolina General Statute 143-215.6A]. Please note that compliance with the requirements of this

notice and/or issuance of civil or criminal penalties levied by DEQ does not preclude the EPA from carrying out its own enforcement case against the permittee.

Thank you for your attention to this matter. Should you have any questions, please contact Thad Valentine at (919) 791-4220 or thad.valentine@ncdenr.gov.

Sincerely,

A handwritten signature in blue ink, reading "William H. Denton, IV". The signature is fluid and cursive, with a stylized "W" and "D".

William H. Denton, IV Regional Engineer
Division of Energy, Mineral and Land Resources

Enclosures:

DEQ MS4 Program Audit Report (10/29/2020, Town of Carrboro)
Example Council Resolution

Electronic Copy:

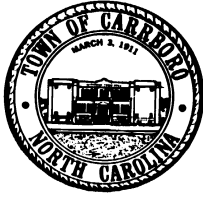
rdodd@townofcarrboro.org

hholley@townofcarrboro.org

Jeanette Powell, DEMLR MS4 Program Coordinator

Alaina Morman, DEMLR Stormwater Compliance & Enforcement

DEMLR NPDES MS4 Permit Laserfiche File



TOWN OF CARRBORO
NORTH CAROLINA
WWW.TOWNOFCARRBORO.ORG

November 5th, 2020

DEQ-DEMLR Stormwater Program
Attn: Jeanette Powell
1612 Mail Service Center
Raleigh, NC 27669

Subject: Written Response to Notice of Violation (NOV-2020-PC-0457)
Town of Carrboro
NPDES MS4 Permit No. NCS000450

Dear Ms. Powell:

On November 3rd, 2020, I received the attached Notice of Violation. In accordance with the required actions provided, I:

- (1) hereby acknowledge the requirements and the intent to comply;
- (2) will present a Resolution declaring support for a compliant stormwater management to the Town Council for adoption within the 60 day period, and provide the resolution upon adoption;
- (3) intend to conduct a self-audit of the listed program areas and develop a draft Stormwater Management Plan in accordance with the requirements by March 3rd, 2021 (one hundred twenty (120) calendar days from receipt of Notice);
- (4) intend to submit an NPDES MS4 permit application within thirty (30) days of receiving DEQ approval of the submitted draft SWMP; and
- (5) intend to respond to public comments on the draft SWMP and submit a final SWMP for DEQ approval.

As a matter of public record, the Town also wishes to respond to the deficiencies listed in the final audit report; please see Attachment A.

If you have any questions, please contact me at: 301 West Main St., Carrboro, NC 27510, (919) 918-7341, or rdodd@townofcarrboro.org.

Sincerely,

Randy Dodd, Stormwater Utility Manager
Town of Carrboro

CC: Heather Holley, Stormwater Specialist, Town of Carrboro
Emily Cochran, Stormwater Administrator, Town of Carrboro
Joe Guckavan, Public Works Director, Town of Carrboro
William H. Denton, IV Regional Engineer, DEMLR
Thad Valentine, NCDENR

att

ATTACHMENT A
Town of Carrboro Audit Deficiency Response

Permit Citation:	II.A.4. Availability of the stormwater plan
Program Requirement:	The permittee kept an up-to-date version of its Stormwater Plan available to the Division and the public online
Status:	No
DEQ Comments:	Permittee did not have an up-to-date version of the stormwater plan. The permittee does provide the land use ordinance online for the public
TOC Comments:	The plan was last updated and shared with Division staff on 9/10/2018 and has been kept online continuously since then. The Town chose not to update between 9/10/2018 and the audit given the understanding of the pending audit and changes that would result.

Permit Citation:	II.A.6. Sharing responsibility
Program Requirement:	Are any control measures implemented by an entity other than the permittee?; If yes, is there a written agreement in place?
Status:	Yes; No
DEQ Comments:	Orange county implements the construction site inspections. However, the permittee does not have an up-to-date ordinance and resolution that allows orange county to perform their duty. Clean water education partnership conducts their public outreach and education measures.
TOC Comments:	The Town shared the Town's original ordinance (1983) and resolution (1976) recognizing delegation to Orange County. CWEP provides support for the Town's outreach and education measure; the Town does not rely on CWEP for all outreach and education.

Permit Citation:	II.A.7. Written procedures
Program Requirement:	The permittee maintained written procedures for implementing the six minimum control measures; Written procedures identified specific action steps, schedules, resources and responsibilities for implementing the six minimum measures
Status:	Yes; Partial
DEQ Comments:	Although the documents were provided the documents were not finalized and were in draft form.
TOC Comments:	The Town has multiple written procedures, some of which were requested and provided in final form. Some unanticipated procedures were requested by the Division with short turnaround and were provided as draft to recognize that they could be revised upon further review. These have subsequently been finalized, along with additional procedures.

Permit Citation:	III.A. Program documentation
Program Requirement:	The permittee maintained documentation of all program components including, but not limited to, inspections, maintenance activities, educational programs, implementation of BMPs, enforcement actions, etc., on file for a period of five years.
Status:	Partial
DEQ Comments:	The permittee has not documented all program components.

TOC Comments:	The Town recognizes this deficiency, has been actively working towards comprehensive documentation, acknowledged such as part of the audit, and appreciates receiving further clarity regarding the documentation being sought for permit compliance.
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Permit Citation:	III.B. Annual report submittal
Program Requirement:	The permittee submitted annual reports to the Department within twelve months from the effective date of the permit; The permittee submitted subsequent annual reports every twelve months from the scheduled date of the first annual report submittal
Status:	Partial; Partial
DEQ Comments:	The permittee submitted annual reports for 2017 and 2019. the 2018 report was not found in DEQ's database.
TOC Comments:	The Town has submitted the reports through the BIMS portal for the past decade, including 2018. In addition, the Town separately submitted the 2019 report as requested preaudit. Per our records, the Division separately requested the 2017 (but not 2018) report and the Town provided it. The 2018 report is being resubmitted separately; please include it in the laserfiche record.

Permit Citation:	II.D.2.a IDDE program
Program Requirement:	The permittee maintained a written IDDE Program; If yes, the written program includes provisions for program assessment and evaluation and integrating program.
Status:	Yes; No
DEQ Comments:	An IDDE program was provided, but it appeared to be a generic outline that lacked any type of assessment and evaluation guidance for reporting and documenting, which is required as part of the IDDE program.
TOC Comments:	The Town has adapted EPA developed technical guidance that is more than a generic outline. The Town recognizes the deficiency with more detailed implementation documentation as part of the program, and has more fully developed this documentation since the audit.

Permit Citation:	II.D.2.b Legal authorities
Program Requirement:	The permittee maintained an IDDE ordinance or other regulatory mechanism(s) that provides the legal authority to prohibit illicit connections and discharges to the MS4
Status:	No
DEQ Comments:	The permittee's reference the Town Code, Article IV in Section 5.
TOC Comments:	The Town believes Article IV in Section 5 of the Town Code satisfies this requirement. http://www.townofcarrboro.org/DocumentCenter/View/101/Chapter-5---General-Offenses-PDF?bidId=

Permit Citation:	II.D.2.d Dry weather flow program
Program Requirement:	The permittee maintained a program for conducting dry weather flow field observations in accordance with written procedures.
Status:	No

DEQ Comments:	The permittee needs to fully implement the dry weather field and observation maintenance plan
TOC Comments:	The Town has pursued dry weather monitoring activities in the past, and at the same time recognizes this deficiency. The Town has updated and added written documentation which includes outfall investigation and dry weather field observation procedures. An Outfall Inspection SOP has been drafted and sent to NCDEQ, and an implementation schedule prepared.

Permit Citation:	II.D.2.e Investigation procedure
Program Requirement:	The permittee maintained written procedures for conducting investigations of identified illicit discharges.
Status:	No
DEQ Comments:	Detailed procedures for conducting illicit discharge from reporting, investigation to its completion, which includes documenting the outcome and disposal, if needed, of any illicit materials was not provided. All parties involved should be identified and manifest should be available.
TOC Comments:	The Town recognizes this deficiency and has updated and added written documentation which includes comprehensive procedures for investigating illicit discharges.

Permit Citation:	II.D.2.f Track and document investigations
Program Requirement:	For each case of an illicit discharge or potential illicit discharge, the permittee documented and tracked the following: The date(s) the illicit discharge was observed; The results of the investigation; Any follow-up of the investigation; The date the investigation was closed
Status:	Yes; partial; no; no
DEQ Comments:	Although the permittee has documented the illicit discharge incidents, they did not thoroughly document the investigation and conclusions.
TOC Comments:	The Town recognizes this deficiency and has updated and added written documentation. The Town provided an IDDE Documentation SOP to the Division after the audit that is being implemented.

Permit Citation:	II.D.2.g Employee training
Program Requirement:	The permittee implemented and documented a training program for appropriate municipal staff who, as part of their normal job responsibilities, may come into contact with or otherwise observe an illicit discharge or illicit connection.
Status:	No
DEQ Comments:	The permittee provided training information. However, the permittee does not have documented training records.
TOC Comments:	The Town provided training records and training materials.

Permit Citation:	II.D.2.h Public education
Program Requirement:	The permittee informed public employees of hazards associated with illegal discharges and improper disposal of waste; The permittee informed businesses of hazards associated with illegal discharges and improper disposal of waste; The permittee informed the general public of hazards associated with illegal discharges and improper disposal of waste
Status:	Yes; Partial; Partial

DEQ Comments:	Although the Town of Carrboro posted information on their website related to illegal discharge hazards, they do not distribute educational material to the public (businesses, general public)
TOC Comments:	The Town acknowledges this deficiency which in the past has been due to insufficient staff capacity. The Stormwater Program is now fully staffed and will be implementing this going forward.

Permit Citation:	II.D.2.i Public reporting mechanism
Program Requirement:	The permittee promoted, publicized and facilitated a reporting mechanism for the public to report illicit discharges; The permittee promoted, publicized and facilitated a reporting mechanism for staff to report illicit discharges; The permittee established and implemented response procedures for citizen requests/reports
Status:	Yes; Partial; No
DEQ Comments:	The public is encouraged to report illicit discharges through the permittee's website, but the program lacks written procedures for staff that includes schedules, forms for reporting and tracking the illicit discharge from the release through to the cleanup and disposal. Provide written procedures for citizen requests/reports.
TOC Comments:	The Town acknowledges this deficiency which in the past has been due to insufficient staff capacity. The Stormwater Program is now fully staffed and will be implementing this going forward. The recently developed IDDE documentation SOP addresses response procedures for citizen's requests.

Permit Citation:	II.D.2.j Enforcement
Program Requirement:	The permittee implemented a mechanism to track the issuance of notices of violation and enforcement actions administered by the permittee
Status:	No
DEQ Comments:	Develop a tracking system for notices of violation and enforcement actions.
TOC Comments:	The Town acknowledges this deficiency which in the past has been due to insufficient staff capacity. The Stormwater Program is now fully staffed and will be implementing this going forward. The investment and training in new technology (tablets and CityWorks) will greatly facilitate this.

Permit Citation:	II.G.2.b Operation and maintenance (O&M) for facilities
Program Requirement:	The permittee maintained and implemented an O&M program for municipally owned and operated facilities with the potential for generating polluted stormwater runoff
Status:	Partial
DEQ Comments:	Although a draft O&M plan was provided, the town needs to implement site-specific plans for each facility with the potential for generating polluted stormwater runoff. The O&M plans should specify the type of pollutant(s) generated.
TOC Comments:	The Town is actively working to better document O&M efforts. The Town has specifically invested and trained in using new technology (tablets and CityWorks) to implement this activity.

Permit Citation:	II.G.2.c Spill response procedures
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Program Requirement:	The permittee had written spill response procedures for municipal operations.
Status:	No
DEQ Comments:	The permittee did not provide written procedures for spill response for any of the town's operations.
TOC Comments:	The Town provided these procedures on August 3.

Permit Citation:	II.G.2.d Streets, roads, and public parking lots maintenance
Program Requirement:	The permittee evaluated existing and new BMPs that reduce polluted stormwater runoff from municipally-owned streets, roads, and public parking lots within its corporate limits annually (Yes); If yes, the permittee evaluated the effectiveness of existing and new BMPs based on cost and the established quantity of pollutants removed (Partial)
Status:	Partial
DEQ Comments:	The Town provided a schedule that shows the number of miles of streets that were swept over the last 15 years with a schedule for sweeping. They maintain dump tickets to track the tonnage disposed and use all the information for review at the end of the year for effectiveness. The town should formally evaluate and document the effectiveness of their BMP.
TOC Comments:	The Town will look into procedures to better assess street sweeping effectiveness, and would appreciate any guidance on how to assess effectiveness or referral to compliant permittees.

Permit Citation:	II.G.2.f O&M for catch basins and conveyance systems
Program Requirement:	The permittee maintained and implemented an O&M program for the stormwater sewer system including catch basins and conveyance systems that it owns and maintains.
Status:	Partial
DEQ Comments:	The permittee has a draft O&M plan.
TOC Comments:	The draft plan has been finalized. The Town is actively working to better document O&M efforts. The Town has specifically invested and trained in using new technology (tablets and CityWorks) to implement this activity.

Permit Citation:	II.G.2.h O&M for structural stormwater controls
Program Requirement:	The permittee maintained and implemented an O&M program for municipally-owned or maintained structural stormwater controls installed for compliance with the permittee's post-construction ordinance
Status:	No
DEQ Comments:	The permittee has a draft O&M plan. However, it is not site-specific. The Town should develop individual O&M plans for each SCM that should contain all the requirements for that program.
TOC Comments:	The Town acknowledges this deficiency and is actively working to address.

Permit Citation:	II.G.2.i Pesticide, herbicide and fertilizer application management
Program Requirement:	The permittee ensured all permits, certifications, and other measures for applicators are followed.
Status:	No

DEQ Comments:	Provided copies of the pesticide certificates and Algae pond contractor license, but a checklist and inspection procedures were not developed for subcontractor pesticide application.
TOC Comments:	The Town has a single contract for pesticide application. The contract specifies the need to follow licensing requirements, State regulations and the Town's Least Toxic Integrated Pest Management and Plant Health Care Policy. The Town provided relevant documentation and believes that the material submitted fulfills the program requirement.

DRAFT



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL: STORMWATER UTILITY

DELIVERED VIA: ☐ HAND ☐ MAIL ☐ FAX ☒ EMAIL

To: Town Council
From: Randy Dodd, Stormwater Utility Manager
Cc: David Andrews, Town Manager
Joe Guckavan, Public Works Director
Patricia McGuire, Planning Director
Heather Holley, Stormwater Specialist
Emily Cochran, Stormwater Administrator
Date: November 6th, 2020
Subject: NPDES Permit Audit Results

Summary

The purpose of this memo is to provide the Town Council with a very brief summary of the Town's NPDES stormwater permit audit to supplement other information provided.

Information

The Town's NPDES permit requires implementation of a comprehensive stormwater management program to reduce pollutants in stormwater runoff based upon six Minimum Control Measures (MCMs): Public Education & Outreach; Public Involvement & Participation; Illicit Discharge Detection & Elimination; Construction Site Runoff Controls; Post-Construction Site Runoff Controls; Pollution Prevention & Good Housekeeping for Municipal Operations. NCDEQ staff have completed an audit and provided the Town with written notification of the audit results. The audit process involved: requesting information prior to the audit; a half day remote audit on August 12 (AM) followed by site visits to the Town's Public Works facility and two field site sites to observe Town staff inspections of a stormwater outfall and Stormwater Control Measure (PM); and follow up requests for information. The remote audit scope involved NCDEQ details for overall program administration and three of the MCMs (Illicit Discharge, Pollution Prevention, and Post Construction.) Table 1 provides a summary of the NCDEQ findings for these program components. The violations requiring improved performance are primarily related to the Illicit Discharge and Pollution Prevention MCMs, and mostly involved insufficient documentation and recordkeeping. Staff performed a self-assessment using the same template. While staff concur with a majority of the findings, there were several discrepancies between NCDEQ and staff's own self-assessment. Staff will be further reviewing and documenting as part of written response to the audit report, and will also be sharing the audit results with the Stormwater Advisory Commission and asking the SWAC to review the draft new Stormwater Management Plan required as part of permit renewal.

Table 1. Summary of NCDEQ Audit Findings

<u>Audit Component</u>	<u># Questions</u>	<u># Inadequate Responses</u>	<u># Partially Inadequate Responses</u>
Program Administration	30	2 (7%)	3 (10%)
Illicit Discharge Detection and Elimination	20	7 (35%)	2 (10%)
Pollution Prevention and Good Housekeeping	21	3 (14%)	3 (14%)
Post Construction Stormwater Runoff	<u>36</u>	<u>0</u>	<u>0</u>
Total	107	12 (11%)	8 (7%)

Recommendation

It is recommended that the Town Council receive this information.



Town of Carrboro

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

Agenda Item Abstract

File Number:20-409

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Appointment to the Arts Committee

PURPOSE: The purpose of this agenda item is for the Town Council to make an appointment to the Arts Committee.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Dorando, 919-918-7309

INFORMATION: The Arts Committee currently has four seats available for appointment and two expiring term seats with members eligible for, and interested in, reappointment.

On September 1, 2020, the Town Council reviewed applications with the following information:

Victoria Rovine and Kelli Crispin have expiring terms and are both eligible for reappointment. They have both indicated to the Town Clerk that they wish to be reappointed for a second term.

Applications were also received from: Abhilash Sivadas, Maria Estorino, and Donna Campbell.

At that time, the Town Council voted to postpone those names for appointment to allow for further recruitment of Black/African-American applicants.

Since that time, one African-American has applied. That application is attached and is the only one scheduled for appointment at this meeting. The applicant's name is Tiffany Palmer-Lytle.

All applicant information and the chair form is attached.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: It is recommended that the Mayor and Council adopt the attached resolution.

ATTACHMENT A

**A RESOLUTION MAKING AN APPOINTMENT TO THE
ARTS COMMISSION**

THE TOWN COUNCIL HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE
ARTS COMMISSION:

Appointee	Term Expiration
Tiffany Palmer-Lytle	2/2024

Section 2. This resolution shall become effective upon adoption.

Current makeup of the Arts Committee:

NAME	ADDRESS	TERM EXPIRATION	DOB	RACE	SEX	OCCUPATION
Victoria Rovine (1 st Expiring Term)	305 Poplar Ave.	2020	12/17/1964	W	F	Professor of Art History
Kelli Crispin (1st Expiring Term)	605 Jones Ferry Rd.	2020	9/28/1969	White	Female	Business Analyst
Patti Morfeld	302 Oak Ave.	2021	10/31/1968	White	Female	Registered Nurse
Misty Belsar	107 Hogan Woods Cir.	2023	7/6/1963	White	Female	Sales Manager
Jay Parker	116 E. Main St.	2021	10/15/1950	White	Male	Realtor
Vacant						
Vacant						
Vacant						
Vacant						

Applicant summary information (full detail in application):

NAME	ADDRESS	DOB	RACE	SEX	OCCUPATION
Tiffany Palmer-Lytle	180 BPW Club Road	NA	African American	Female	Revenue Cycle Representative

Print

Advisory Board Chair Report (Complete One Per Applicant) - Submission #5029

Date Submitted: 10/29/2020

Advisory Board Name:*

Arts Committee

Chair Name*

Victoria Rovine

Applicant First Name:*

Tiffany

Applicant Last Name:

Palmer-Lytle

1. Has the applicant previously served on this or another advisory board?*

☐

Yes

☒

No

2. If yes, how many total years have they served?

This should be available on the application or by asking the applicant.

3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?

☐

Yes (Skip to Last Question)

☒

No

4. Is the applicant already serving on this advisory board and completed their two full terms?

☐

Yes

☒

No

5. Is the applicant applying for a special or expert seat on the advisory board?*

☐

Yes

☒

No

6. If yes, which seat?

7. Did the applicant attend an advisory board meeting?*

☒

Yes

☐

No

8. If applicant did not attend an advisory board meeting, did you contact them via phone or email?

☐

Yes

☐

No

9. Applicant has demonstrated a clear understanding of the time commitment, roles, and responsibilities of serving on the advisory board:



Yes



No

10. If no, briefly explain:

11. In addition to your comments above, please check other qualities that the applicant offers that would help the Advisory Board meet its goals for community representation. Please note that candidates who do not meet any of these qualities are still eligible for appointment. Please communicate any urgent needs and priorities for Advisory Board composition to your Town Council liaison.



Diversity



Occupation, Experience, or Special Skills



Other

If other, please explain:

Print

Advisory Board Application - Submission #4992

Date Submitted: 9/1/2020

First Name*

Tiffany

Last Name*

Palmer-Lytle

Date*

9/1/2020

Select today's date

Address1*

180 BPW club road

Address2

A10

City*

Carrboro

State

NC

Zip*

27510

Is this address located within the corporate limits of the Town of Carrboro?*

Yes

Please select Yes or No.

Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?*

Unsure

Telephone*

9198696160

Please enter your primary contact phone number.

Email Address*

Tcakemommy@gmail.com

Enter your primary email address.

The demographic information provided below is of interest because your elected officials want the Town's advisory boards to reflect the diversity of the Town. Diversity of the applicant pool is a priority of the Board.

Date of Birth*

9/1/2020

Please enter your Month/Day/Year of Birth

Race*

African American

Please enter your race.

Sex*

Female

Please enter your sex.

Occupation*

Revenue Cycle Representative

Please enter your occupation.

Are you a registered Orange County Voter?*

Yes

Please answer Yes or No

Length of Residence in Orange County*

5 years

How long have you been a resident of Orange County?

Length of Residence in the Town of Carrboro*

5 years

How long have you been a resident of the Town of Carrboro?

I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):

- | | |
|---|---|
| <input type="checkbox"/> Affordable Housing Advisory Commission | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Animal Control Board of Appeals | <input type="checkbox"/> OWASA Board of Directors |
| <input type="checkbox"/> Appearance Commission/NPDC | <input type="checkbox"/> Planning Board |
| <input checked="" type="checkbox"/> Arts Committee | <input checked="" type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Safe Routes to School Implementation Committee |
| <input type="checkbox"/> Economic Sustainability Commission | <input type="checkbox"/> Stormwater Advisory Commission |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Tourism Development Authority* |
| <input type="checkbox"/> Human Services Commission | <input type="checkbox"/> Transportation Advisory Board |
| <input type="checkbox"/> Greenways Commission | |

Please note that membership is limited to one advisory board at a time. You shall not be considered for appointment to another board unless you resign before filing an application or you are in the last six months of your current term.

Other (advisory board not listed):

Please indicate by typing the advisory board that you are applying for.

****Employer/Self Employed**

UNC Physicians Network

Please enter your employment information. This is a requirement for application for the Tourism Development Authority.

Advisory Board Preference*

Arts Committee

Please indicate your preference by typing your first choice. Please limit your selection above to two boards).

Number of Years Employed

2

Enter the number of years you have been employed at the organization listed to the left.

**** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.**

Required only for the Tourism Development Authority Application.

Community Activities/Organizational Memberships*

In addition to working full time, I am an aspiring small business owner of a dessert catering business . I am also a Parent Advisor for My Brothers and Sisters Keeper(Formerly Movement of Youth)

Please enter the requested information.

Relevant Experience:*

N/A

Reasons You Wish to be Appointed*

I want to make an active contribution to the community that I reside in. My children will all hopefully be graduates within the Chapel Hill Carrboro City Schools, which means they will benefit from the planning for this community. I want them to be proud of their community and hopefully one day serve the community as well.

Have you ever served on any Town of Carrboro Committee or Board?*

If yes, which one(s)?

No

Are you currently serving on a Town Board or Committee?*

☐ Yes

☒ No

If yes, are you applying for a third consecutive term?*

☐ Yes

☒ No

If yes, please describe how you meet one, or more, of the following exceptions noted below.

After completing two full terms, a member must take off one year before applying for re-appointment to the same advisory board. However, a board member may apply to serve on another advisory board if he/she desires. The Board of Aldermen may make exceptions to this rule under the following circumstances: 1. To retain diversity on an advisory board; 2. A lack of applicants.



Town of Carrboro

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

Agenda Item Abstract

File Number:20-399

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 2

TITLE:

Progress Report on the County-wide Long Term Recovery Plan

PURPOSE: The purpose of this item is for the Town Council to receive a progress report on the County-wide Long Term Recovery Plan.

DEPARTMENT: Town Manager's Office, Fire Department (Emergency Services)

CONTACT INFORMATION: Rebecca Buzzard, Housing & Community Services Director/Special Projects Manager, rbuzzard@townofcarrboro.org <<mailto:rbuzzard@townofcarrboro.org>> David Schmidt, Fire Chief, dschmidt@townofcarrboro.org <<mailto:dschmidt@townofcarrboro.org>>

INFORMATION: On May 19, 2020 the Town Council received a [report](https://carrboro.legistar.com/LegislationDetail.aspx?ID=4538374&GUID=E779D265-7B64-452A-BD7F-1C5CB30C1EB1&Options=ID|Text|&Search=recovery) <<https://carrboro.legistar.com/LegislationDetail.aspx?ID=4538374&GUID=E779D265-7B64-452A-BD7F-1C5CB30C1EB1&Options=ID|Text|&Search=recovery>> by Deputy County Manager, Travis Myren, regarding the County's emergency and recovery planning process. He explained the ongoing and future efforts to provide guidance to our communities to assist in achieving a focused, timely, and expeditious recovery from the pandemic. To ensure that recovery operations are coordinated in a manner that allows for the best use of resources and clear communications, the County hired Hagerty Consulting, Inc. to lead the effort.

Recovery and Transformation Planning Team members, Kayla Slater, Senior Managing Associate and Michael Levkowitz, Managing Associate, with Hagerty Consulting prepared the slide deck, which includes information on the:

1. Efforts and findings to date
2. Draft goals and general framework for the plan
3. Steps needed to complete the project by January 2021

Attachment A is a memorandum from Hagerty Consulting, Inc. and Attachment B is the slide presentation. The Long Term Recovery Plan website is <http://www.orangeforward.org>

FISCAL & STAFF IMPACT: There are no fiscal impacts associated with this item.

RECOMMENDATION: Staff recommends that the Council receive the progress report and provide

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 2

feedback to the project consultant and staff, as needed.



MEMO

To: Elected Officials of and within Orange County

From: Recovery and Transformation Planning Support Team (Hagerty Consulting, Inc.)

Date: October 29, 2020

Re: Recovery and Transformation Planning Status Update

In early November, the Recovery and Transformation Planning Support Team (Hagerty Consulting, Inc.) will conduct a series of briefings for the elected officials of and within Orange County. This memo provides an overview of what the Planning Support Team will cover in upcoming briefings.

The Long-Term Recovery Project is intended to help Orange County navigate long-term recovery from the Coronavirus Disease 2019 (COVID-19) pandemic through the identification of community needs, establishment of recovery goals and initiatives, and promoting cost recovery best practices among county, municipal, and non-profit organizations.

Since the project kicked off in July, the Planning Support Team has completed several project milestones to help achieve recovery goals and objectives, including:

- Visioning Workshop on September 17, 2020;
- Community Values Survey closed on September 11, 2020;
- Recovery Website Launch on September 16, 2020;
- Finalization of the COVID-19 Impact Assessment on September 18, 2020;
- Recovery Support Function (RSF) Focus Group Meetings concluded October 16, 2020.

Through the collection and aggregation of independent research (COVID-19 Impact Assessment), input from recovery stakeholders (Visioning Workshop, Recovery Support Function Focus Groups), and a public-facing survey (Community Values Survey), five preliminary goals have been identified for the Recovery and Transformation Plan:

- Address fundamental needs of all residents;
- Create safe, stable, and affordable housing solutions;
- Promote a dynamic, equitable, and sustainable economic recovery;
- Streamline access to community-based resources; and
- Combat the negative effects of social distancing.

Upcoming planning activities include conducting a Cost Recovery Training for recovery stakeholders; engaging with Black, Indigenous, and people of color (BIPOC) community leaders to support plan development/refinement; prioritizing recovery initiatives; and developing the Recovery and Transformation Plan Framework. These activities will be discussed in greater detail during upcoming briefings, where we would like to hear your perspectives about what matters most for community recovery. We are also interested to know what you think would strengthen the Plan and help each elected body champion its implementation in early 2021.

Urgent questions can be directed to ocncrecovery@hagertyconsulting.com, and more information is available online at www.orangencforward.org.



Orange County

Recovery and Transformation Planning Project

November 2020



HAGERTY



ORANGE COUNTY
NORTH CAROLINA



Agenda

Project Overview

Planning Status Update

Upcoming Recovery Activities



Project Intent and Deliverables

The Orange County Recovery and Transformation Planning Project is intended to help Orange County and its municipalities navigate recovery from the COVID-19 pandemic.



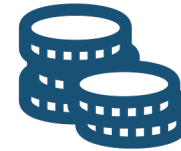
Impact Assessment

- Provide Orange County with a broad picture of the impact of COVID-19 on economy, community health, housing, and social services.



Recovery and Transformation Plan

- Describe goals, initiatives, and tactics to achieve community-informed recovery outcomes.



Cost Recovery Training

- Provide training to county, municipal, and non-profit recovery stakeholders to assist in the financial recovery of COVID-19 response and recovery expenditures.



Orange County Recovery Support Functions

Individuals and organizations participating in the planning effort are broken into Recovery Support Functions (RSFs) based on field and expertise. Over 30 different public or non-profit organizations participate in planning activities.

Long-Term Recovery Group

RSF 1: Economic

RSF 2: Health

RSF 3: Human Services

RSF 4: Housing

RSF 5: Natural and Cultural Resources

RSF 6: Community Planning and Capacity Building

RSF 7: Intergovernmental Affairs and Public Information Officers

Agenda

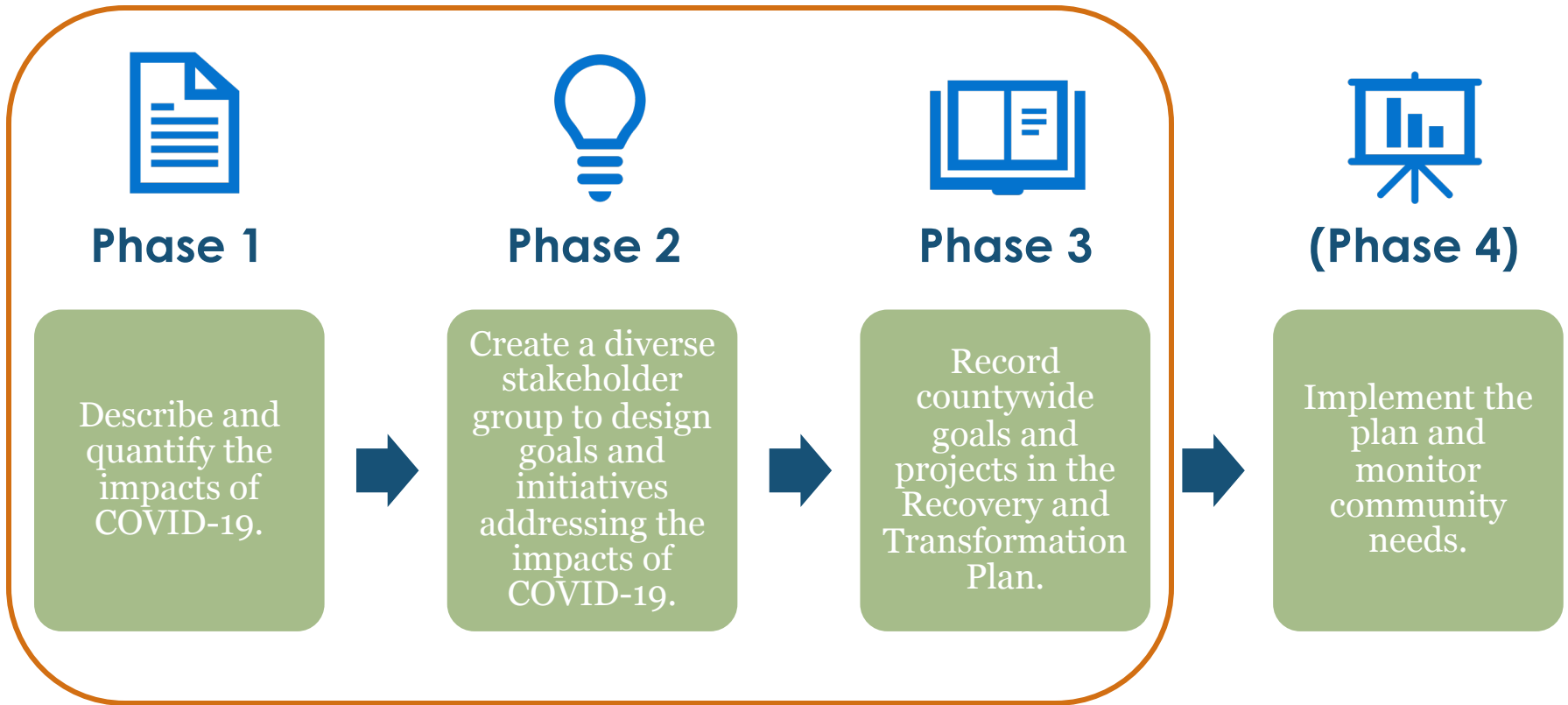
Project Overview

Planning Status Update

Upcoming Recovery Activities

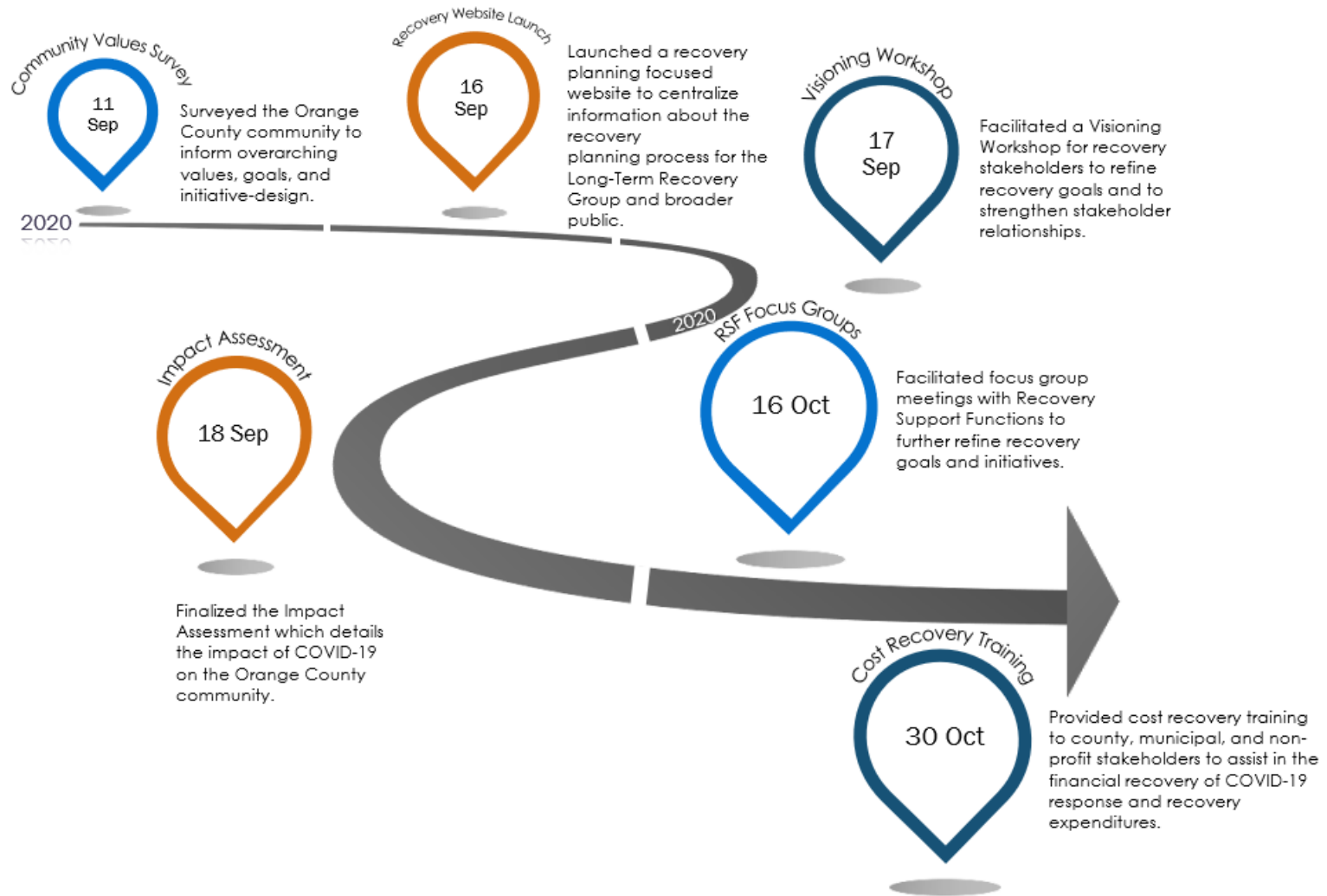


Project Phases





Recovery Activity Update



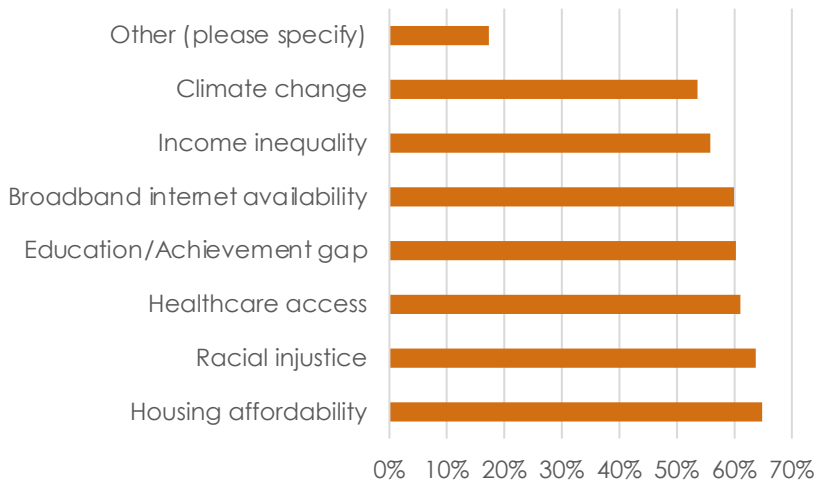


Key Findings: Community Values Survey

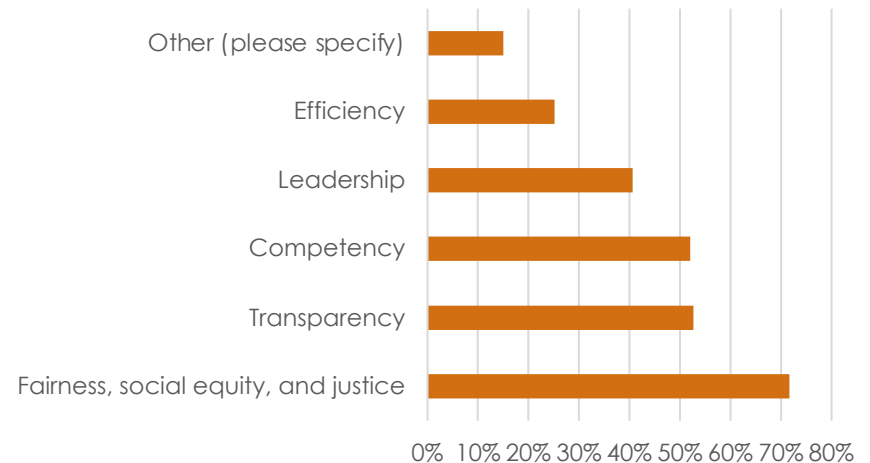
From August 31 to September 11, 2020, the Long-Term Recovery Group conducted a community survey to gather community input on recovery initiatives and priorities. The survey collected 1,535 responses from community members.

The graphics below summarize the top values of the Orange County community. Other values include environmental stewardship, diversity/inclusion/accessibility, communication and engagement, responsible spending, and safety.

Priority Issues



Community Values

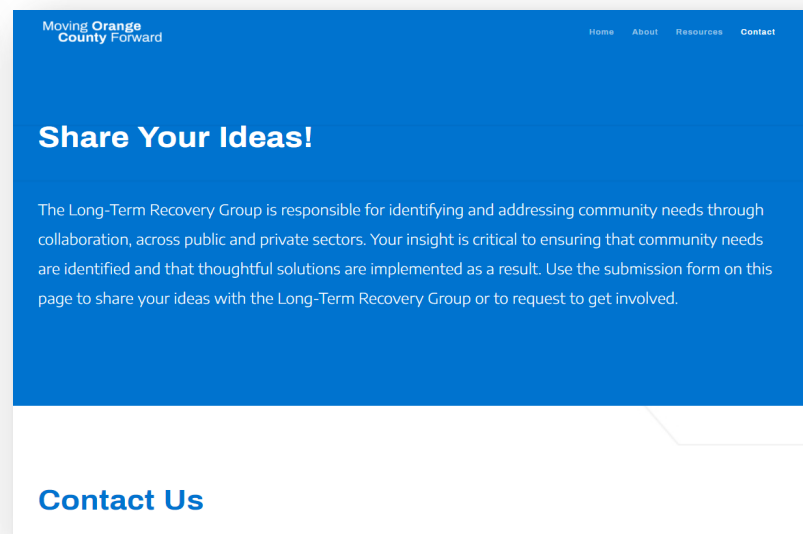
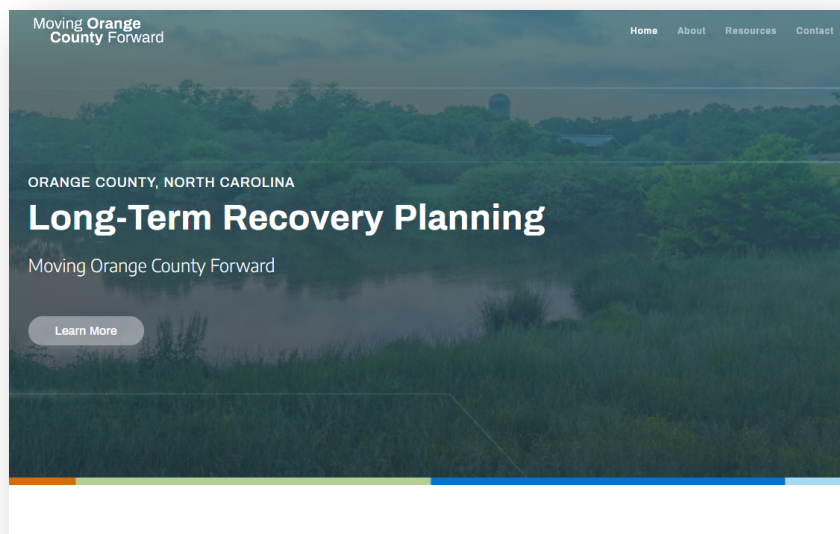




Website Launch

On September 16, 2020, the Orange County Recovery Planning Website was launched to centralize recovery efforts and actions taken by the group.

The website includes an “About” page detailing the Long-Term Recovery Group’s purpose and identified Recovery Support Functions. Additionally, the website houses meeting materials, planning documents, project timeline, and a contact submission box for community inquiries or concerns.





Key Findings: Impact Assessment

- Black and Latinx communities are contracting COVID-19 at notably disproportionate rates in Orange County, mirroring a similar trend across the United States.
- Most individuals who contract COVID-19 are under 49 years old and many are under 30, indicating high infection rates in younger adult populations within Orange County.
- Job loss was five percent lower in Orange County than the national average. The industry breakdown of Orange County, with roughly 23.1% of jobs being those in the educational services sector and 16.2% in the healthcare and social assistance sector, may have created stability for the County but statistically camouflage the impact of unemployment in other sectors.
- Between January and July 2020, the Orange County Emergency Housing Assistance Fund helped divert 365 households from eviction and/or homelessness, compared to 26 households in 2019 (1000%+ increase).
- Moving to an online learning environment has been challenging for many families in Orange County. In 2018, Orange County cited 5,000 households in rural areas that are underserved by broadband internet.



Recovery and Transformation Goals

The Planning Support Team identified five preliminary (draft) recovery goals for Orange County through the Community Values Survey, recovery stakeholder input, and community needs exposed through the COVID-19 Impact Assessment.

Long-Term Recovery and Transformation Goals

- Address fundamental needs of all residents;
- Create safe, stable, and affordable housing solutions;
- Promote a dynamic, equitable, and sustainable economic recovery;
- Streamline access to community-based resources; and
- Combat the negative effects of social distancing.

Agenda

Project Overview

Planning Status Update

Upcoming Recovery Activities



Upcoming Recovery Activities



Engage BIPOC Community Leaders

- Work with the Department of Human Rights and Relations to engage BIPOC community leaders to validate and help design the Recovery and Transformation Plan.



Recovery and Transformation Plan

- Continue to refine initiatives and strategies based on community and stakeholder input, to inform the Recovery and Transformation Plan.

Thank You!

Kayla Slater
Project Manager

Michael Levkowitz
Deputy Project Manager

orangeNCforward.org





Town of Carrboro

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

Agenda Item Abstract

File Number:20-408

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA) Amendment

PURPOSE: The purpose of this item is to provide an opportunity for the Town Council to consider approving a possible amendment to the WASMPBA.

DEPARTMENT: Planning

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

INFORMATION: The Water and Sewer Management, Planning, and Boundary Agreement is an agreement signed in 2001 between Orange County, the Orange Water and Sewer Authority (OWASA), and the Towns of Chapel Hill, Carrboro, and Hillsborough. The agreement provides a comprehensive county-wide system of utility service areas upon which signatory entities could rely when making decisions related to issues such as planning, land use, annexation, zoning, and growth management.

In mid-February, the petition (*Attachment B*) was received by the five signatories of the WASMPBA. The petition was made on behalf of the property owners for two undeveloped lots - 1204 and 1205 Bayberry Drive. These two lots that were formerly (pre-2000) within the Town of Chapel Hill's "urban service area" and OWASA facilities are currently "stubbed out" to the lots. Connection would have been possible under OWASA's previous connection policies.

In reviewing this request and this location, staff of all the parties to the agreement agreed that including additional, adjacent, previously developed lots (11 in total) in the proposed boundary amendment would better match the service potential in this area and provide consistent water and sewer policy for all lots in the Hunt's Reserve neighborhood. The nine additional lots currently have homes on them and are served by OWASA services. Water and sewer lines were installed to serve the neighborhood in 1997.

The neighborhood in question predates adoption of WASMPBA in 2001. At that time, the Town of Chapel Hill had an interest in reducing the size of the water and sewer service area in southern Chapel Hill. OWASA and the Town put a policy in place that allowed lots to still receive water and sewer service if the "structure existed before May 8, 2000 and is located on a lot adjacent to an OWASA water or sewer line that was installed before

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

May 8, 2000". During staff review, the appropriateness of a minor boundary amendment to prevent the boundary line from bisecting a neighborhood was highlighted. Staffs believe that, particularly in cases such as this where services already exist and/or are being provided and property owners are requesting inclusion, it is appropriate to include served parcels in the "Primary Service Area" for water and sewer services. OWASA staff have advised that, from an engineering perspective, it is feasible to provide water and sewer service to all 11 lots under consideration (9 of the lots already receive services). A vicinity map is included as *Attachment C*.

The meeting schedule for the five WASMPBA parties to consider this amendment is as follows:

Chapel Hill - October 28

Hillsborough - November 9

Carrboro - November 10

OWASA - November 12

Orange County - November 17

Attachment A is a Resolution to approve the amendments with a map exhibit included. Amendments to the WASMPBA require approval of all five signatory parties through the regular agenda/decision process; a public hearing is not required. As the initiator of this amendment, since the parcels in question are within its planning jurisdiction, the Town of Chapel Hill's resolution requested that the governing boards of the Town of Carrboro, the Town of Hillsborough, Orange County, and OWASA consider approval of the amendment.

FISCAL & STAFF IMPACT: No extraordinary staff and fiscal impacts are anticipated with adoption of the amendment. Some additional development potential and associated property tax revenues would be expected with development served by water and sewer services in the areas added to the Primary Service Area.

RECOMMENDATION: It is recommended that the Town Council consider adoption of the resolution (*Attachment A*) approving an amendment to the Water and Sewer Management, Planning, and Boundary Agreement to adjust the Primary Service Area boundary and include the noted lots in the Hunt's Reserve neighborhood.

A RESOLUTION APPROVING AN AMENDMENT TO APPENDIX A OF THE WATER AND SEWER MANAGEMENT, PLANNING AND BOUNDARY AGREEMENT (WASMPBA) TO DESIGNATE 31.88 ACRES IN THE SOUTHEAST CHAPEL HILL AREA AS “OWASA PRIMARY SERVICE AREA”

WHEREAS, in 2001, Carrboro, Chapel Hill, Hillsborough, Orange County, and the Orange County Water and Sewer Authority ("OWASA") adopted a Water and Sewer Management, Planning and Boundary Agreement (“Agreement”); and

WHEREAS, the Agreement was last amended on June 6, 2020; and

WHEREAS, Chapel Hill residents Frank Baumgartner and Rachel Sumney submitted petitions to each of the WASMPBA signatories in February 2020, requesting approval to hook up to existing water and sewer lines at 1204 and 1205 Bayberry Drive in Chapel Hill; and

WHEREAS, the two lots in question are immediately adjacent to other residential lots that receive OWASA services, and are located on the eastern side of the Hunt’s Reserve neighborhood which is predominately located in the “OWASA Primary Service Area” as defined in the Agreement; and

WHEREAS, OWASA staff have advised that, from an engineering perspective, it is feasible to provide water and sewer service to all lots in the Hunt’s Reserve neighborhood; and

WHEREAS, Town of Carrboro staff have determined that it is reasonable to include all lots and portions of lots accessed via Bayberry Drive within the boundary of the OWASA Primary Service Area, in order to provide consistent water and sewer policy for all lots in the Hunt’s Reserve neighborhood; and

WHEREAS, eleven lots or portions of lots accessed via the eastern end of Bayberry Drive, constituting a total area of approximately 31.88 acres, are currently designated as “OWASA Long-Term Interest Area” in the Agreement; and

WHEREAS, amendments to the Agreement require the approval of all signatories to the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Carrboro Town Council approves the amendment to Appendix A of the Agreement to designate approximately 31.88 acres in the southeast Chapel Hill area as an addition to the “OWASA Primary Service Area”, as shown on the map attached hereto.

This the 10th day of November in the year 2020

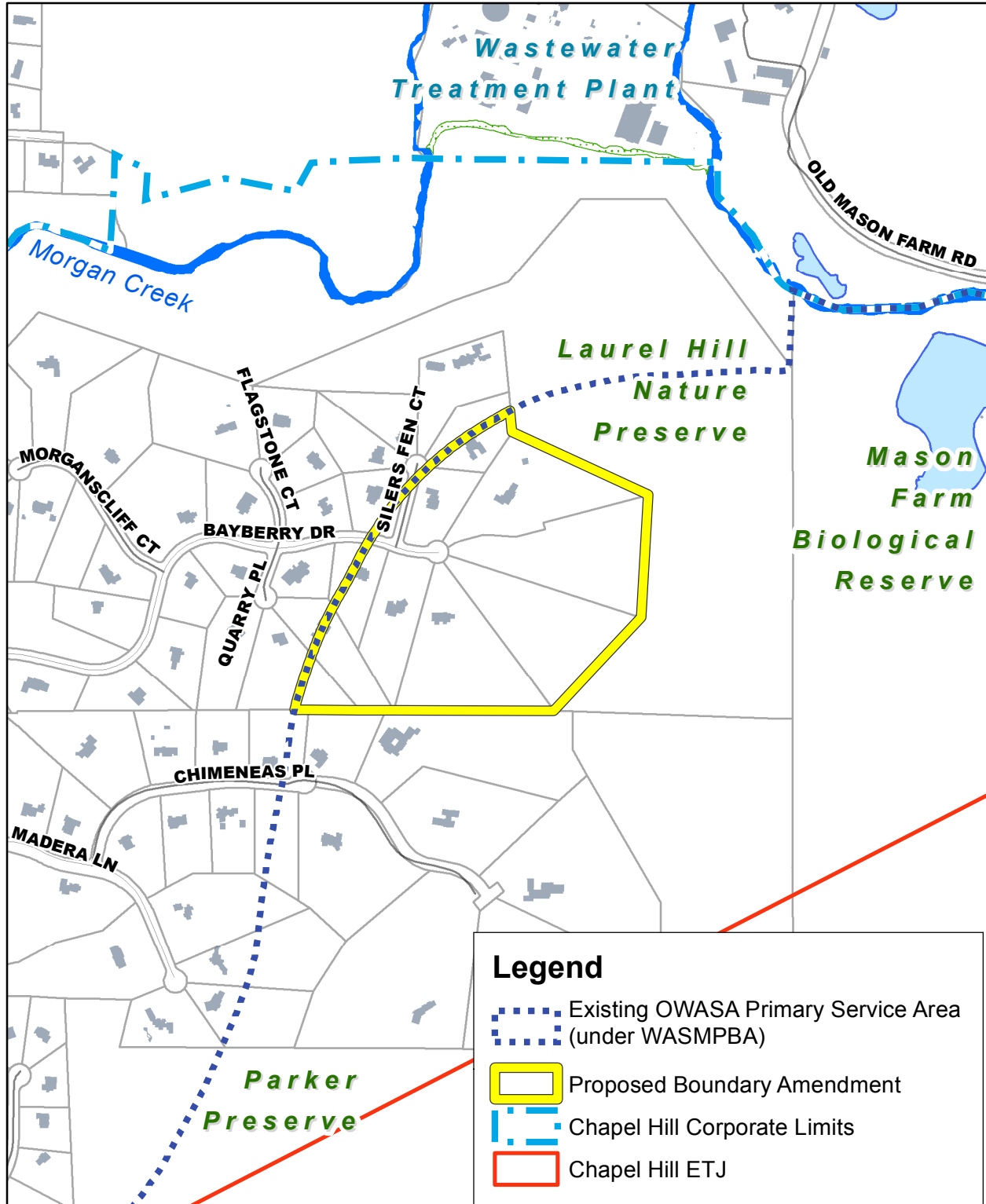
Proposed WASMPBA Boundary Amendment Map

Orange Co. PIN(s):

9797182425 (portion); 9797184466 (portion); 9797185863 (portion);

9797187741; 9797196038 (portion); 9797198078; 9797280531;

9797283600; 9797285945; 9797290337 (portion); 9797293252



0 0.05 0.1 0.2 Miles

Map Created: 10-07-20
Chapel Hill Planning
Department

P.M. Dubbeling, PLLC

210 North Columbia Street
Chapel Hill, NC 27514

Kaitlin O'Connor
Phone: 919-635-6005
Fax: 919-404-7074
kaitlin.oconnor@pmdubbeling.com

14 February 2020

Petition for Approval to Hook Up Existing Water and Sewer Lines at 1204 and 1205 Bayberry Lane in Chapel Hill

Chapel Hill residents Frank Baumgartner and Rachel Sumney petition Orange County Board of Commissioners to allow the Orange County Water and Sewer Authority ("OWASA") to provide water and sewer services to 1204 and 1205 Bayberry Drive in Chapel Hill. This petition is made for the following reasons:

Background

Frank Baumgartner and Rachel Sumney own lots located in the Hunt's Reserve neighborhood in Chapel Hill – Lots 1204 and 1205 respectively on the attached map. Attachment 1. As part of the initial development in the late 1990's, water and sewer lines were laid to all the lots in Hunt's Reserve, including 1204 and 1205 Bayberry Lane. At that time, the entirety of Hunt's Reserve was located within the OWASA service boundary and it was understood that all of the lots would have water and sewer service provided by OWASA.

In 2001, Orange County, OWASA, and the Towns of Chapel Hill, Hillsborough, and Carrboro entered into a Water and Sewer Management, Planning, and Boundary Agreement ("WSMPBA"). The WSMPBA set the OWASA primary service boundary so that it runs down the middle of Hunt's Reserve. Attachment 1. As shown on the map, lots 100,

P.M. Dubbeling, PLLC

1200, 1202, 1204, 1205, and 1203 lie outside the current boundary. At that time, development of lots 100, 1200, 1202, and 1203 had already begun and water and sewer services were provided to those lots despite their lying outside the new boundary – leaving 1204 and 1205 with water and sewer lines laid, but without actual water and sewer service.

Ms. Sumney bought her lot prior to 2001 and always understood that it would be provided water and sewer service. She did not find out that it was now outside the OWASA service boundary until she recently began to prepare the lot for sale. Mr. Baumgartner bought his lot more recently, but also was unaware that the lot did not currently have water and sewer service as this did not become apparent during the standard pre-purchase procedures. He only became aware of this in speaking with Ms. Sumney.

Petition

Under the WSMPBA, service to the lots at 1204 and 1205 Bayberry Lane may only be turned on with the approval of each party to the WSMPBA. Attachment 2 at page 2. This petition asks for such approval from Orange County Board of Commissioners. Permission of the other parties is being sought simultaneously.

Service to 1204 and 1205 Bayberry Lane comes at no additional cost to any party to the WSMPBA that will not be fully recouped from fees paid by the residents. There are existing water and sewer lines that only require “hook up.” Each of the other lots in the subdivision is currently provided service and, at the time Mr. Baumgartner and Ms. Sumney purchased these lots, they did so with the understanding that the lots would also be within OWASA’s service boundary. Mr. Baumgartner and Ms. Sumney only became aware that the lots were now outside the boundary when Ms. Sumney prepared to sell and develop her lot.

P.M. Dubbeling, PLLC

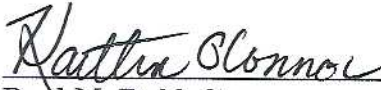
1204 and 1205 Bayberry Lane are in a very rare if not unique situation – water and sewer lines have already been laid and service was anticipated prior to the change in boundaries in 2001. By accepting this petition, no party runs the risk of creating a precedent whereby other properties currently outside the OWASA boundary have a rightful claim to service. OWASA is only being asked to turn on service through already existing lines. Conversely, providing services to 1204 and 1205 Bayberry Lane does not provide grounds for expanding other services areas in Orange County. Again, these lines have already been laid and the only thing needed is permission to utilize them. Providing services to 1204 and 1205 Bayberry Lane will not negatively impact any party or subvert the purpose of the WSMPBA.

Conclusion

Mr. Baumgartner and Ms. Sumney respectfully request that Orange County approve this Petition by stating that it has no objection to OWASA providing services to 1204 and 1205 Bayberry Drive in Chapel Hill.

Should any Orange County Commissioner or Commissioner staff member have any questions, I can be reached at the email or phone number below.

This the 14th day of February, 2020.

 for Paul Dubbeling

Paul M. Dubbeling
P.M. Dubbeling, PLLC
210 North Columbia Street
Chapel Hill, NC 27514
Phone: 919-635-6005
Fax: 919-404-7074
paul.dubbeling@pmdubbeling.com
Attorney for Mr. Baumgartner and Ms. Sumney

AFFIDAVIT OF FRANK BAUMGARTNER

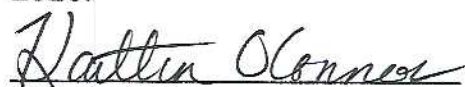
I, Frank Baumgartner, have reviewed the contents of the attached Petition for Approval to Hook Up Existing Water and Sewer Lines at 1204 and 1205 Bayberry Lane in Chapel Hill. The contents of the Petition are true and accurate to the best of my information and belief.

This the 14 day of February 2020.


Frank Baumgartner

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

Sworn and subscribed to before me by Frank Baumgartner this 14 day of February 2020.



Kaitlin O'Connor

Notary Public


My Commission Expires 9/22/24

Kaitlin O'Connor
NOTARY PUBLIC
Durham County, NC
My Commission Expires September 22, 2024

AFFIDAVIT OF RACHEL SUMNEY

I, Rachel Sumney, have reviewed the contents of the attached Petition for Approval to Hook Up Existing Water and Sewer Lines at 1204 and 1205 Bayberry Lane in Chapel Hill. The contents of the Petition are true and accurate to the best of my information and belief.

This the 14th day of February 2020.


Rachel Sumney

STATE OF NORTH CAROLINA
COUNTY OF ORANGE

Sworn and subscribed to before me by Rachel Sumney this 14 day of February 2020.

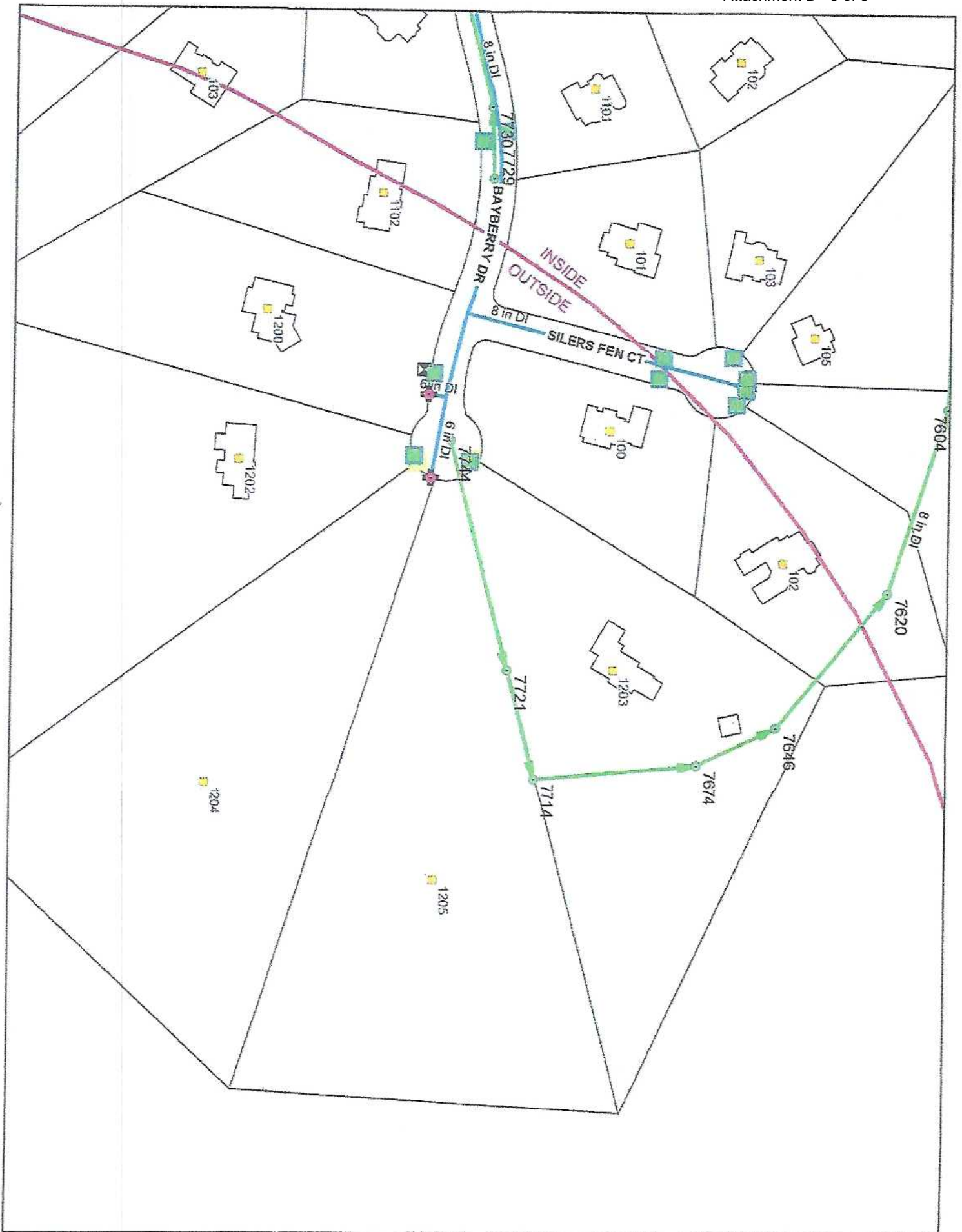


Kaitlin O'Connor

Notary Public





My Commission Expires 9/22/24

Kaitlin O'Connor
NOTARY PUBLIC
Durham County, NC
My Commission Expires September 22, 2024

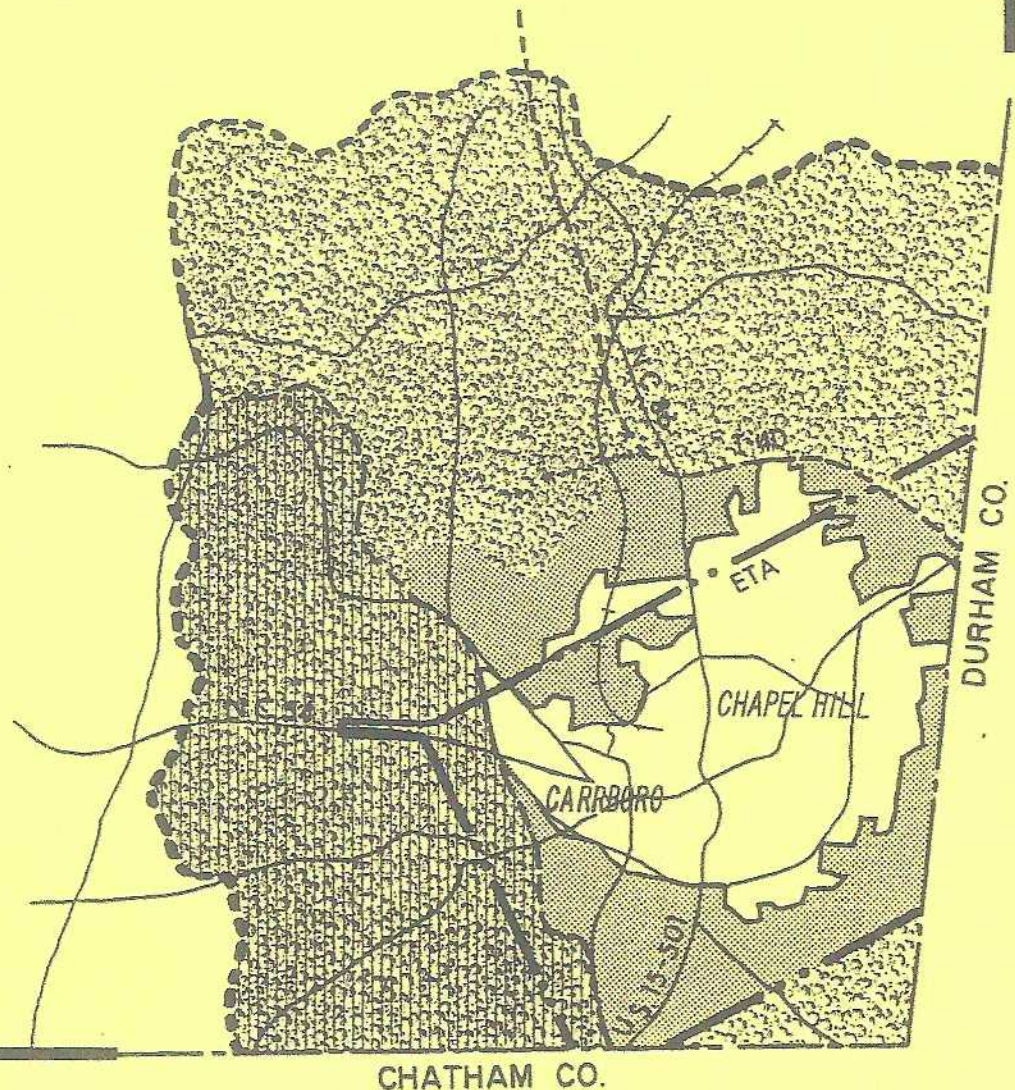


JOINT PLANNING LAND USE PLAN

Legend:

-  URBAN
-  TRANSITION
-  RURAL BUFFER
-  WATERSHED

October, 1986



Adopted	10-13-86	
Amended	8-16-88	
	9-6-88	
	4-2-90	
	2-3-92	(effective 2/24/92)
	2-1-93	
	2-2-99	
	8-20-02	
	6-24-03	
	10-1-03	

Amended 6/9/14
6/17/14
4/7/15
12/7/15

Exhibit B

WATER AND SEWER MANAGEMENT, PLANNING AND BOUNDARY AGREEMENT

THIS AGREEMENT, made and entered into this 3rd day of December, 2001, by and between the COUNTY OF ORANGE, a political subdivision of the State of North Carolina; the TOWN OF CARRBORO, the TOWN OF CHAPEL HILL, and the TOWN OF HILLSBOROUGH, municipal corporations duly created and existing under the laws of North Carolina; and the ORANGE WATER AND SEWER AUTHORITY, a public water and sewer authority duly created and existing under Chapter 162A, Article 1 of the North Carolina General Statutes.

WITNESSETH:

In consideration of mutual benefits regarding the definition of water and sewer service boundaries and the management and planning thereof, the parties to this agreement hereby mutually agree as follows:

I. PREAMBLE

A. Charge to the Water and Sewer Boundary Task Force :

Since the mid-1980's, several attempts to define water and sewer service boundaries for Orange County and the municipalities of Chapel Hill, Carrboro and Hillsborough have been undertaken. In 1994, a Task Force was formed consisting of elected officials from Carrboro, Chapel Hill, Hillsborough and Orange County, as well as two members of the Orange Water and Sewer Authority Board of Directors. The charge to the Water and Sewer Service Boundary Task Force is attached as Appendix B.

B. Purpose of Water and Sewer Boundary Agreement

1. To provide a comprehensive, County-wide system of service areas for future utility development and interest areas for dealing with private water and wastewater system problems in areas without public water and sewer service.

2. To complement growth management objectives, land use plans and annexation plans in existing agreements, such as the Orange County-Chapel Hill-Carrboro Joint Planning Agreement and Joint Planning Area Land Use Plan
3. To resolve in advance and preclude future conflicts about future service areas and annexation areas.
4. To provide for predictable long-range water and sewer capital improvement planning and financing.
5. To provide for limitations on water and sewer service in certain areas, as defined.

II. HOW THE AGREEMENT WORKS

A. Effective Date of the Agreement

This agreement shall become effective upon execution by all of the parties and signature by the chief elected or appointed official.

B. Term of Agreement

This agreement shall remain in effect for ten (10) years from its execution, and shall be renewable as provided in the following subsection.

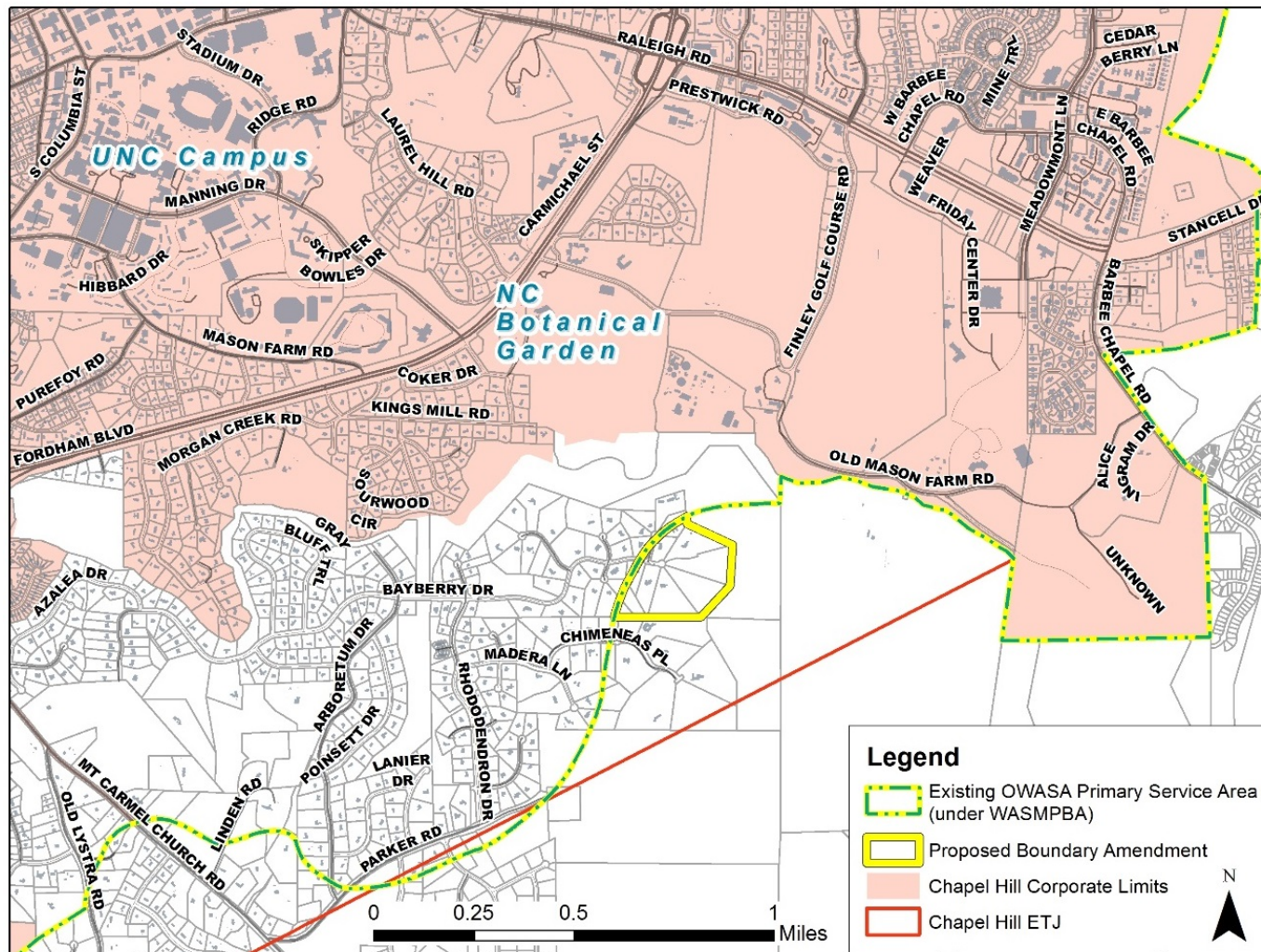
C. Procedure for renewal

At the end of each ten year term, the agreement shall renew automatically, unless written notice is provided of intent to withdraw as noted in subsection E below.

D. Procedure for proposing and acting on changes in agreement including boundaries

1. Any change to the agreement (including boundaries) requires approval of all parties to the agreement.

Vicinity Map





Town of Carrboro

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

Agenda Item Abstract

File Number:20-415

Agenda Date: 11/17/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Resolution Authorizing Preparation of Draft Boundary Resolution Mechanism for Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA) Amendment

PURPOSE: The purpose of this item is to provide an opportunity for the Town Council to support the preparation of a draft WASMPBA map interpretation/boundary resolution mechanism for consideration by all partners to the agreement.

DEPARTMENT: Planning

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

INFORMATION: The Water and Sewer Management, Planning, and Boundary Agreement is an agreement signed in 2001 between Orange County, the Orange Water and Sewer Authority (OWASA), and the Towns of Chapel Hill, Carrboro, and Hillsborough.

During staff review of a recent petition (see Town Council agenda item 20-408) for a boundary adjustment to add properties to the primary service area mapped as part of the Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA), two factors were noted. First, that the original service boundary included within WASMPBA was drawn on topographic maps that were of a fairly small scale. And, second that the actual gravity sewer service potential was not field verified, so some locations where gravity service would be possible were not included.

The circumstances described for the Bayberry Lane properties discussed in agenda item 20-408 are not the only instance where natural features (e.g., a stream or ridge line) have been designated as the boundaries of a service area. Natural features were not surveyed when the WASMPBA boundaries were mapped. Technology has improved since 2001, including geographic information systems (GIS) capability and more detailed topographic mapping.

Staff from the five WASMPBA parties have discussed a potential mechanism that would authorize the resolution of minor discrepancies in the future through GIS analysis and staff interpretation, rather than through the existing process which requires formal action by each of the five governing boards. Staffs of the WASMPBA parties are requesting direction from the respective governing boards regarding the development of

Agenda Date: 11/17/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

an administrative provision that could be included in the WASMPBA. If authorized, staffs would work together on language and bring an item forward for future consideration.

FISCAL & STAFF IMPACT: No extraordinary staff and fiscal impacts are anticipated with preparation of an administrative WASMPBA boundary resolution mechanism. Some additional use of properties and some increased development potential and associated property tax revenues could be expected with development served by water and sewer services in areas added to the Primary Service Area.

RECOMMENDATION: It is recommended that the Town Council consider adoption of a resolution (*Attachment A*) that directs staff to work with WASMPBA partners to prepare a draft map interpretation/boundary resolution mechanism for possible incorporation into the agreement at a later date.

**A RESOLUTION AUTHORIZING PREPARATION OF A DRAFT MAP
INTERPRETATION/BOUNDARY RESOLUTION MECHANISM BY STAFF
PARTNERS TO THE WASMPBA**

WHEREAS, in 2001, Carrboro, Chapel Hill, Hillsborough, Orange County, and the Orange County Water and Sewer Authority ("OWASA") adopted a Water and Sewer Management, Planning and Boundary Agreement ("Agreement"); and

WHEREAS, the Agreement has been amended on several occasions, most recently on June 6, 2020; and

WHEREAS, in considering requests for information or clarification of the Primary Service Area boundary, staff of the agreement partners have discussed the limitations of the original mapping and service potential; and

WHEREAS, the WASMPBA currently only provides for changes to the service area boundaries to be reviewed and approved by the boards of the five agreement partners; and

WHEREAS, staff are requesting authorization to prepare a draft administrative map interpretation/boundary resolution mechanism that can be brought back to all the boards for consideration and possible incorporation into the agreement.

NOW, THEREFORE, BE IT RESOLVED that the Carrboro Town Council authorizes staff to work with those in the WASMPBA agreement partners to develop a draft mechanism to administratively adjust and resolve mapping and service discrepancies in the mapped service area boundaries for possible future formal consideration by all.

This the 10th day of November in the year 2020.



Town of Carrboro

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

Agenda Item Abstract

File Number:20-398

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Second Public Hearing on CDBG-CV Grant Application for Emergency Housing Assistance

PURPOSE: The purpose of this item is to (1) hold a public hearing on the draft application from the Town of Carrboro for Federal Community Development Block Grant - Coronavirus (CDBG-CV) Funds, and (2) to authorize the Town to submit an application for CDBG-CV funds.

DEPARTMENT: Housing and Community Services

CONTACT INFORMATION: Rebecca Buzzard, Housing and Community Services Director,
rbuzzard@townofcarrboro.org <<mailto:rbuzzard@townofcarrboro.org>>, 919-918-7438

INFORMATION: On August 25, 2020, Governor Roy Cooper announced funding for three initiatives to help North Carolinians with rental and utility payments in the wake of the COVID-19 pandemic. See link [here](https://governor.nc.gov/news/governor-cooper-announces-175-million-assist-rental-utility-payments-north-carolinians) <<https://governor.nc.gov/news/governor-cooper-announces-175-million-assist-rental-utility-payments-north-carolinians>>. One of these initiatives provided the availability of \$27.5 million from a federal Community Development Block Grant - Coronavirus (CDBG-CV) to be administered by incorporated municipalities with under 50,000 residents and counties with under 200,000 residents, through the North Carolina Department of Commerce. Local governments were encouraged to prioritize the support of rental and utility payments. Excerpted guidelines for the grant are included as Attachment B.

Carrboro staff proposes applying for the CDBG-CV funds to be used with the County's existing Emergency Housing Assistance (EHA) program, which provides financial assistance to help Orange County residents with low incomes secure and maintain stable housing (see Attachment C). Assistance is available to households in Orange County that earn no more than 60% of the area median income, have an urgent COVID-19 related need for housing assistance, and do not have adequate savings to cover the cost of their housing need.

The \$300,000 in Coronavirus Aid, Relief, and Economic Security (CARES) Act allocated for EHA by the Town Council on June 23, 2020 and August 18, 2020 has been expended and the need for rental and utility assistance has not abated (see Attachment D). The application period for this grant opened on September 1, 2020, and the CDBG-CV funds will be awarded on a first-come, first-served basis. EHA is a collaborative, successful, and established program that has contracted with experienced CDBG administrators and is ready to use the funds, if approved.

Before submitting an application, the Town of Carrboro must hold two (2) public hearings to obtain public comments. The first public hearing was held on October 27, 2020, at the beginning of the application process.

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

The second public hearing - this hearing - must occur after the application is drafted but prior to its submission. The draft application is available online at:

<https://www.townofcarrboro.org/2490/CDBG-CV-for-Emergency-Housing-Assistance>.

The Town Council must also authorize the Town to submit an application for CBDG-CV funds through a resolution (Attachment A). All public comments received during the public hearing today, the prior hearing, and throughout the entire public comment period will be considered and incorporated into the Town's final application.

FISCAL & STAFF IMPACT: If the Town of Carrboro is awarded CDBG-CV funds, up to \$900,000 would be available for Emergency Housing Assistance.

RECOMMENDATION: Staff recommends that the Town Council (1) conduct the public hearing and accept comment on the draft application for CDBG-CV funds to be used for Emergency Housing Assistance and (2) pass the attached resolution authorizing the Department of Housing and Community Services to submit an application for CDBG-CV funds for Emergency Housing Assistance and to contract with Orange County to administer the program and funds.

RESOLUTION APPROVING THE TOWN OF CARRBORO APPLICATION FOR
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING
FOR THE EMERGENCY HOUSING ASSISTANCE FUND

WHEREAS, the Town of Carrboro Town Council adopted the Affordable Housing Goals and Strategies document on June 17, 2014, which includes provisions to help secure and maintain stable housing; and,

WHEREAS, the Town Council, on June 23, 2020 indicated their support for collaborating with Chapel Hill, Hillsborough and Orange County to streamline and coordinate our rental and utility assistance process and increase funding to the Emergency Housing Assistance fund in order to stabilize housing for local residents in the wake of the COVID- 19 pandemic; and,

WHEREAS, \$300,000 in Town Coronavirus Relief Funds and \$22,084 in local money has been spent on the Emergency Housing Assistance program, and the community need continues to grow; and,

WHEREAS, the Town of Carrboro wants to support its residents seeking assistance through the Orange County-administered Emergency Housing Assistance fund in order to prevent eviction and homelessness in Carrboro; and,

WHEREAS, Orange County has successfully administered this fund throughout the course of the pandemic and has agreed to enter into a contract with the Town of Carrboro to continue to administer the program; and,

WHEREAS, the Town Council has held two public hearings concerning the proposed application for Community Development Block Grant funding to benefit the Town's residents through the Emergency Housing Assistance fund; and,

WHEREAS, Orange County will be administering the Emergency Housing Assistance program and has adopted a citizen participation plan in accordance with CGBG funding guidelines; all implementation, assessment, and technical assistance plan components will be completed by the County on behalf of the Town of Carrboro; and,

WHEREAS, the Town Council members support the Town's formal application for Community Development Block Grant funding to benefit the Emergency Housing Assistance fund; and,

WHEREAS, the Town Council members certify that the Town will meet all federal regulatory and statutory requirements of the State of North Carolina Community Development Block Grant Program,

NOW, THEREFORE BE IT RESOLVED, by the Town of Carrboro Town Council that the Town of Carrboro is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant to benefit the Emergency Housing Assistance fund.

BE IT FURTHER RESOLVED, that the Town Manager is authorized to execute a contract for CDBG-CV grant administration with Orange County.

BE IT FURTHER RESOLVED, that the application shall not be submitted until twenty four (24) hours after the approval of this resolution AND that if any written public comments are received during that time, the Town of Carrboro Town Council shall reconvene to consider the comments and adopt a new resolution authorizing the application, consistent with NCGS (S.L. 2020-3, SB 704).

This resolution shall become effective upon adoption.

Excerpts from the North Carolina CDBG Coronavirus Program Guidance and Application

INTRODUCTION

NC Commerce's Rural Economic Development Division (REDD) will administer the **Community Development Block Grant Coronavirus (CDBG-CV)** funds awarded to the State by the U. S. Department of Housing and Urban Development (HUD) to support North Carolina's COVID-19 response efforts. This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis. Initially, REDD makes available approximately \$27.5 million through awarding grants to non-entitlement communities (i.e., incorporated municipalities under 50,000 and counties under 200,000 in population).

The **North Carolina CDBG-CV** Program is designed to help a non-entitlement municipality or county to prepare, prevent, or respond to the health and economic impacts of COVID-19. The activities must be most critical to their locality and primarily for their low-and-moderate income residents. Beginning September 1, 2020, REDD will award CDBG-CV funds on a first-come, first-served basis with a focus on local needs identified by the community in collaboration with state and local health officials. Applicants may view current COVID-19 metrics on the North Carolina Department of Health and Human Services website at <https://covid19.ncdhhs.gov/>.

AREAS OF FOCUS FOR CORONAVIRUS RESPONSE

As noted by Governor Roy Cooper, "efforts to support families, small business, and economic recovery remain critical" during the COVID-19 pandemic. In support of these public health and economic recovery goals, **North Carolina CDBG-CV** Program projects must incorporate at least one of the following as an area of focus:

- ☐ ***Support families and communities through telehealth support and other public services.***
- ☐ ***Protect the most vulnerable and high-risk populations.***
- ☐ ***Assist small businesses with economic recovery.***
- ☐ ***Address testing, tracing, and trends.***

FUNDING PRIORITIES BY ELIGIBLE ACTIVITY

The State has established the following funding priorities by eligible activity:

- **Public Service:** The priority in this category is subsistence payments to prevent evictions and utility disconnections. Food distribution, testing and diagnosis, and employment training for health care workers on the frontlines are also prioritized.
- **Public Facilities:** The priority in this category is broadband services and enhancing internet access that supports increased connectivity to schools, jobs, and healthcare. This category also includes building rehabilitation or improvements to support activities such as repurposing buildings into patient treatment centers.
- **Economic Development:** The priority in this category is to provide financial assistance to businesses with 100 or fewer employees, including microenterprises with five or fewer employees. The focus is to support businesses that manufacture medical supplies, and to help small businesses impacted by COVID-19 create and retain jobs.

NATIONAL OBJECTIVES

Like CDBG, **CDBG-CV** projects must meet a national objective. The three national objectives are: (1) benefiting low-and-moderate income (LMI) persons; (2) preventing or eliminating slums or blight; and (3) meeting other community development needs that are deemed to be urgent because of existing conditions that pose a serious and immediate threat to the health and welfare of the community, and other financial resources are not available to meet the need. All **NC CDBG-CV** project activities will meet the urgent need national objective; however, grantees must serve at least 51% low-to-moderate income persons for activities for public services and public facilities and 70% low-to-moderate income persons for special economic development activities.

ELIGIBLE APPLICANTS

Eligible applicants are local governments that (1) meet specific funding and threshold criteria, (2) meet a specific level of readiness to proceed, and (3) are acknowledged by REDD in writing as eligible to apply.

These minimum performance requirements measure an applicant's capacity to adequately implement and administer the **CDBG-CV** program. REDD will review progress on CDBG programs currently underway in the locality and will consider all unresolved audit and monitoring findings on active CDBG grants in determining capacity.

Eligible local governments may submit applications to undertake eligible activities within their jurisdictions. The jurisdiction may be the corporate limits of the municipality, its extraterritorial jurisdiction (ETJ) or areas outside of the extraterritorial jurisdiction, depending on project activities. Each applicant is required to certify that it possesses legal authority to carry out the proposed activities. Unless contradictory evidence is submitted to REDD, the Division will accept the applicant's certification of legal authority.

AWARD AMOUNTS

The maximum grant amount is \$900,000 per grantee with some restrictions for specific activities. There is no minimum grant amount. Applicants should consider feasibility as it relates to the overall cost of any project. Pre-award, planning, and administration is limited to 10% of the awarded grant total.

GRANT PERIOD (Life Cycle)

The grant period for **NC CDBG-CV Program** projects is 30 months.

USE OF AN EXPERIENCED CDBG ADMINISTRATOR

The local government applicant must have the capacity to administer the proposed project with either its own CDBG-experienced staff or the assistance of an experienced CDBG administrator (e.g., CDBG-experienced consultant, Council of Government, non-profit). "Experienced" to administer proposed project for this application is defined as, someone who has administered more than one CDBG project. All applicants must have also met the basic performance requirements for prior CDBG grants.

Emergency Housing Assistance (EHA)

Prior to the spring of 2020, all of the Orange County jurisdictions had different rent and utility assistance programs. When the COVID-19 pandemic hit, Chapel Hill, Carrboro, Hillsborough, and Orange County worked together to create a streamlined process for urgent assistance that would be easier for residents to access. All jurisdictions financially supported the EHA program, administered through the County, to help residents with low incomes secure and maintain stable housing. Assistance is available to households in Orange County that:

1. Earn no more than 60% of the area median income (AMI),
2. Have an urgent need for housing assistance that is **related to the COVID-19 pandemic**, and
3. Do not have adequate savings or resources to cover the cost of their housing need.

The most current **income limits** for Orange County are below:

- 1-person household: \$38,220
- 2-person household: \$43,680
- 3-person household: \$49,140
- 4-person household: \$54,540
- 5-person household: \$58,920
- 6-person household: \$63,084
- 7-person household: \$67,680
- 8-person household: \$72,000

Eligible Costs

Emergency Housing Assistance may pay for security deposits, utility connections and arrears, rental payments and arrears, and, in certain emergency situations and upon OCHCD approval, other urgent housing- related costs (e. g., moving costs), especially for hard- to-house individuals and families, such as large families with children, seniors, people with disabilities, veterans, and people with justice system involvement. Emergency Housing Assistance may not duplicate any assistance provided by any other program.

Maximum Assistance

The total amount of assistance provided to any household may not exceed \$6,500.

For more information, please contact the **Housing Helpline:**

HousingHelp@orangecountync.gov or 919-245-2655

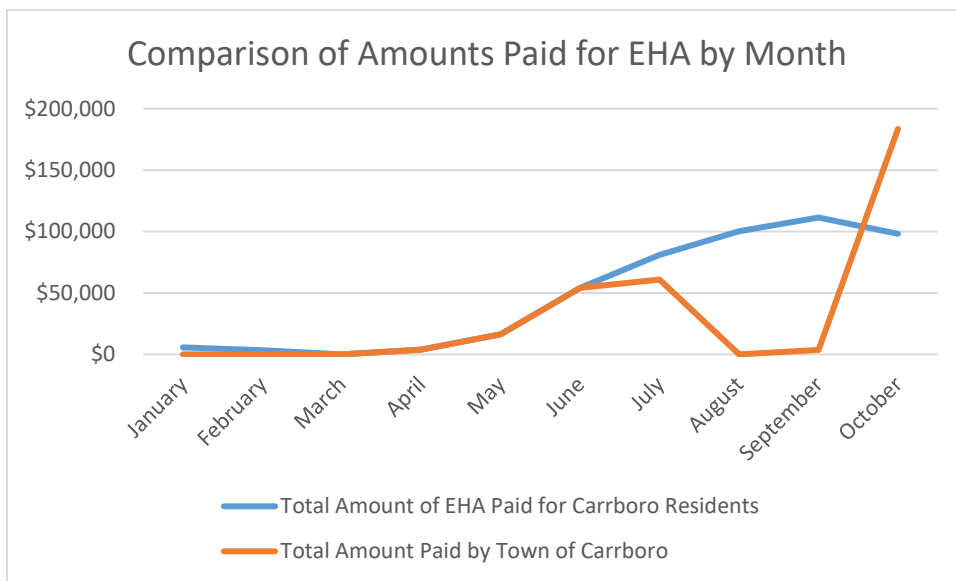
Emergency Housing Assistance Data (as of 10/22/20)

Total Amount of EHA Paid for Carrboro Residents

January	February	March	April	May	June	July	August	September	October	Total
\$5,664	\$3,273		\$3,752	\$16,267	\$54,096	\$80,950	\$100,375	\$111,425	\$98,271	\$474,073

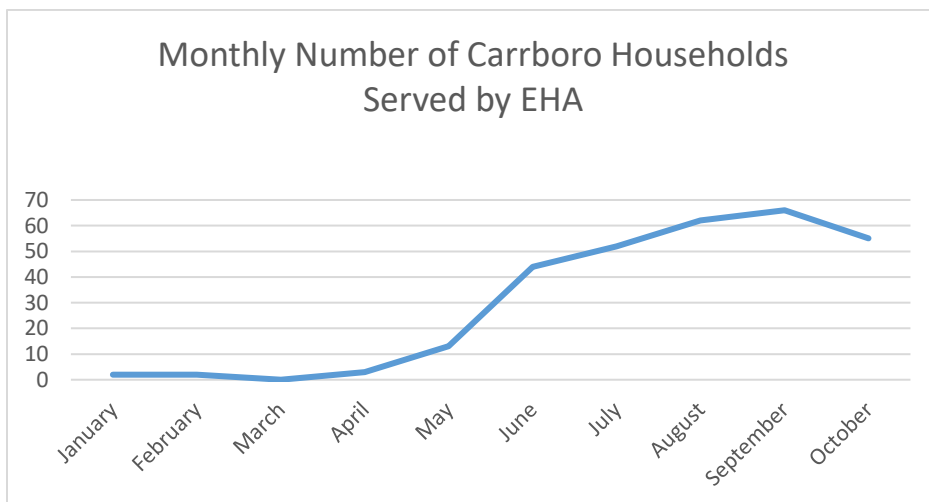
Total Amount Paid by Town of Carrboro through Local Funds and CARES Act Money

January	February	March	April	May	June	July	August	September	October	Total
			\$3,752	\$16,267	\$54,096	\$60,977		\$3,549	\$183,500	\$322,141



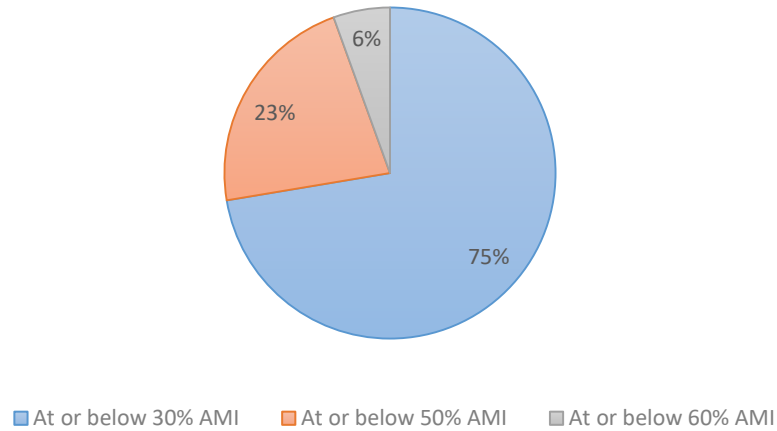
Number of Carrboro Households Served

January	February	March	April	May	June	July	August	September	October	Total
2	2	0	3	13	44	52	62	66	55	193

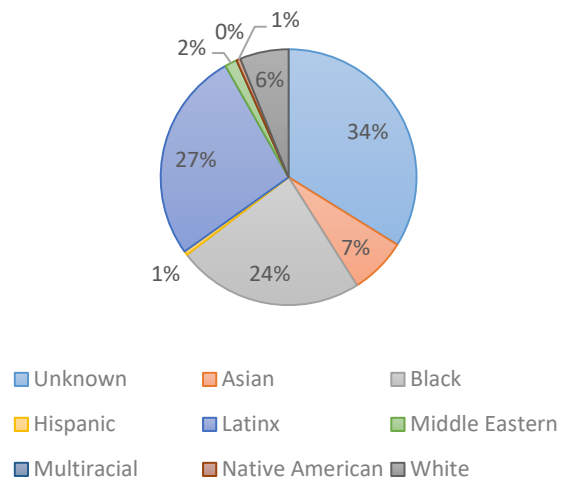


Area Median Income of Carrboro Households Served

30%	50%	60%
144	44	11

Area Median Income of EHA Households**Race/Ethnicity of Carrboro Households Served**

Unknown	Asian	Black	Hispanic	Latinx	Middle Eastern	Multiracial	Native American	White
66	14	46	1	52	3	0	1	12

Race/Ethnicity of Carrboro EHA Households



Town of Carrboro

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

Agenda Item Abstract

File Number:20-406

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Public Hearing on Land Use Ordinance Text Amendments Relating to Historic Rogers Road Neighborhood

PURPOSE: The purpose of this item is for the Town Council to receive public comment on land use ordinance amendments that would establish new zoning districts and associated performance standards for the Historic Rogers Road neighborhood.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon - 919-918-7325, cmoon@townofcarrboro.org [<mailto:cmoon@townofcarrboro.org>](mailto:cmoon@townofcarrboro.org); Marty Roupe - 919-918-7333, mroupe@townofcarrboro.org [<mailto:mroupe@townofcarrboro.org>](mailto:mroupe@townofcarrboro.org); Patricia McGuire - 919-918-7327, pmcguire@townofcarrboro.org [<mailto:pmcguire@townofcarrboro.org>](mailto:pmcguire@townofcarrboro.org); Nick Herman - 919-929-3905, herman@broughlawfirm.com

INFORMATION: On September 22, 2020, the Town Council held a public hearing to receive comments on draft text amendment relating to the Historic Rogers Road neighborhood. (Meeting materials: <https://carrboro.legistar.com/MeetingDetail.aspx?ID=802041&GUID=A280180D-38CC-460C-86F6-246D4FC33504&Options=&Search=>>) Following the provisions of Session Law 2020-3, public comment could be submitted to the Town Clerk up to 24 hours after the close of the hearing and one person did submit comments within this window. A number of residents from the surrounding neighborhoods, however, submitted comments after the close of the 24-hour period. On October 13th, the Council set a new public hearing for November 10th to ensure that all interested parties had the chance to speak at the hearing or provide written comments for inclusion in the record.

The new hearing schedule also provided staff with an opportunity to review the draft ordinance and to prepare alternative language for certain provisions for the Council's consideration. Where applicable, the alternative language is listed after the original section of the draft ordinance and noted as "OR" followed by "Alternative Section _." Possible modifications to the permitting requirements shown in a new column in Exhibit 'A' titled "HR-CC" at the end of the draft ordinance (Attachment A).

A history of the development of the text amendments with links to previous meetings is included in the September 22nd abstract. The September meeting materials also includes comments from the advisory boards. A discussion of the sections of the draft ordinance identified for possible modification was included in the abstract from the October 13th meeting. (Meeting materials may be found here:

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

<https://carrboro.legistar.com/MeetingDetail.aspx?ID=802043&GUID=B231F771-7774-436A-8004-307550C17F31&Options=&Search=>=.>)

In addition to the updated published notice for the public hearing, staff continues to provide updates to the meeting schedule via email to a list of more than 75 persons who expressed interest in following the project during the community meetings with Renaissance Planning and the Town of Chapel Hill.

FISCAL & STAFF IMPACT: Public hearings involve staff time and public notice costs associated with advisory board and Town Council review.

RECOMMENDATION: Staff recommends that the Town Council hold a public hearing to receive comment on the proposed text amendments. Public comment may be submitted to the Town Clerk up to 24 hours after the close of the public hearing. A subsequent agenda item will be scheduled for the Council to consider making a decision on the item; a resolution of consistency will be provided at that time.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ESTABLISH HISTORIC ROGERS ROAD MIXED USE DISTRICT AND ASSOCIATED DEVELOPMENT STANDARDS

****DRAFT 11-06-2020****

THE CARRBORO TOWN COUNCIL ORDAINS:

Section 1. The Carrboro Land Use Ordinance is amended by modifying Section, 15-136.1 Historic Rogers Road District Established, to read as follows:

Section 15-136.1 Historic Rogers Road Districts Established

- (a) The Historic Rogers Road districts, HR-R (residential) and HR-MU (mixed use), are established to implement the goals and recommendations of the *Mapping Our Community's Future* community planning effort, completed in May 2016. The intent of *Mapping Our Community's Future* and the HR Districts is to:
- 1) Create opportunities for long-term residents to continue living in the community and to age in place;
 - 2) Preserve the socioeconomic and cultural diversity of the neighborhood;
 - 3) Increase physical connections within the neighborhood, including for pedestrians and bicyclists;
 - 4) Respect and protect the natural character of the neighborhood;
 - 5) Ensure that new development is consistent with neighborhood character and the vision that residents have developed for its future;
 - 6) Provide greater residential housing choice, affordability, and diversity;
 - 7) Increase economic opportunities within the neighborhood;
 - 8) Increase recreational resources within the neighborhood; and
 - 9) Ensure that new development is adequately served by infrastructure, including streets, sidewalks, and utilities.
- (b) The HR-R zoning district is designed to protect and preserve the character of existing lower-density areas (minimum lot size 14,520 square feet, or no more than three lots per acre) within the neighborhood while providing for compatible new development, including new housing choice options, and increased home occupation opportunities for residents.
- (c) The HR-MU district is designed to provide for a broader range of housing and employment options by concentrating new development into nodes which will balance providing areas for desired new uses while protecting the overall neighborhood character. Uses appropriate in the HR-MU district include live-work units, flex space, and low-intensity neighborhood-serving establishments such as healthcare, assisted living, elder care, child care, and recreation facilities. Property proposed for rezoning to an HR-MU district shall include no

less than sixteen contiguous acres. The development of an HR-MU district may include the recombination of existing lots and/or the subdivision of new lots that meet the density and dimensional standards outlined in Article XII.

OR

Alternative Section 1. The Carrboro Land Use Ordinance is amended by modifying Section, 15-136.1 Historic Rogers Road District Established, to read as follows:

Section 15-136.1 Historic Rogers Road Districts Established

- (a) The Historic Rogers Road districts, HR-R (residential) and HR-CC (community commercial), are established to implement the goals and recommendations of the *Mapping Our Community's Future* community planning effort, completed in May 2016. The intent of *Mapping Our Community's Future* and the HR Districts is to:
 - 1) Create opportunities for long-term residents to continue living in the community and to age in place;
 - 2) Preserve the socioeconomic and cultural diversity of the neighborhood;
 - 3) Increase physical connections within the neighborhood, including for pedestrians and bicyclists;
 - 4) Respect and protect the natural character of the neighborhood;
 - 5) Ensure that new development is consistent with neighborhood character and the vision that residents have developed for its future;
 - 6) Provide greater residential housing choice, affordability, and diversity;
 - 7) Increase economic opportunities within the neighborhood;
 - 8) Increase recreational resources within the neighborhood; and
 - 9) Ensure that new development is adequately served by infrastructure, including streets, sidewalks, and utilities.
- (b) The HR-R zoning district is designed to protect and preserve the character of existing lower-density areas (minimum lot size 14,520 square feet, or no more than three lots per acre) within the neighborhood while providing for compatible new development, including new housing choice options, and increased home occupation opportunities for residents.
- (c) The HR-CC district is designed to provide for a broader range of housing and employment options by concentrating new development into nodes which will balance providing areas for desired new uses while protecting the overall neighborhood character. Uses appropriate in the HR-CC district include live-work units, flex space, and low-intensity neighborhood-serving establishments such as healthcare, assisted living, elder care, child care, and recreation facilities. Property proposed for rezoning to an HR-CC district shall include no less than five contiguous acres. The district may be expanded to include additional parcels of land so long as such parcels: (i) are contiguous to the district, and (ii) are the same, or part of the same, tracts or parcels of land that were identified in *Mapping Our Community's*

Future for more intensive uses. The development of an HR-CC district may include the recombination of existing lots and/or the subdivision of new lots that meet the density and dimensional standards outlined in Article XII.

Section 2. Section 15-141.4(a) of the Carrboro Land Use Ordinance is amended to read as follows:

- (a) Conditional zoning districts are zoning districts in which the development and use of the property so zoned are governed by the regulations applicable to one of the general use zoning districts listed in the Table of Permissible Uses, as modified by the conditions and restrictions imposed as part of the legislative decision creating the district and applying it to the particular property. Accordingly, the following conditional zoning districts may be established:

R-20-CZ, R-15-CZ, R-10-CZ, R-7.5-CZ, R-3-CZ, R-2-CZ, R-R-CZ, R-S.I.R.-CZ, and R-S.I.R.-2-CZ

B-1(C)-CZ, B-1(G)-CZ, B-2-CZ, B-3-CZ, B-3-T-CZ, B-4-CZ, CT-CZ, O-CZ, OACZ, M-1-CZ, M-2-CZ (**AMENDED 4/27/10; 06/23/15; 10/23/18**)

There may also be established a HR-MU-CZ/HR-CC-CZ zoning district, pursuant to the purpose statement and criteria described in Section 15-136.1.

Section 3. Article II Section 15-15 Definitions of Basic Terms is amended by modifying the existing definition of Home Occupation, Major to add a reference the HR-MU/HR-CC district as follows:

Home Occupation, Major. A Major Home Occupation is an accessory business use of a residentially-zoned property, that meets one or more of the following criteria: (i) employs up to four non-resident employees, who may work on site; (ii) utilizes outdoor storage of materials, supplies, products, or machinery; or (iii) generates noise, vibration, dust, odor, light, or glare that is visible from neighboring properties or the public right-of-way at any hour of the day. Examples of Major Home Occupations include: lawncare or landscaping services, woodworking shops, small engine repair, appliance repair, metalworking, and any home business with more than one non-resident employee. Major home occupation uses are only permissible with a zoning permit in the HR-R and HR-MU districts, and are subject to the performance standards specified in Section 15-176.9.

OR

Alternative Section 3. Article II Section 15-15 Definitions of Basic Terms is amended by modifying the existing definition of Home Occupation, Major to add a reference the HR-MU/HR-CC district as follows:

Home Occupation, Major. A Major Home Occupation is an accessory business use of a residentially-zoned property, that meets one or more of the following criteria: (i) employs up to four non-resident employees, who may work on site; (ii) utilizes outdoor storage of

materials, supplies, products, or machinery; or (iii) generates noise, vibration, dust, odor, light, or glare that is visible from neighboring properties or the public right-of-way at any hour of the day. Examples of Major Home Occupations include: barbershops and salons, lawncare or landscaping services, woodworking shops, small engine repair, appliance repair, metalworking, and any home business with more than one non-resident employee. Major home occupation uses are only permissible with a zoning permit in the HR-R and HR-MU/HR-CC districts, and are subject to the performance standards specified in Section 15-176.9.

Section 4. Section 15-146 (Table of Permissible Uses) is amended by adding one new column labelled HR-MU with permissible use classifications as shown in the attached Exhibit 'A.' The letters "Z," "S," "C," "SC," and "ZS," and the symbol "*" have the meanings described for all uses as provided in applicable subsections of Section 15-147.

OR

Alternative Section 4. Section 15-146 (Table of Permissible Uses) is amended by adding one new column labelled HR-MU/HR-CC with permissible use classifications as shown in the attached Exhibit 'A.' The letters "Z," "S," "C," "SC," and "ZS," and the symbol "*" have the meanings described for all uses as provided in applicable subsections of Section 15-147.

Section 5. Section 15-147 (Uses of the Designations Z,S,C in Table of Permissible Uses) is amended by adding a new subsection (v) to read as follows:

(v) Per Section 15-176.9, Special Standards for Historic Rogers Road Districts, triplexes are only permissible in the HR-R and HR-MU/HR-CC districts if they meet the definition of an affordable housing unit as described in Subsection 15-182.4.

Section 6. Section 15-176.9 Special Standards for Historic Rogers Road District, is amended to include the HR-MU/HR-CC District as follows:

Section 15-176.9 Special Standards for Historic Rogers Road Districts.

- (a) All applicable provisions of the Carrboro Land Use Ordinance not specifically exempted or modified by this section shall apply to the HR-R and HR-MU/HR-CC districts.
- (b) In both the HR-R and HR-MU/HR-CC districts, the maximum size of any single-family dwelling constructed after the effective date of this section shall be 2,000 square feet of heated floor area; the maximum size of any duplex or triplex dwelling unit constructed after the effective date of this section shall be 1,200 square feet of heated floor area. Any dwelling unit in existence on the effective date of this subsection containing 2,000 square feet or greater of heated floor area may be increased by a maximum of 25% of the existing heated floor area or 500 square feet whichever is greater, but with a maximum size of 2,500 square feet at any time. Any dwelling unit in existence on the effective date of this subsection containing less than 2,000 square feet of heated floor area may be expanded up to a maximum size of 2,000 square feet of heated floor area or 25% whichever is greater.
- (c) Any triplex dwelling unit constructed after the effective date of this section in both the HR-R and HR-MU/HR-CC districts shall be an affordable housing unit pursuant to Subsection 15-182.4(b) of this chapter.

- (d) In the HR-MU/HR-CC district the maximum size of the building footprint for any building containing any nonresidential uses shall not exceed 3,000 square feet.
- (e) An undisturbed buffer, of no less than 50 feet, shall be maintained along the perimeter of the entire HR-MU/HR-CC district.
 - 1. The buffer shall consist of existing vegetation and/or new plantings to meet the requirements in Section 15-307(1) for an Opaque Type A screen.
 - 2. This area shall remain undisturbed except for the removal of noxious weeds and trees determined to be diseased by a Certified Arborist, and the installation of new plantings as required by the standards for a Type A screen described in subsection (e)(1) above.
- (f) Development within the HR-MU/HR-CC district shall be subject to the screening requirements of Section 15-306, to provide sufficient screening between uses, so long as a Type A screen is retained at the boundary line of any parcel in the HR-MU/HR-CC district where that parcel adjoins an adjacent property outside of the district.
- (g) As set forth in the Table of Permissible Uses, Major Home Occupations are permissible only in the HR-R and HR-MU/HR-CC districts, subject to the following standards:
 - 1. Must be conducted by a person who resides on the same lot.
 - 2. Major Home Occupations shall only be located on lots a minimum of one acre in size.
 - 3. No more than 50% of the heated square footage of the home shall be used for business purposes. This calculation does not include accessory structures in the total square footage calculation for the home; such structures shall be limited to a maximum size of 150% of the home, but in no case shall exceed 2,000 gross square feet.
 - 4. The maximum number of trips per day to or from the business shall not exceed 50.
 - 5. The on-premises sale and delivery of goods which are not produced on the premises is prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service.
 - 6. No more than three business-associated vehicles shall be parked on-site.
 - 7. Business-associated vehicles shall be limited to vehicles allowed under a Class C license.
 - 8. Parking for vehicles associated with the business, including employee and visitor vehicles shall be provided on-site, pursuant to the requirements in Section 15-291.
 - 9. If more than three parking spaces are provided for business-associated vehicles and / or employees and visitors, then the additional spaces above three must be screened by a Type A screen.
 - 10. All business activities shall be a minimum of 60 feet from all lot lines or within a fully enclosed building.
 - 11. All noise, dust, vibration, odor, light, and glare-producing activities shall be located a minimum of 60 feet from all lot lines, and any activity that results in noise, vibration, dust, odor, light, or glare shall only occur between the hours of 8 AM and 6 PM.
 - 12. Any outdoor storage of materials, supplies, products, or machinery (excluding functional vehicles associated with the business) shall be screened with a Type A screen as described in LUO Section 15-307.

- (h) Any Land Use Category 8.100 use located in the HR-MU/HR-CC district is limited to 2,000 square feet heated floor area and may only conduct business between the hours of 6 am and 9 pm.
- (i) For proposed developments within the HR-MU/HR-CC, a phasing plan must be incorporated into the project which mandates that at least fifteen percent (15%) of the uses must be nonresidential and at least fifteen percent (15%) of the uses must be residential. The phasing plan must ensure that the nonresidential portions are completed prior to or in conjunction with the residential portions of each phase.

OR

Alternative Section 6. Section 15-176.9 Special Standards for Historic Rogers Road District, is amended to include the HR-MU/HR-CC District as follows:

Section 15-176.9 Special Standards for Historic Rogers Road Districts.

- (a) All applicable provisions of the Carrboro Land Use Ordinance not specifically exempted or modified by this section shall apply to the HR-R and HR-MU/HR-CC districts.
- (b) In both the HR-R and HR-MU/HR-CC districts, the maximum size of any single-family dwelling constructed after the effective date of this section shall be 2,000 square feet of heated floor area; the maximum size of any duplex or triplex dwelling unit constructed after the effective date of this section shall be 1,200 square feet of heated floor area. Any dwelling unit in existence on the effective date of this subsection containing 2,000 square feet or greater of heated floor area may be increased by a maximum of 25% of the existing heated floor area or 500 square feet whichever is greater, but with a maximum size of 2,500 square feet at any time. Any dwelling unit in existence on the effective date of this subsection containing less than 2,000 square feet of heated floor area may be expanded up to a maximum size of 2,000 square feet of heated floor area or 25% whichever is greater.
- (c) Any triplex dwelling unit constructed after the effective date of this section in both the HR-R and HR-MU/HR-CC districts shall be an affordable housing unit pursuant to Subsection 15-182.4(b) of this chapter.
- (d) In the HR-MU/HR-CC district the maximum size of the building footprint for any building containing any nonresidential uses shall not exceed 3,000 square feet.
- (e) An undisturbed buffer, of no less than 50 feet, shall be maintained along the perimeter of the entire HR-MU/HR-CC district.
 - 1. The buffer shall consist of existing vegetation and/or new plantings to meet the requirements in Section 15-307(1) for an Opaque Type A screen.
 - 2. This area shall remain undisturbed except for the removal of noxious weeds and trees determined to be diseased by a Certified Arborist, and the installation of new plantings as required by the standards for a Type A screen described in subsection (e)(1) above.
- (f) Development within the HR-MU/HR-CC district shall be subject to the screening requirements of Section 15-306, to provide sufficient screening between uses, so long as a Type A screen is retained at the boundary line of any parcel in the HR-MU/HR-CC district where that parcel adjoins an adjacent property outside of the district.
- (g) As set forth in the Table of Permissible Uses, Major Home Occupations are permissible only in the HR-R and HR-MU/HR-CC districts, subject to the following standards:
 - 1. Must be conducted by a person who resides on the same lot.

2. Major Home Occupations shall only be located on lots a minimum of one half acre in size.
 3. No more than 50% of the heated square footage of the home shall be used for business purposes. This calculation does not include accessory structures in the total square footage calculation for the home; such structures shall be limited to a maximum size of 150% of the home, but in no case shall exceed 2,000 gross square feet.
 4. The maximum number of trips per day to or from the business shall not exceed 50.
 5. The on-premises sale and delivery of goods which are not produced on the premises is prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service.
 6. No more than three business-associated vehicles shall be parked on-site.
 7. Business-associated vehicles shall be limited to vehicles allowed under a Class C license.
 8. Parking for vehicles associated with the business, including employee and visitor vehicles shall be provided on-site, pursuant to the requirements in Section 15-291.
 9. If more than three parking spaces are provided for business-associated vehicles and / or employees and visitors, then the additional spaces above three must be screened by a Type A screen.
 10. All business activities shall be a minimum of 30 feet from all lot lines or within a fully enclosed building.
 11. All noise, dust, vibration, odor, light, and glare-producing activities shall be located a minimum of 30 feet from all lot lines, and any activity that results in noise, vibration, dust, odor, light, or glare shall only occur between the hours of 8 AM and 6 PM.
 12. Any outdoor storage of materials, supplies, products, or machinery (excluding functional vehicles associated with the business) shall be screened with a Type A screen as described in LUO Section 15-307.
- (h) Any Land Use Category 8.100 use located in the HR-MU/HR-CC district is limited to 2,000 square feet heated floor area and may only conduct business between the hours of 6 am and 9 pm.
- (i) For proposed developments within the HR-MU/HR-CC District, a phasing plan must be incorporated into the project which mandates that at least fifteen percent (15%) of the uses must be nonresidential and at least fifteen percent (15%) of the uses must be residential. The phasing plan must ensure that the nonresidential portions are completed prior to or in conjunction with the residential portions of each phase.

Section 7. Section 15-181 Minimum Lot Size Requirements, subsection (a) is revised with the addition of minimum lot size requirements for the HR-MU/HR-CC zoning district as follows:

<u>ZONE</u>	<u>MINIMUM SQUARE FEET</u>
HR-MU/HR-CC	7,500

OR

Alternative Section 7. Section 15-181 Minimum Lot Size Requirements, subsection (a) is revised with the addition of minimum lot size requirements for the HR-MU/HR-CC zoning district as follows:

<u>ZONE</u>	<u>MINIMUM SQUARE FEET</u>
HR-MU/HR-CC	14,520

Section 8. Section 15-182 Residential Density, subsection (a) is revised with the addition of residential density requirements for the HR-MU/HR-CC zoning district, as follows:

<u>ZONE</u>	<u>Minimum Square Feet Per Dwelling Unit, Multi-Family, Triplex and Duplex</u>
HR-MU/HR-CC	7,500

OR

Alternative Section 8. Section 15-182 Residential Density, subsection (a) is revised with the addition of residential density requirements for the HR-MU/HR-CC zoning district, as follows:

<u>ZONE</u>	<u>Minimum Square Feet Per Dwelling Unit, Multi-Family, Triplex and Duplex</u>
HR-MU/HR-CC	14,520

Section 9. Section 15-182.3 Residential Density of Major Developments in Certain Districts, subsection (a) is amended to read as follows:

- (a) Notwithstanding the provisions of Section 15-182, when any tract of land within the R-10, R-15, R-20, RR, HR-R and HR-MU/HR-CC districts is developed under circumstances requiring the issuance of a special or any tract within the R-10, R-15, R-20, RR, HR-R or HR-MU/HR-CC requiring the issuance of conditional use permit, the maximum number of dwelling units that may be placed on that tract shall be determined in accordance with the provisions of this section.

Section 10. Section 15-183 Minimum Lot Widths, subsection (b) is revised with the addition of minimum lot width requirements for the HR-MU/HR-CC zoning district, as follows:

<u>ZONE</u>	<u>Lot Width</u>
HR-MU/HR-CC	50

Section 11. Subsection 15-184 Building Setback Requirements, subsection (a) is revised with the addition of setback requirements for the HR-MU/HR-CC zoning district, as follows:

<u>ZONE</u>	<u>Minimum Distance from Street Right of Way Line</u>		<u>Minimum Distance from Street Centerline</u>		<u>Minimum Distance from Lot Boundary Line</u>
	Building	Freestanding Sign	Building	Freestanding Sign	Building and Freestanding Sign
HR-MU/HR-CC	50	20	70	50	50/20 (50 from edge of HR-MU/HR-CC district as established on date of adoption; otherwise 20)

Section 12. The table included in Subsection 15-185 (a) (2) is amended by the addition of information on the maximum building height for the HR-MU/HR-CC zoning district, as follows:

<u>ZONE</u>	<u>Maximum Height</u>
HR-MU/HR-CC	40'

Section 13. Article XVII Signs, Section 15-271(e) is amended to read as follows:

- (e) Signs for home occupations and major home occupations shall be permitted subject to the following provisions:
1. A lot that houses a legally-established home-based occupation as an accessory use may have up to one wall-mounted sign with a maximum area of 4 square feet. In the HR-R and HR-MU/HR-CC districts, legally-established major home occupations may have up to one wall-mounted sign with a maximum area of 8 square feet.
 2. Signs must be non-illuminated.
 3. Signs shall comply with the standards of Sections 15-271, Permit Required for Signs, 15-275, Computation of Sign Area, and 15-282, Miscellaneous Requirements.

Section 14. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 15. This ordinance shall become effective upon adoption

Exhibit 'A' - Table of Permissible Uses
Historic Rogers Road zoning district additions
11-6-2020

Attachment A - 10 of 19

DESCRIPTION	HR MU	HR CC
1.000 Residential		
1.100 Single Family Residences		
1.110 Single Family Detached One Dwelling Unit Per Lot		
1.111 Site Built/Modular	Z	Z
1.112 Class A Mobile Home	Z	Z
1.113 Class B Mobile Home		
1.120 Single Family Detached More Than One Dwelling Unit Per Lot		
1.121 Site Built/Modular	*	*
1.122 Class A Mobile Home	*	*
1.123 Class B Mobile Home		
1.200 Two-Family Residences		
1.210 Two-Family Conversion	C	*
1.220 Primary Residence with Accessory Apartment	C	*
1.230 Duplex		*
1.231 Maximum 20% units > 3 bedrms/du	C	*
1.232 No bedroom limit		
1.240 Two Family Apartment		
1.241 Maximum 20% units > 3 bedrms/du	C	*
1.242 No bedroom limit		
1.300 Multi-Family Residences		
1.310 Multi-Family Conversion		
1.320 Multi-Family Townhomes		
1.321 Maximum 20% units > 3 bedrms/du	C	*
1.322 No bedroom limit		
1.330 Multi-Family Apartments		
1.331 Maximum 20% units > 3 bedrms/du		
1.332 No bedroom limit		
1.340 Single-Room Occupancy		
1.350 Triplex	C	Z
1.400 Group Homes		
1.410 Fraternities, Sororities, Dormitories and Similar Housing		
1.420 Boarding Houses, Rooming Houses		
1.430 Adult Care Home, Class A	C	Z
1.440 Adult Care Home, Class B	C	S
1.450 Child Care Home, Class A	C	Z

Exhibit 'A' - Table of Permissible Uses
Historic Rogers Road zoning district additions
11-6-2020

Attachment A - 11 of 19

DESCRIPTION	HR MU	HR CC
1.460 Child Care Home, Class B	C	S
1.470 Maternity Home	C	Z
1.480 Nursing Care Home	C	Z
1.500 Temporary Residences		
1.510 Tourist Homes and other Temporary Residences Renting Rooms for Relatively Short Periods of Time		
1.600 Homes Emphasizing Services, Treatment or Supervision		
1.610 Temporary Homes for the Homeless		
1.620 Overnight Shelters for Homeless		
1.630 Senior Citizen Residential Complex		
1.700		
1.800		
1.900 Home Occupation	Z	Z
1.910 Major Home Occupation	Z	Z
2.000 Sales and Rental of Goods, Merchandise and Equipment		
2.100 No Storage or Display of Goods Outside Fully Enclosed Building		
2.110 High-Volume Traffic Generation		
2.111 ABC Stores		
2.112 Specialty High Volume Retail		
2.120 Low-Volume Traffic Generation		
2.130 Wholesale Sales		
2.140 Drive-In Windows		
2.150 Retail Sales with Subordinate Manufacturing and Processing		
2.200 Display of Goods Outside Fully Enclosed Building		
2.210 High-Volume Traffic Generation		
2.220 Low-Volume Traffic Generation		
2.230 Wholesale Sales		
2.240 Drive-In Windows		
2.300 Storage of goods outside fully enclosed building		
2.310 High-volume traffic		

Exhibit 'A' - Table of Permissible Uses
Historic Rogers Road zoning district additions
11-6-2020

Attachment A - 12 of 19

DESCRIPTION	HR MU	HR CC
generation		
2.320 Low-volume traffic		
2.330 Wholesale Sales		
2.340 Drive-in Windows		
3.000 Office, Clerical, Research and Services Not Primarily Related to Goods or Merchandise		
3.100 All operations conducted entirely Within Fully Enclosed Building		
3.110 Operations designed to attract and serve customers or clients on the premises, such as the office of attorneys, physicians, other professions, insurance and stock brokers, travel agents, government office buildings, etc.	C	ZC
3.120 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use	C	ZC
3.130 Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area	C	ZC
3.140 Watershed research		
3.150 Copy Centers/Printing Operations	C	ZC
3.200 Operations conducted within or outside fully enclosed buildings		
3.210 Operations designed to affect and serve customers or clients on the premises		
3.220 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use		
3.230 Banks with drive-in window		
3.240 Watershed research		
3.250 Automatic Teller Machine, Freestanding		

Exhibit 'A' - Table of Permissible Uses
Historic Rogers Road zoning district additions
11-6-2020

Attachment A - 13 of 19

DESCRIPTION	HR MU	HR CC
3.260 Social Service Provider with Dining		
4.000 Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment		
4.100 All operations conducted entirely within fully enclosed buildings	C	C
4.200 Operations conducted within or outside fully enclosed buildings		
5.000 Educational, Cultural, Religious, Philanthropic, Social, Fraternal Uses		
5.100 Schools		
5.110 Elementary and secondary (including associated grounds and athletic and other facilities)	C	C
5.120 Trade or vocational school		
5.130 College		
5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school buildings) school or secondary	C	ZS
5.300 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities)		
5.310 Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet		
5.320 Located within any permissible structures		
5.400 Social, fraternal clubs and lodges, union halls, and similar uses		
6.000 Recreation, Amusement, Entertainment		
6.100 Activity conducted entirely within building or substantial structure		
6.110 Bowling alley, skating rinks, indoor tennis and squash		

Exhibit 'A' - Table of Permissible Uses
Historic Rogers Road zoning district additions
11-6-2020

Attachment A - 14 of 19

DESCRIPTION	HR MU	HR CC
courts, billiards and pool halls, indoor athletic and exercise facilities and similar uses.		
6.120 Movie Theaters		
6.121 Seating capacity of not more than 300		
6.122 Unlimited Seating Capacity		
6.130 Coliseums, stadiums, and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1000 people		
6.140 Community Center--a Town sponsored, non-profit indoor facility providing for one or several of various type of recreational uses. Facilities in a Community Center may in- clude, but are not limited to gymnasia, swimming pools, indoor court areas, meeting/ activity rooms, and other similar uses		
6.150 Electronic Gaming Operations		
6.200 Activity conducted primarily outside enclosed buildings or structures.		
6.210 Outdoor recreational facilities developed on private lands, without Town sponsorship or investment, such as golf and country clubs, swimming or tennis clubs, etc. and not constructed pursuant to a permit authorizing the construction of a residential development.		
6.220 Outdoor recreational facilities developed on public lands, or on private lands with swimming pools, parks, etc., not con- structed pursuant to a permit authorizing the construction of another use such as a school		
6.221 Town of Carrboro owned and operated facilities.		
6.222 Facilities owned and		

Exhibit 'A' - Table of Permissible Uses
Historic Rogers Road zoning district additions
11-6-2020

Attachment A - 15 of 19

DESCRIPTION	HR MU	HR CC
operated by public entities other than the Town of Carrboro		
6.230 Golf driving ranges not accessory to golf course, par 3 golf courses, miniature golf course, skateboard parks, water slides, and similar uses.		
6.240 Horseback riding stables (not constructed pursuant to permit authorizing residential development)		
6.250 Automobile and motorcycle racing tracks		
6.260 Drive-in Movie Theaters		
7.000 Institutional Residence or Care of Confinement Facilities		
7.100 Hospitals, clinics, other medical (including mental health) treatment facilities in excess of 10,000 square feet of floor area		
7.200 Nursing care institutions, intermediate care institutions, handicapped, aged or infirm institutions,		
child care institutions		
7.300 Institutions (other than halfway houses) where mentally ill persons are confined		
7.400 Penal and Correctional Facilities		
8.000 Restaurants (including food delivery services), Bars, Night Clubs		
8.100 Restaurant with none of the features listed in use classification below as its primary activity	C	C
8.200 Outside Service or Consumption		
8.300 Drive-in (service to and consumption in vehicle on premises)		
8.400 Drive Through Windows (service directly to vehicles primarily for off-premises consumption)		
8.500 Carry Out Service (food picked up inside of off-premises consumption)		
8.600 Food Delivery		
8.700 Mobile prepared food vendors		
9.000 Motor Vehicle-Related Sales and Service Operations		

Exhibit 'A' - Table of Permissible Uses
Historic Rogers Road zoning district additions
11-6-2020

Attachment A - 16 of 19

DESCRIPTION	HR MU	HR CC
9.100 Motor vehicle sales or rental of sales and service		
9.200 Automobile service stations		
9.300 Gas sales operations		
9.400 Automobile repair shop or body shop		
9.500 Car wash		
10.000 Storage and Parking		
10.100 Independent automobile parking lots or garages		
10.200 Storage of goods not related to sale or uses of those goods on the same lot where they are stored		
10.210 All storage within completely enclosed structures		
10.220 Storage inside or outside completely enclosed structures		
10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot		
11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards		
12.000 Services and Enterprises Related to Animals		
12.100 Veterinarian		
12.200 Kennel		
13.000 Emergency Services		
13.100 Police Stations		
13.200 Fire Stations		
13.300 Rescue Squad, Ambulance Service		
13.400 Civil Defense Operation		
14.000 Agricultural, Silvicultural, Mining, Quarrying Operations		
14.100 Agricultural operations, farming		
14.110 Excluding livestock		
14.120 Including livestock		
14.200 Silvicultural operations		
14.300 Mining or quarrying operations, including on-site sales of products		
14.400 Reclamation landfill		
15.000 Miscellaneous Public and Semi-Public Facilities		
15.100 Post Office		

Exhibit 'A' - Table of Permissible Uses
Historic Rogers Road zoning district additions
11-6-2020

Attachment A - 17 of 19

DESCRIPTION	HR MU	HR CC
15.200 Airport		
15.300 Sanitary landfill		
15.400 Military reserve, National Guard centers		
15.500 Recycling materials collection operations		
15.510 Using collection facilities other than motor vehicles		
15.520 Aluminum recycling using motor vehicles		
15.600 Public utility service complex		
15.700 Cable Television Signal Distribution Center		
15.750 Data Service Provider Facility		
15.800 Town-owned and/or Operated Facilities and Services		
15.810 Town-owned and/or Operated Public Parking Lot		
15.820 All other town-owned and/or operated facilities and services		
16.000 Dry Cleaner, Laundromat		
16.100 With drive-in windows		
16.200 Without drive-in windows		
17.000 Utility Facilities		
17.100 Neighborhood		
17.200 Community or regional		
17.300 Cable Television Satellite Station		
17.400 Underground Utility Lines		
17.410 Electric Power Lines & Gas Lines		
17.420 Other Underground Lines		
17.500 Solar Array		
17.501 Solar Array Facility, Level 1		
17.502 Solar Array Facility, Level 2		
17.503 Solar Array Facility, Level 3		
18.000 Towers and Related Structures		
18.100 Towers and antennas fifty feet tall or less	Z	Z
18.200 Towers and antennas attached thereto that exceed 50 feet in height, and that are not regarded as accessory to residential users under 15-150(c)(5)		
18.300 Antennas exceeding 50 feet in height attached to structures other than towers, [other than accessory uses under 15-150(c)(5)]		
18.400 Publicly-owned towers, wireless		

Exhibit 'A' - Table of Permissible Uses
Historic Rogers Road zoning district additions
11-6-2020

Attachment A - 18 of 19

DESCRIPTION	HR MU	HR CC
support structures of all sizes that are used in the provision of public safety services		
18.500 Small and Micro Wireless Facilities; with or without associated Utility Poles or Wireless Support Structures	Z	Z
19.000 Open Air Markets and Horticultural Sales		
19.100 Open air markets (farm and craft markets, flea markets, produce markets)		
19.200 Horticultural sales with outdoor display		
19.300 Seasonal Christmas or pumpkin sales		
20.000 Funeral Homes		
21.000 Cemetery and Crematorium		
21.100 Town-owned cemetery		
21.200 All other cemeteries		
21.300 Crematorium		
22.000 Day Care		
22.100 Child Day Care Home	C	Z
22.200 Child Day Care Facility	C	S
22.300 Senior Citizens Day Care, Class A	C	S
22.400 Senior Citizens Day Care, Class B	C	S
23.000 Temporary structure or parking lots used in connection with the construction of a permanent building or for some non-recurring purpose		
23.100 Temporary structures located on same lot as activity generating need for structure	C	Z
23.200 Temporary parking facilities located on or off-site of activity generating need for parking		
24.000 Bus Station		
25.000 Commercial Greenhouse Operations		
25.100 No on-premises sales		
25.200 On-premises sales permitted		
26.000 Subdivisions		
26.100 Major	C	SC
26.200 Minor	C	Z
27.000 Combination Uses	C	*
28.000 Planned Unit Developments		
29.000 Special Events	C	C

Exhibit 'A' - Table of Permissible Uses
Historic Rogers Road zoning district additions
11-6-2020

Attachment A - 19 of 19

DESCRIPTION	HR MU	HR CC
30.000 Planned Industrial Development		
31.000 Off-Premises Signs		
32.000 Village Mixed Use Development		
33.000 Office/Assembly Planned Development		
34.000 Temporary Lodging		
34.100 Hotels and Motels		
34.200 Bed and Breakfast	C	S



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

DELIVERED VIA: ☒ HAND ☐ MAIL ☒ FAX ☐ EMAIL

To: David Andrews, Town Manager
Mayor and Town Council

From: Tina Moon, Planning Administrator

Date: November 6, 2020

Subject: Discussion of Possible Modifications to Draft Ordinance to Establish Historic Rogers Road Mixed Use District and Associated Development Standards

Over the course of the last several months, staff has been making incremental changes to the draft ordinance that, if adopted, would establish the framework and development standards for a new mixed use district for the Historic Rogers Road neighborhood. After listening to the discussion at the last couple of meetings and reading the public comments, staff went back to *Mapping Our Community's Future* to assess whether the current draft ordinance seems to accomplish the interests expressed in the report.

<http://www.townofcarrboro.org/DocumentCenter/View/5936/Mapping-Our-Communitys-Future-Report>

The report speaks to four principles, including four priorities for future development. Three objectives are particularly pertinent to the framing of the potential mixed use district. These include:

- Interest in expanding economic development opportunities at a community scale;
- Retaining existing and providing new affordable housing; and
- Retaining the existing rural character.

As noted in the agenda abstract, staff has prepared alternative language for some sections of the draft ordinance to better achieve these objectives (*Attachment A*). Where applicable, the alternative language is provided after the original section. Information relating to the suggested new language and rationale for its consideration is provided below.

The term used throughout the *Mapping Our Community's Future* document to describe the types of small-scale business opportunities that residents are seeking is "community commercial." The alternative language in Section 1 would substitute the name of the proposed district from Historic Rogers Road-Mixed Use District (HR-MU) to Historic Rogers Road-Community Commercial (HR-CC) to better reflect the report. Technically, "mixed-use" is a planning term that refers to the inclusion of residential and nonresidential uses within a single district or development. The requirement for residential uses and nonresidential uses in the district would remain in place under the special standards in 15-176.9(i) thereby retaining the interest expressed in the report for housing and economic opportunities, but the name change better reflects the intended scale and density of potential future development.

The alternative language also allows for the proposed HR-CC district to be smaller—no less than five contiguous acres. This size is based on the approximate (2.5-acre) size of the core cluster of parcels earmarked for this new zoning category. Opportunities for future expansion of the district, not to exceed the original eight parcels noted in the report is provided. Considering the need for at least 15-percent residential uses and 15-percent nonresidential uses, five acres may be too small to fully realize the community objectives; further discussion on the minimum size of the district may be needed.

The suggestion for alternative language under Section 3 of the draft ordinance provides more examples of the types of uses that could occur as major home occupations, and specifically identifies uses such as barbershops and hair salons. With the opportunity for up to four employees outside of the household, the major home occupation use category may be suitable for a number of the economic opportunities described in *Mapping Our Community's Future* for community-scale businesses.

The alternative language under Section 4 is shown in the proposed table of permissible uses included as Exhibit 'A' under the zoning district column for HR-CC. The suggested modifications would adjust the permitting requirements, particularly for residential uses, to be more consistent with earlier versions of the Historic Rogers Road districts proposal. The one exception would be to retain the conditional use permit requirement for the restaurant use. Consideration of a conditional use permit involves a public hearing, an opportunity for an applicant to describe the restaurant, proposed hours of operation, anticipated parking and trip generation and to receive public comment.

Other suggestions for alternative language address possible changes in dimensional requirements. For example, as currently drafted, major home occupations can only occur on parcels that are a minimum of one acre in size. Alternative language under draft ordinance Section 6B for Special Standards for Historic Rogers Road Districts (15-176.9(g)) would reduce this size to one half acre and increase the number of eligible lots; this may become more important as the HR-CC district is developed and subdivided. The remaining modification under provisions (10.) and (11.) would reduce the distance from an outdoor activity to the property boundary line from 60 feet to 30 feet. The average width of the five 2.5+acre tracts in the middle of the HR-CC district is about 140-feet wide. If the minimum distance from the boundary to the activity is 60-feet, any open area or open shed could be no larger than 20 feet wide and would have to be centered within the middle of the lot, regardless of topography. The tree screening in provision (12.) may address the interest of nuisance abatement. If not, the existing provisions for (10.) and (11.) could be rewritten to say, if the 60-foot distance cannot be met, a Type "A" screen or solid fence would be required.

Modifications described under alternative sections 7 and 8 would increase the dimensional standards for minimum lot size and residential density from 7,500 square feet to 14,520 square feet, the standards for the HR-R district (Historic Rogers Road-residential), currently the standards in place for the eight lots identified for the possible HR-CC district. Retaining a larger base lot size works better for other dimensional standards such as the building setbacks, currently set at 50-feet from the right-of-way and 50/20 feet from the property boundary line: 50 feet for property lines along the perimeter of the district and 20 feet for the internal property lines. The 50-foot undisturbed buffer along the perimeter of the district to retain rural character along Rogers Road and a separation from surrounding property remains in place.

The proposed changes to the dimensional standards may also serve to better advance other community interests. The *Mapping Our Community's Future* report speaks to affordable housing throughout the document, both retaining existing affordable units and creating new affordable units. The Land Use

Ordinance provides for the creation of affordable housing units in three ways: small lots, the small home provisions (15-188) and the density bonus (15-182.4). Since the AIS provisions (15-187) allow a developer to determine lot size and setback requirements, the opportunity to design smaller lots remains available. Likewise the small home provisions, which are based on the number of dwelling units for sale would still apply would still apply to those project containing at least fourteen units. The affordable housing bonus would allow for increased density, although it should be noted, that the different cost/profit margin for including affordable units can be challenging for some projects.

In addition, reducing the overall density potential for future development may retain more of the existing rural character, an interest expressed by local residents in and adjacent to the neighborhood. Other Land Use Ordinance provisions, such as the required density reduction for natural constraints would remain part of the standards applicable to the new district. The extent of natural constraints particularly for stream buffer and hardwoods would likely require much of the southern portion of the district to remain in open space and provide opportunities for recreational facilities such as walking trails.



Town of Carrboro

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

Agenda Item Abstract

File Number:20-405

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

The 203 South Greensboro Project -Public Hearing on Schematic Design and Project Cost

PURPOSE: The purpose of this item is to provide the Town Council an opportunity to receive public comment on the 203 South Greensboro Project schematic design and cost estimate.

DEPARTMENT: Planning, Finance, Economic Development

CONTACT INFORMATION: Patricia McGuire 919-918-7327, pmcguire@townofcarrboro.org <<mailto:pmcguire@townofcarrboro.org>>; Arche McAdoo, 919-918-7439, amcadoo@townofcarrboro.org <<mailto:amcadoo@townofcarrboro.org>>; Jon Hartman-Brown, O: 919-918-7319 | C: 919-391-7846 , jhartman-brown@townofcarrboro.org <<mailto:jhartman-brown@townofcarrboro.org>>.

INFORMATION: Public outreach for this project and hearing includes flyers, mailed notice, emails and other social media releases, public engagement sessions, signs (digital and posters) on the property, at Town Hall during early voting and on Election Day, and all around town. Information on the project survey has been included in this outreach and surveys have been made available on the site. The concept development process for the 203 Project restarted in late June.

With design concepts building on the 2018 engagement and design, the updated program includes approximately 51,000 square feet and associated parking to support the following:

- Orange County Southern Branch Library
- Carrboro Recreation, Parks and Cultural Resources
- Orange County Skills Development Center Certified Nursing Assistant Program/Durham Tech
- WCOM Radio
- Seed Library, Teen Space, Multi-purpose performance space
- Virtual Justice Center
- Orange County Guardian ad Litem program

The schematic design incorporates features that were derived from public input in 2018, with the principle change being the substitution of the Skills Development Center activities for the Arts Center space. The design also responds to the revised synergies that result from the new partnerships and opportunities between the building users, and is planned to result in a high-performing, energy-efficient, LEED Gold-equivalent building

Agenda Date: 11/10/2020

File Type:Agendas

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Version: 1

Agenda materials and a copy of the presentation from mid-October are available for review at http://townofcarrboro.org/DocumentCenter/View/8143/201013_THE-203_Town-Council-Presentation_FINAL-LR?bidId or with other materials at [The203Project.org http://www.townofcarrboro.org/1151/The-203-Project](http://www.townofcarrboro.org/1151/The-203-Project). A presentation on the final schematic design package will be provided at the public hearing Tuesday evening. The cost of the schematic design has been estimated by two parties and a reconciled estimate is in preparation. At present, the estimate is breaking down as follows:

Site	\$ 1.3 M
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Building	\$ 16.9M
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Parking	\$ 6.3M
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These costs total approximately \$24.5 million, which is about 10 percent above the current cost summary. Staff of the Town and Orange County, with Perkins + Will and consultants are working to identify all avenues for adjusting the design so that costs are in line with the current budget expectations. Please note that furnishings and finishes are to be budgeted separately through a Capital Improvements Program item and would likely also include audio-visual equipment, multi-purpose performance space equipment, rooftop PV array and parking management equipment.

Staff have consulted with an economic impact analyst regarding the benefits of new employees, building users and visitors to the Carrboro economy. The public parking associated with the 100 spaces in the current lot are being secured elsewhere in the downtown through leases with property owners. That information and a summary of the financing strategy for this project will be provided at the public hearing Tuesday evening.

Two amendments to the land use regulations have been identified as needed to support the building design. The first would allow parking structures up to a maximum of 60 feet in height where the Downtown Neighborhood Protection Overlay zone provisions apply. The second would clarify that town-owned and operated facilities that exceed two stories are subject to issuance of a zoning permit. Engineering staff from Kimley-Horn beginning permit plan development are examining the tree cover potential closely in relation to the requirement for 15 percent tree cover. Staff will advise the Council if a revision to this requirement is expected.

The current schedule anticipates moving forward to design development, permitting and construction plan preparation, so that construction could begin in the fall of 2021. This schedule is anticipated to allow opening of the new facility in late 2022.

An agenda item that will allow the Town Council to approve the schematic design and the project advancing to the next design step will be prepared for consideration on November 17th.

FISCAL & STAFF IMPACT: To be determined in relation to direction resulting from the receipt of

Agenda Date: 11/10/2020

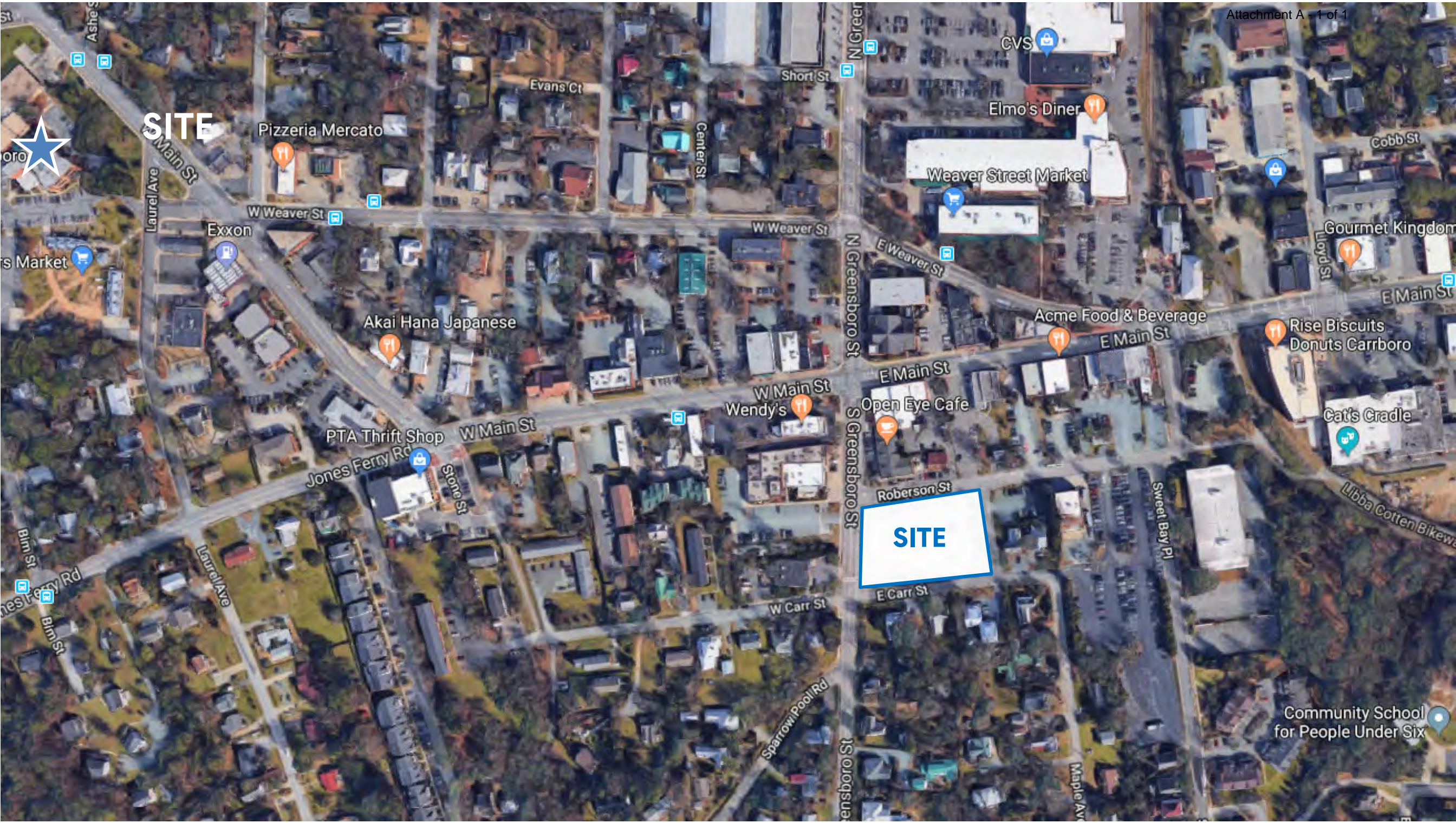
File Type:Agendas

In Control: Board of Aldermen

Version: 1

public comment.

RECOMMENDATION: Staff recommends that the Town Council receive public comment on the schematic design.



SITE

SITE

THEN & NOW

2018



2020



Building Area:	50,400 sf	52,780 sf
Open Site Area:	8,465 sf	5,183 sf
Occupiable Terrace Area:	2,564 sf	1,000 sf
Parking Count:	73	173



Town of Carrboro

Town Hall
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Carrboro, NC 27510

Agenda Item Abstract

File Number:20-407

Agenda Date: 11/10/2020

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Westwood Cemetery Concept Plan

PURPOSE: The purpose of this item is to provide the Council with the conceptual master plan for Westwood Cemetery.

DEPARTMENT: Public Works

CONTACT INFORMATION: Joe Guckavan, 919-918-7427, jguckavan@townofcarrboro.org [<mailto:jguckavan@townofcarrboro.org>](mailto:jguckavan@townofcarrboro.org); Ben Schmadeke, 919-918-7424; bschmadeke@townofcarrboro.org

INFORMATION: The Public Works Department along with consulting landscape architect, Carter van Dyke Associates, has developed a concept plan for further developing the Westwood Cemetery with additional amenities and features including a reflection area, columbarium, and designated natural burial areas. The plan would also expand cemetery capacity, currently Westwood Cemetery is forecasted to run out of plots by 2027.

FISCAL & STAFF IMPACT: The fiscal impact of this project to date has been \$47,000.00 for geotechnical and design services. A rough estimate of the cost to complete the project is \$350,000.00. Staff impacts for project management and additional maintenance are expected. The cemetery currently brings in approximately \$30,000 per year in revenue from plot sales.

RECOMMENDATION: It is recommended that the Council approve and provide comments on the plan and offer direction to staff on how to proceed with outreach and phasing.



Town of Carrboro

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

Agenda Item Abstract

File Number:20-410

Agenda Date: 11/10/2020

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Version: 1

Update from Chief Schmidt on COVID-19