

Town of Carrboro

301 W. Main St., Carrboro, NC 27510



Meeting Agenda - Final-revised

Wednesday, November 29, 2023

7:00 PM

Council Chambers - Room 110

Town Council

7:00-7:05

- A. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS**
- B. ANNOUNCEMENT OF UPCOMING MEETINGS**

7:05-7:15

- C. PUBLIC COMMENT**

Public comments on topics that are not on the agenda are heard during the public comment period. If you wish to address the Council, please add your name to the sign-in sheet. There is a three-minute limit per speaker.

7:15-7:35

- D. CONSENT AGENDA**

- 1. [23-284](#) Affordable Housing Special Revenue Fund Funding Recommendation**

PURPOSE: The purpose of this agenda item is for the Town Council to consider approving the Affordable Housing Advisory Commission's recommendation for one nonprofit application to the Affordable Housing Special Revenue Fund.

Attachments: [A - AHAC Recommendation](#)
[B - AHSRF Pocket Questions](#)
[C- EmPOWERment Application](#)

- 2. [23-322](#) Climate Action Grant Submissions Update**

PURPOSE: The purpose of this item is to update the Council on Town participation in collaborative climate action grant submissions related to implementation of the Energy and Climate Protection Plan, Community Climate Action Plan, and Comprehensive Plan.

Attachments: [A - Climate Action Grant Submissions Update - November 2023](#)
[B - Race and Equity Pocket Questions](#)

3. [23-337](#) Request to Set Legislative Public Hearings for Conditional Rezoning at 1307 West Main Street and Associated Text Amendments

PURPOSE: The Town has received a petition to rezone property at 1307 West Main Street from B-3 to R-2-CZ at 1307 West Main Street for the development of a five-story multi-family residential project. The application includes a request for a text amendment to increase the maximum building height from 50 feet to 65 feet. The Town Council must receive public comment before considering these requests. Resolutions setting the public hearings for the rezoning and text amendments, and directing staff to prepare an ordinance for the text amendment have been provided.

Attachments: [A-1 - Resolution for Text Amend.doc](#)
[A-2 - Resolution for PH for Map Amend.doc](#)
[B - Resolution LUO Amendment R2CZ.doc](#)
[C - Draft Zoning Map Amendment - 1307 West Main 11-20-2023.doc](#)
[D - RezoneVicinity Map R2CZ.PDF](#)
[E - Applicant Rezoning Materials - TEMPO - 1307 W MAIN ST \(compiled\).pdf](#)
[F - TEMPO-1307 W MAIN - NIM MATERIALS.pdf](#)
[G - LUO-AME_TownCouncil - TEMPO - 1307 W MAIN ST.pdf](#)
[H - LUO ART IX & XX.pdf](#)
[I - PQ 1307 W Main RTS PH 11-29-2023.docx](#)

4. [23-335](#) Resolutions Supporting an Application for a 2024 Road to Zero Community Traffic Safety Grant and Advancing a Carrboro Vision Zero Initiative

PURPOSE: The purpose of this agenda item is to request that the Town Council consider resolutions in support of an application for the National Safety Council's 2024 Road to Zero Community Traffic Safety Grant and to commit to a Vision Zero goal.

Attachments: [A - Resolution 2024 Road to Zero Grant Application.docx](#)
[B - 2024 Road to Zero Community Traffic Safety Grants Overview.pdf](#)
[C - FHWA_SafeSystem_Brochure_V9_508_200717.pdf](#)
[D - T&M Strategy 2.2-E \(Restructure RTMP\) -ADOPTED-2022-06-09.pdf](#)
[E - Map of Traffic Calming Measures.pdf](#)
[F - Pocket Questions \(Road to Zero\) .docx](#)
[G - Resolution Vision Zero Initiative.doc](#)

5. [23-331](#) Supplemental Agreement with NCDOT and Amended Project Ordinance for Homestead Road-Chapel Hill High School Multiuse Path Project
- PURPOSE:** The purpose of this agenda item is for the Town Council authorize the Town Manager to execute a Supplemental Agreement with the North Carolina Department of Transportation to add \$201,116 of additional funds to the Homestead Road-Chapel Hill High School Multiuse Path (TIP# U-4726-DE) and to amend the project ordinance.
- Attachments:** [A - Draft Amended Project Ordinance.docx](#)
[B - Pocket Questions.docx](#)
6. [23-338](#) Resolution Supporting Orange County Contract for Design Services Consultant Services Related to Development of a Master Plan for the Greene Tract
- PURPOSE:** The purpose of this agenda item is to request that the Town Council adopt a resolution of support for Orange County's Greene Tract Master Plan design consultant services.
- Attachments:** [A - Resolution](#)
[B - Pocket Questions](#)
7. [23-342](#) Resolution Requesting Reduction of Speed Limits on Old NC 86
- PURPOSE:** The purpose of this agenda item is to provide the Town Council with an opportunity adopt a resolution requesting NCDOT to consider a speed limit reduction for Old NC 86.
- Attachments:** [Resolution Requesting Speed Limit Reduction](#)
8. [23-341](#) Resolution To Award American Recovery Plan Act (ARPA) Funding for Race & Equity initiatives
- PURPOSE:** The purpose of this agenda item is for the Town Council to approve this Financial Assistance Project to help Carrboro families as recommended by the Racial Equity Commission.
- Attachments:** [A - Resolution Awarding ARPA Funding for Race and Equity Initiatives](#)
[B - 04-307 ARPA Grant Proj Ordinance 101122 \(5\)](#)
[C - REC minutes10.25.23](#)
[D - Race and Equity Pocket Questions](#)

7:35-7:50

E. PUBLIC HEARING

1. [23-333](#) Quasi-Judicial Hearing on a Reasonable Accommodation Request for 504 Davie Road

PURPOSE: The purpose of this agenda item is for the Town Council to hold a quasi-judicial hearing and consider granting a reasonable accommodation for construction of an access ramp property at 504 Davie Road

Attachments: [A - Land Use Ordinance Section 15-97](#)
[B - Letters from Property Owner and Doctor](#)
[C - Site Plan and Elevation Drawings](#)
[D - Decision Document for Reasonable Accomodation Request at 504 Davie Road](#)

7:50-8:35

F. OTHER MATTERS

1. [23-336](#) Consideration of Transportation Projects for Regional Flexible Funding, Continued

PURPOSE: The purpose of this agenda item is to provide the Town Council with additional information about the call for projects for Regional Flexible Funding and an opportunity for further discussion regarding the selection of projects to be submitted for consideration for funding.

Attachments: [A - Resolution RFF-2.doc](#)
[B - Pocket Questions RFF.docx](#)

2. [23-332](#) Street Naming/Renaming

PURPOSE: The purpose of this agenda item is to provide the Town Council with information on renaming streets following recent requests to rename a street in recognition of Braxton Foushee

Attachments: [A - Excerpt of Town Code Provisions](#)
[B - Pocket Questions](#)

3. [23-293](#) Request for Minor Modification of a Special Use Permit-A for a Mixed-Use Building at 1001 Homestead Road

PURPOSE: The purpose of this item is for Town Council to consider approving a resolution authorizing increased residential density within a previously approved mixed-use building at 1001 Homestead Road.

Attachments: [A - Resolution](#)
[B - Project Plans](#)
[C - Pocket Questions](#)

4. [23-273](#) Race & Equity Action Plan (REAP), Weaving Equity in Carrboro Town Governance

PURPOSE: The purpose of this agenda item is to request that the Town Council adopt the Race and Equity Action Plan (REAP), Weaving Equity in Carrboro Town Governance.

Attachments: [A - Resolution Adopting Carrboro Race & Equity Action Plan \(REAP\). Weaving Equity in Town Governance](#)
[B - Racial Equity Action Plan](#)
[C - Race and Equity Action Plan Pocket Questions](#)

5. [23-339](#) Consideration of the Town Council Procedures Manual

PURPOSE: The purpose of the Town Council Procedures Manual is to provide a comprehensive guide that outlines the accepted practices and policies governing the operations of a town council. It serves as a reference document for town council members, staff, and the public, ensuring consistency, transparency, and accountability in the conduct of town business.

Attachments: [A - Council Procedures Manual Final Draft](#)
[B - Pocket Questions - Council Procedure Manual](#)

6. [23-344](#) Appointments to the Transportation Advisory Board

PURPOSE: The purpose of this agenda item is for the Town Council to make appointments to the Transportation Advisory Board.

Attachments: [A - Resolution Making TAB Appointments](#)
[B - Combined TAB Applicants_ 11.29.2023](#)
[C - TAB Applicant Information Matrix for 11.29.2023](#)
[D - Advisory Boards & Commissions Recruitment- Racial Equity Lens](#)

7. [23-345](#) Appointments to the Safe Routes to School Implementation Committee

PURPOSE: The purpose of this agenda item is for the Town Council to make an appointment to the Safe Routes to School Implementation Committee.

Attachments: [A - Resolution Making SRTS Appointments](#)
 [B - Safe Routes to School Applicant 11.29.2023](#)
 [C - SRTS Applicant Information Matrix for 11.29.2023](#)
 [D - Advisory Boards & Commissions Recruitment- Racial Equity Lens](#)

8:35-8:45

G. MATTERS BY COUNCIL MEMBERS

8:45-9:05

- H. CLOSED SESSION 143-318.11(A)(1) To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes.**

Council Remote Participation: Pursuant to Town Code Chapter 2, Section 2-19, if a Town Council member must participate remotely, they must contact the Town Clerk's office as soon as possible, but at a minimum of 4 hours form the start of the Council meeting to ensure proper arrangements are made and to ensure a physical quorum of members will be present.



Agenda Item Abstract

File Number: 23-284

Agenda Date: 11/29/2023
In Control: Town Council
Version: 1

File Type: Agendas

Affordable Housing Special Revenue Fund Funding Recommendation

PURPOSE: The purpose of this agenda item is for the Town Council to consider approving the Affordable Housing Advisory Commission's recommendation for one nonprofit application to the Affordable Housing Special Revenue Fund.

DEPARTMENT: Housing and Community Services

CONTACT INFORMATION: Anne-Marie Vanaman, Housing and Community Services Director,
amvanaman@carrboronc.gov <<mailto:amvanaman@carrboronc.gov>>

COUNCIL DIRECTION:

☒ Race/Equity ☐ Climate ☒ Comprehensive Plan ☐ Other

Racial Equity: A full assessment using the Racial Equity Assessment Lens of the Affordable Housing Special Revenue Fund has been completed and reviewed by the Racial Equity Commission. A summary of this assessment as well as the "pocket questions" can be found in Attachment B.

Comprehensive Plan: Chapter 3. Affordable Housing. Goal 2: Increase the number of rental units that are permanently affordable to very low-income households earning up to 60% of AMI with a particular focus on those earning less than 30% AMI and historically disadvantaged households.

Goal 4: Maintain and improve the quality of Naturally Occurring Affordable Housing (NOAH) and "missing middle" opportunities.

INFORMATION: In the October 1, 2023 application cycle, one request was received and forwarded to the Affordable Housing Advisory Commission (AHAC) for review. EmPOWERment, Inc. submitted a request for \$200,000 toward the acquisition of 10 units off Homestead Road, considered to be part of the town's Naturally Occurring Affordable Housing (NOAH) stock.

On October 18, 2023, the AHAC received a presentation and then discussed the application. However, the AHAC requested more time to consider the request before making a recommendation and tabled their decision until their November meeting.

On November 15, 2023, the AHAC continued their discussion and voted to make the following funding recommendation to the Town Council:

Decline funding - EmPOWERment Request of \$200,000.

The AHAC had reservations funding a request that comprised 75% of the available AHSRF budget with two application cycles remaining in the fiscal year. However, they encouraged EmPOWERment to reapply in either

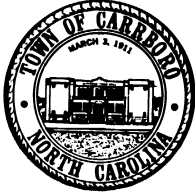
the January or April 2024 application cycle when more information is available regarding the following:

The AHAC would like to see EmPOWERment explore financing mechanisms that might expand or leverage this acquisition opportunity. Additionally, the AHAC expressed concern that: (1) there was no option to purchase or letter of intent with the seller; (2) inspection of the units had not been completed; (3) necessary additional funding was pending, but not committed; (4) adequate funding for improvements was not fully addressed, a particular concern since the units are not on sewer service; (5) more information was needed to assess the purchase price.

The AHAC's recommendation can be found in Attachment A. The funding request can be found in Attachment C.

FISCAL IMPACT: There is no fiscal impact. The available AHSRF budget for FY2023-2024 is \$262,817. There are two more application cycles this fiscal year, and applications of \$5,000 or less are accepted throughout the year by Housing and Community Services and presented to the Town Manager for consideration.

RECOMMENDATION: Staff recommends that the Town Council consider approving the AHAC's recommendation.



TOWN OF CARRBORO

Affordable Housing Advisory Commission

301 West Main Street, Carrboro, North Carolina 27510

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

November 15, 2023

Affordable Housing Special Revenue Fund Funding Recommendation

Motion was made by Bobby Funk and seconded by Amy Singleton, that the AHAC recommends that the Town Council consider the following funding recommendation:

The AHAC received one application to review in the October 2023 funding cycle. With \$262,817 available in the Affordable Housing Special Revenue Fund budget for the current fiscal year (FY 23-24), the AHAC recommends to:

decline funding the \$200,000 request from EmPOWERment.

Comments:

The AHAC had reservations funding a request that comprised 75% of the available AHSRF budget with two application cycles remaining in the fiscal year.

The AHAC would like to see EmPOWERment explore financing mechanisms that might expand or leverage this acquisition opportunity. Additionally, the AHAC expressed concern that: (1) there was no option to purchase or letter of intent with the seller; (2) inspection of the units had not been completed; (3) necessary additional funding was pending, but not committed; (4) adequate funding for improvements was not fully addressed, a particular concern since the units are not sewer service; (5) more information was needed to assess the purchase price.

EmPOWERment is encouraged to reapply in either the January or April 2024 application cycle when more information is available.

VOTE:

YES: (5-Betty Curry, Amy Singleton, Bobby Funk, Heather Nash, Muhsin Omar)

ABSENT/EXCUSED: (2-Lindsay Griffin, Rahat Sajwani)

NOES: (0)

ABSTENTIONS: (0)

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

	<u>11-15-23</u>
(Chair)	(Date)

Affordable Housing Special Revenue Fund Funding Recommendation

Racial Equity Tool Pocket Questions

What are the racial impacts?

Renters of color earn disproportionately less than white renters. Black, Latino, and Native American workers are more likely than white workers to be employed in sectors with lower median wages, like service or production, while white workers are more likely to be employed in higher-paying management and professional positions (Bureau of Labor Statistics, 2020a; Allard & Brundage, Jr., 2019). Even within the same occupations, however, the median earnings for white workers are often higher than the median earnings for Black and Latino workers. As a result of such disparities, Black and Latino workers face larger gaps between their wages and the cost of housing than white workers (Out of Reach Report, National Low-Income Housing Coalition, 2022).

In Orange County, the fair market rent is \$1,315 and requires an hourly wage of \$25.29 to afford. As a result, 52% of renters have difficulty affording their homes. These numbers, published by the North Carolina Housing Coalition were published early in 2023 and most likely don't reflect the worsening reality of the current rental market.

By not funding this application, it is possible that these 10 units, currently occupied by low-income households, would be sold to a buyer uninterested in providing affordable housing, or in keeping the units as Naturally Occurring Affordable Housing (NOAH).

Who is or will experience burden?

The ten households currently occupying the units may experience a burden if the units are sold to another buyer who is not committed to keeping the units affordable. They may face higher rent in their current home or struggle to find another affordable unit in Carrboro or elsewhere in the county.

EmPOWERment may experience an increased financial burden in pursuing this project.

Who is or will experience benefit?

Future applicants in the January and April 2024 cycles will benefit by having more funds available in the FY24 AHSRF budget. These requests, because they must meet the AHSRF eligibility requirements, could create or preserve additional affordable housing units in Carrboro for households earning 80% or below of the area median income.

What are the root causes of inequity?

The root causes of inequity are poverty (caused by intentional actions to deny wealth and equitable education and employment), as well as policies & practices such as: enslavement, government-sponsored intentional racism such as redlining; restrictive zoning ordinances; lending practices that create barriers; the illegality of rent control in NC; and white power structures' lack of willingness to address disparities.

What might be the unintended consequences of this action or strategy?

Ten units of NOAH may disappear from the Carrboro's affordable housing stock. Ten low-income households may lose their home or face increased rent either in their current unit or elsewhere. They may have to move away from Carrboro.

AHSRF RACIAL EQUITY ASSESSMENT LENS - SUMMARY

The long-term consequences of slavery, Jim Crow, disenfranchisement, segregation, unjust lending practices, red lining and continued racial bias affect the ability for people of color to obtain equitable opportunities for education, employment, economic mobility, generational wealth, positive health outcomes, and access to safe and affordable housing.

The Town of Carrboro's Affordable Housing Special Revenue Fund ([AHSRF](#)) was established in 2007 with the intention to improve housing access for low-income Carrboro residents. Specifically, the Fund advances the Town's goal to preserve and expand the stock of affordable housing within Carrboro and its planning jurisdiction. As part of the Town's commitment to racial equity, the Affordable Housing Advisory Commission (AHAC) and town housing staff conducted a racial equity assessment on the AHSRF in the summer and fall of 2022.

Data gathered to conduct the assessment showed that lack of housing access and affordability disproportionately affected BIPOC residents in Carrboro. Root causes of this disparity were poverty (caused by intentional actions to deny wealth and equitable education), as well as policies & practices (government-sponsored intentional racism such as redlining, restrictive zoning ordinances, lending practices that create barriers; the illegality of rent control in NC, and white power structures' lack of willingness to address disparities).

The assessment provided several key findings that contributed to the ongoing lack of available affordable housing and provided a list of recommendations to be explored initially which could deepen the impact of the AHSRF. These recommendations included: (1) increase funding, (2) use plain language so residents know how to access the AHSRF, (3) leverage funding to support projects that create more units, (4) use a "score sheet or checklist" to help center equity in deliberations, (5) prioritize projects that support residents earning 30% AMI or less in household income.

The assessment also highlighted that the AHSRF's funding mechanism produced a key consequence and challenge. "Increasing taxes to support the AHSRF will exacerbate the wealth gap, fuel gentrification, and continue to make housing unaffordable. BIPOC, low-income, fixed income and no-income people will continue to experience the burden of paying the same amount of taxes as someone who's benefitted from generations of wealth building, had access to economic and educational mobility opportunities and benefits from a system designed to provide for and meet their needs."

Affordable Housing Special Revenue Fund

Application

Fiscal Year 2023-2024



TOWN OF CARRBORO • NC
HOUSING & COMMUNITY SERVICES

FUNDING APPLICATION

DATE:

Section 1: APPLICANT AND PROJECT OVERVIEW

A. Applicant Information

Applicant/Organization's Legal Name: EmPOWERment, INC

Primary Contact Person and Title: Delores Bailey, Executive Director

Applicant/Organization's Physical Address: 109 N. Graham Street, #200, Chapel Hill, NC 27516

Applicant/Organization's Mailing Address: 109 N. Graham Street, #200, Chapel Hill, NC 27516

Telephone Number: 919-967-8779

Email Address: www.empowermentinc.org

B. Project Information

Project Name: Homestead Project

Total Project Cost: \$2,530,000.00

Total Amount of Funds Requested: \$200,000.00

Please specify which permitted use of funding is being requested (as listed in Section 2: B.1.):

This funding will be used for acquisition of 10 affordable single family rental units.

To the best of my knowledge all information and data in this application are true and current. The document has been duly authorized by the governing board of the applicant.

Signature: Delores Bailey

Executive Director or other Authorized Signatory

10/11/2023
Date

Section 2: PROJECT DESCRIPTION

Please provide a thorough description of the project (by answering the "who," "what," "when," and "where" questions about your project). Do not assume the reader knows anything about the project.

A. "Who"

1. Who is the target population to be served and how will their needs be addressed through this project? If this is a repair or rehabilitation project, please address how the beneficiary meets eligibility requirements and provide substantiation, such as a deed, homeowner insurance policy statement, etc.

The target population to be served are families earning between 31-60% Area Median Income (AMI). This is a Naturally Occurring Affordable Housing community which means the current residents live affordably without subsidies but could be subject to displaced if the community were to be purchased by a developer. Through acquisition of this community, EmPOWERment can preserve ten homes for affordable rental. With EmPOWERment ownership, these tenants will not be displaced. This project will ensure long-term affordability through deed restrictions, performance agreements, development agreements, and right of first refusals.

2. Please indicate the income of the beneficiaries (households) to be served through the proposed project. Please see **Attachment A** for the current income limits for the Durham-Chapel Hill MSA.

Income Group (Area Median Income)	Number of Beneficiaries	% of Total Beneficiaries
<30% of AMI		
31%-60% of AMI	59	100%
61-80% of AMI		
81-100% of AMI		
101-115% of AMI		
TOTAL	59	100%

Income Group	Seniors age 62+	Children	Disability Present	Asian	Black	Hisp./ Latinx	Mixed Race	Other	White
<30% of AMI									
31%-60% of AMI	5	12			9	21			12
61-80% of AMI									
81-100% of AMI									
101-115% of AMI									
TOTAL	5	12			9	21			12

3. **Project Staff.** Please provide names of staff, contractors, and/or volunteers that will be involved with the project. Describe their responsibilities with the project and track record in successful completion of similar projects in the past:

- **Delores Bailey (EmPOWERment Executive Director)** has served as the Executive Director of EmPOWERment, Inc since 2005. For this project, Ms. Bailey will negotiate the acquisition of the properties. She will be responsible for creating the budget and the pro forma as well as overall management of the project. Under her leadership, EmPOWERment grew its rental properties from 12 to 65, including three mobile homes. Ms. Bailey has managed ten new construction projects and numerous renovation projects during her seventeen years as Executive Director. Ms. Bailey has a Bachelor of Science in Behavioral and Social Science.
- **La Tanya Davis (EmPOWERment Operations Manager)** has been a part of the EmPOWERment's team since 2007. For this project, Ms. Davis will be responsible for management of timetables, project costs and coordination of the transfer of properties. Prior to her current job, Ms. Davis was the Property Manager for EmPOWERment's rental program. Prior to property management, Ms. Davis was Finance Manager. Ms. Davis is also a licensed Real Estate Broker. Ms. Davis has extensive experience working with the Executive Director on acquisition, new construction, and rehab projects. Ms. Davis has a master's in business education.
- **Sharron Reid (EmPOWERment's, lead HUD Certified Housing Counselor)**. For this project, Ms. Reid will be responsible for verifying the incomes of current residents. She is prepared to provide rental counseling and budgeting information for the tenants if it is required. She is nationally certified by HUD meaning she is certified to provide counseling throughout the United States. Ms. Reid collaborates with various community agencies to connect clients with housing stability resources. She provides services to individuals and families seeking housing counseling assistance in the areas of rental, pre-purchase, delinquency and foreclosure, and advocates on behalf of clients by contacting landlords, mortgage companies and lenders to help resolve crisis situations. Ms. Reid is also the instructor of various housing related classes such as financial literacy, budgeting, and homebuyer education classes. Ms. Reid has a Bachelor of Science in criminal justice.
- **Valencia Thompson (EmPOWERment's Property Manager)**. Ms. Thompson has been Property Manager for EmPOWERment since 2019. For this project she be responsible for meeting with and setting up rental protocol for each of the families. She will create and maintain the new leases. Ms. Thompson works directly with tenants, manages administrative rental duties, data collection, manages tenant rental software, and Website management of the Rental Program. Ms. Thompson is also a nationally certified housing counselor and works alongside Ms. Reid to ensure vulnerable tenants and homeowners in Orange County remain in stable housing. Ms. Thompson is a licensed Real Estate Broker. She has an MBA in Accounting and Finance.
- **Quintonia Thorpe (EmPOWERment's Finance Manager)** For this project Ms. Thorpe will provide full accounting services for the project. She will be responsible for grant and cash management and financial reporting. Ms. Thorpe has over 25 years of accounting experience including several years as a financial analyst and money manager. She holds a Bachelor of Arts degree and a master's in business administration & health administration.

B. "What"

1. Type of Activity. Please check the category under which your project falls.

- ☒ Acquisition
- ☐ Pre-development costs
- ☐ Rental subsidy
- ☐ Ownership subsidy
- ☐ New construction for homeownership
- ☐ New construction for rental
- ☐ Rehabilitation for owner-occupied or rental (including urgent repairs - see *)
- ☐ Land banking
- ☐ Grant to land trust
- ☐ Foreclosure assistance
- ☐ Other (specify): _____

**Starred items requesting no more than \$5,000 or 15% of the existing fund, whichever is lower, do not have to provide performance measures and can apply outside of the funding cycles.*

2. Project Description. Please provide a general overview of your project, including what you are planning to produce, how the requested funds will be used and how you are planning to carry out the project. Include how your project meets the criteria of eligible uses.

This project is an attempt to preserve naturally affordable housing (NOAH) in Carrboro, NC with the acquisition of 10 single-family homes located off Homestead Road community. These homes will house people who are earning below 31%-61% AMI and will remain affordable for 99 years. This acquisition will continue to add to the affordable housing stock following the Town of Carrboro 2022-2042 Comprehensive Plan "that there is a home for everyone in Carrboro". This project will ensure that communities like this one will remain safe and affordable, meeting the criteria for eligible uses for Carrboro.

C. "Where"

1. Project Location. Please be as specific as possible.

This Naturally Occurring Affordable Housing (NOAH) community is located outside of the Carrboro city limits on Homestead Road in close proximity to McDougle Elementary/Middle School. It is within two miles of a business area that includes a grocery store, restaurant, and the bus line. The property is less than 4 miles away from the Roger Road Neighborhood Association recreation center.

2. Project Size (if applicable). Please provide the size of development site: 9.42 acres

Please attach the following:

- ☒ Site map showing lot boundaries, locations of structure(s), and other site features
- ☒ General location map (at least ½ mile radius)

D. "When"

☒ Attach a **detailed** timetable showing when each work task will be completed (e.g., planning; obtaining financial commitments; design; environmental review; bidding; loan closing; key milestones in construction; marketing; final inspection; occupancy; etc.)

E. Project Details

If the questions below are not applicable or the requested information is not currently available, please insert N/A.

1. Property Acquisition.

- a. Has your agency acquired real property in order to carry out the project, or is property acquisition planned? No. This is an acquisition.

- b. Is the property currently occupied? If so, attach a description of your plan to relocate.
Yes, this property is currently occupied by tenants earning 31%-61% AMI. This is a NOAH project. These tenants will not be displaced.

- c. Please attach an appraisal of the property. CMA is attached.

2. Construction/Rehabilitation Detail.

- a. How many units will be newly constructed? ***N/A***
- b. How many units will be rehabilitated? ***N/A***
- c. What is the square footage of each unit? ***700 to 1000 square feet***
- d. What is the number of bedrooms in each unit? ***(9)-2-bedroom units and (1) 3-bedroom unit***
- e. What is the number of bathrooms in each unit? ***1 bath in each unit***
- f. How many units will have full ADA accessibility? ***N/A***
- g. Is the proposed project located in Carrboro Town limits, ETJ, or transitional area? ***YES***
- h. Please attach the following:
- ☐ Floor plan(s)
 - ☐ Elevation(s)
 - ☐ List of Energy Efficiency measures included in the project (if applicable)
 - ☐ List of Universal Design principles included in the project (if applicable)

3. Design, Affordability, Marketing, and Supportive Services.

- a. Describe any methods to ensure long-term affordability of housing units, including subsidy recapture, equity sharing, deed restrictions, etc.:

***EmPOWERment will secure the following documents to ensure long term affordability of these housing units for 99 years by:
Deed restrictions, Performance agreements, Right of First Refusal and***

- b. What are the proposed rents (including utility costs) or sales prices for completed units?
\$1100 for 2 bedrooms and \$1500 for 3 bedrooms.
- c. Explain your agency's process for marketing to ensure an adequate pool of income-eligible renters to buyers:
El's process for marketing to an adequate pool of income-eligible renters is one that has been tried and tested over twenty years of rental property management by our Rental Property Management team. Our first and best marketing tool is our current tenants. El's vacancy rate is less than 5%. When there is a vacant unit, it is marketed through our website, empowermentinc.org and NCHousingSearch.org. Other recommendations

from other partners such as Community Empowerment Fund (CEF), Department of Social Services, Family Success Alliance (FSA) local churches, and EI's in-house Waitlist of eligible individuals. EmPOWERment advertises in the neighborhood newsletters such as The Northside News and on social media. We encourage our tenants to share information with friends and family members. We also post flyers at community gathering locations such as the Hargraves Community Center and Carrboro Community parks where posting is allowed. Priority is given to those applicants that fall into the "most vulnerable population" category.

- d. Describe the use of energy efficient principles, universal design, and/or materials with extended life span.

This project is an acquisition of ten existing single-family homes. As repairs and upgrades are needed, EI will incorporate universal design and replace any aged appliances with energy efficient ones. EI will look for opportunities to weatherize the homes.

- e. What supportive services, if any, will be provided through this project?

By creating more affordable housing, EI has been able to foster a sustainable community environment through several support services available for tenants. For example, rental counseling ,Homebuyers Education Classes, pre-eviction counseling, and limited budgeting classes provided by HUD certified counselors. There is also access to the EmPOWERment Inc. MOM Utility fund for those facing financial hardships. EI has created a Tenant Association that meets to share information and resources with all EmPOWERment tenants.

Section 3: PERFORMANCE MEASUREMENTS

A. Goals and Objectives

Please complete the following chart with information about the project's goals and objectives.

Goal/Objective	Measurement
<i>Ex: Provide housing for low- to moderate-income households.</i>	<i>Ex: By 2020, build ten units that are affordable to households earning less than 80%AMI.</i>
Provide housing for low to moderate households.	This acquisition will produce 10 affordable rental units for low-income households earning 31-60% AMI.

B. Alignment with Town Goals and adopted affordable housing strategies.

Please explain how the proposed project aligns with the Town Council Goals and adopted affordable housing strategies.

This acquisition will continue to add to the affordable rental stock following the Town of Carrboro 2022-2042 Comprehensive Plan "that there is a home for everyone in Carrboro". The proposed project seeks to protect naturally occurring affordable housing, defined by the article "Preserving affordable housing" in the Washington Post written by Haisten Willis as "rental housing at least two decades old, short on amenities and affordable without a subsidy (2020)". These houses will continue to provide a safety net for ten families.

Section 4: PROJECT BUDGET AND PRO-FORMA

A. Project Budget

☒ Attach a **detailed project budget** in Excel format showing all sources and uses of funds. Indicate which funds are committed or pending and include the % of committed funds toward this project. Attach funding commitment letters where available or copies of funding applications previously submitted.

Attaching signature pages of grant applications.

☒ Has an appraisal been conducted? If so, please attach.

Attaching CMA/Market Analysis.

B. Terms of Project Funding

Please specify the type of funding request for which you are applying:

☒ Grant ☐ Loan

C. Pro-forma (for rental property only)

☒ If you are developing a property for rent, please attach a 20-year pro-forma showing estimated income, expenses, net operating income, debt service, and cash flow.

Section 5: ORGANIZATION DESCRIPTION

If you have already provided this information on a previous application in the current fiscal year, you do not need to provide this information again.

A. Organization

What is your organization's . . .

1. Mission statement?

EmPOWERment, Inc.'s mission is to empower individuals and communities to achieve their destiny through community organizing, affordable housing, and grassroots economic development. Empowerments affordable housing mission is to reduce or remove housing barriers for the most vulnerable populations in Chapel Hill. Priorities are given to that population.

2. Incorporation date (Month and Year)? **March, 1996**
3. Estimated Total Agency Budget for this fiscal year? **\$800,000**
4. Total number of agency staff (full time equivalents): **4**

B. Organization Track Record and Community Support

Please describe your organization's experience and ability to carry out the proposed project, including:

1. Evidence of coordination of this application with other organizations to complement and/or support the proposed project

EmPOWERment has been purchasing privately owned properties since it was started in 1996. We have acquired over 65 properties in 27 years. We have been most successful purchasing NOAH properties, like this project, to add to the rental inventory. We meet monthly with housing partners like the Orange County Affordable Housing Coalition, FSA, CEF, and IFC to discuss the need to acquire more affordable units. These discussions include how to buy properties, how to maintain older properties, and how to find funding for repairs. Many of our existing properties are old and EmPOWERment continues to make repairs and upgrades to units to extend the life of these properties and alleviate displacement of families.

2. Involvement of intended beneficiaries of the project in the planning process

For this project, the intended beneficiaries are the families currently living in the units. We have started a discussion with the current owner. That communication will change when the property is acquired. As vacancies occur EI will collaborate with the families living there now to include them in the planning process. We will conduct tenant meetings to gather responses that can help EI understand problems tenants face so additional programs can be created to support them.

3. Past achievements in carrying out similar projects and evidence of successful record of meeting proposed budgets and timetables

Rental acquisitions: for the last 5 years the EI rental inventory has increased by 2-3 units per year. We have consistently been on time and on budget for these acquisitions. Acquisitions and rehabs since COVID have depended on the supply chain for materials and longer than usual wait times for laborers. We work diligently to capture those two distractions on the timeline for the project.

Affordable rental: EI counselors and collaborated with other non-profit agency and municipalities to assist hundreds of families maintain housing through and after the pandemic. EI's timely response to the urgency of tenants is imperative. Our eviction prevention reach is 100%. EI has seen the highest-level growth in counseling, and it continues to rise.

4. Collaborative relationships with other agencies

EI has great collaborative relationships with other agencies that provide similar services throughout Orange County. We have mentioned the housing agencies we partner with earlier in the application. EmPOWERment is proud to collaborate with other local and state agencies like the NAACP, Kidzu, FSA, Boomerang, Northside Elementary School, local churches, community centers, and businesses owners. Many of these relationships allow us to gather resources for our current and potential clients and neighborhood members. EI has worked on these relationships for many years.

5. Plans to develop linkages with other programs and projects to coordinate activities so solutions are holistic and comprehensive

EmPOWERment Inc. has a history of collaborating with other programs in the Orange County area to help support the communities that we serve. We strive to create a holistic and comprehensive support network by providing our own resources and also connecting individuals with other organizations. We shall continue these partnerships to ensure tenants have access to community resources and services. EI works with UNC students, area politicians, business owners, and school administrators to address the needs of underserved individuals in our community through program assistance and information sharing. The most important coordination EI can do is to provide more affordable housing for the underserved community of Orange County.

6. Any other features relating to organization capacity that you consider relevant, (i.e. property management experience, including accepting Section 8 Vouchers, etc.).

EI is very proud to have an elite property management program that understands racial discrimination and bias that create barriers for marginalized communities. EI's property management team has over 20 years of experience working in

underserved communities. EI accepts all kinds of housing vouchers including VASH for veterans, housing choice vouchers, and vouchers from agencies such as DSS. EmPOWERment's goal is to assist Individuals who may have experienced hardships in the past and need "empowering" to the next stage of their life, which could lead to a second chance.

Section 6: DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Are any of the Board Members or employees of the agency which will be carrying out this project, or members of their immediate families, or their business associates:

a) Employees of or closely related to employees of the Town of Carrboro

YES ☐ NO ☒

b) Members of or closely related to members of the governing bodies of Carrboro?

YES ☐ NO ☒

c) Current beneficiaries of the project/program for which funds are requested?

YES ☐ NO ☒

d) Paid providers of goods or services to the program or having other financial interest in the program?

YES ☐ NO ☒

If you have answered YES to any question, **please explain below**. The existence of a potential conflict of interest does not necessarily make the project ineligible for funding, but the existence of an **undisclosed** conflict may result in the termination of any grant awarded.

TIMELINE

**December
2023**

Applications
reviewed by
affordable
housing team

May 2024

Contracts
executed and
projects begin

October

Application
submitted for
review

March 2024

TOC considers
approval.
Environmental
review ordered.

July 2024

Secured financial
committed.
Homestead
becomes part of
the Carrboro
affordable
housing
inventory.



EMPOWERment INC

EMPOWERMENT, INC. ACQUISITION OF HOMESTEAD ROAD COMMUNITY, CHAPEL HILL, NC			
301 Homestead Road Housing			
This will add 10 houses to Carrboro's affordable housing inventory.			
	2,500,000.00	Acquisition Price	
	<u>30,000.00</u>	Upgrades	
	2,530,000.00		
<u>FUNDING SOURCES</u>			Percentage
	Town of Carrboro ARPA*	600000	23%
	SECU Foundation*	1100000	43%
	Orange County CIP*	600000	23%
	Town of Carrboro AHSRF*	200000	7%
	EMPOWERment Inc*	30000	2%
Acquisition Price + Upgrades		2530000	

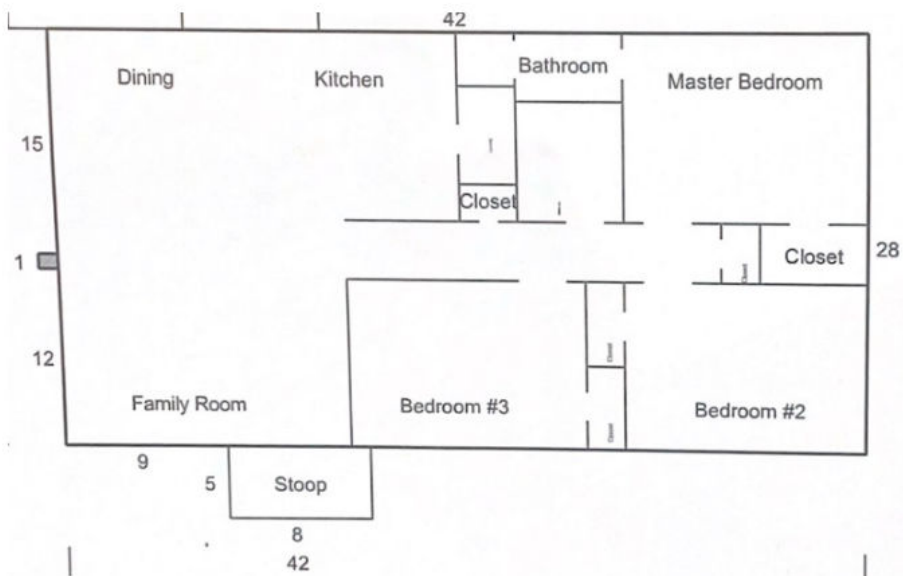
* Pending

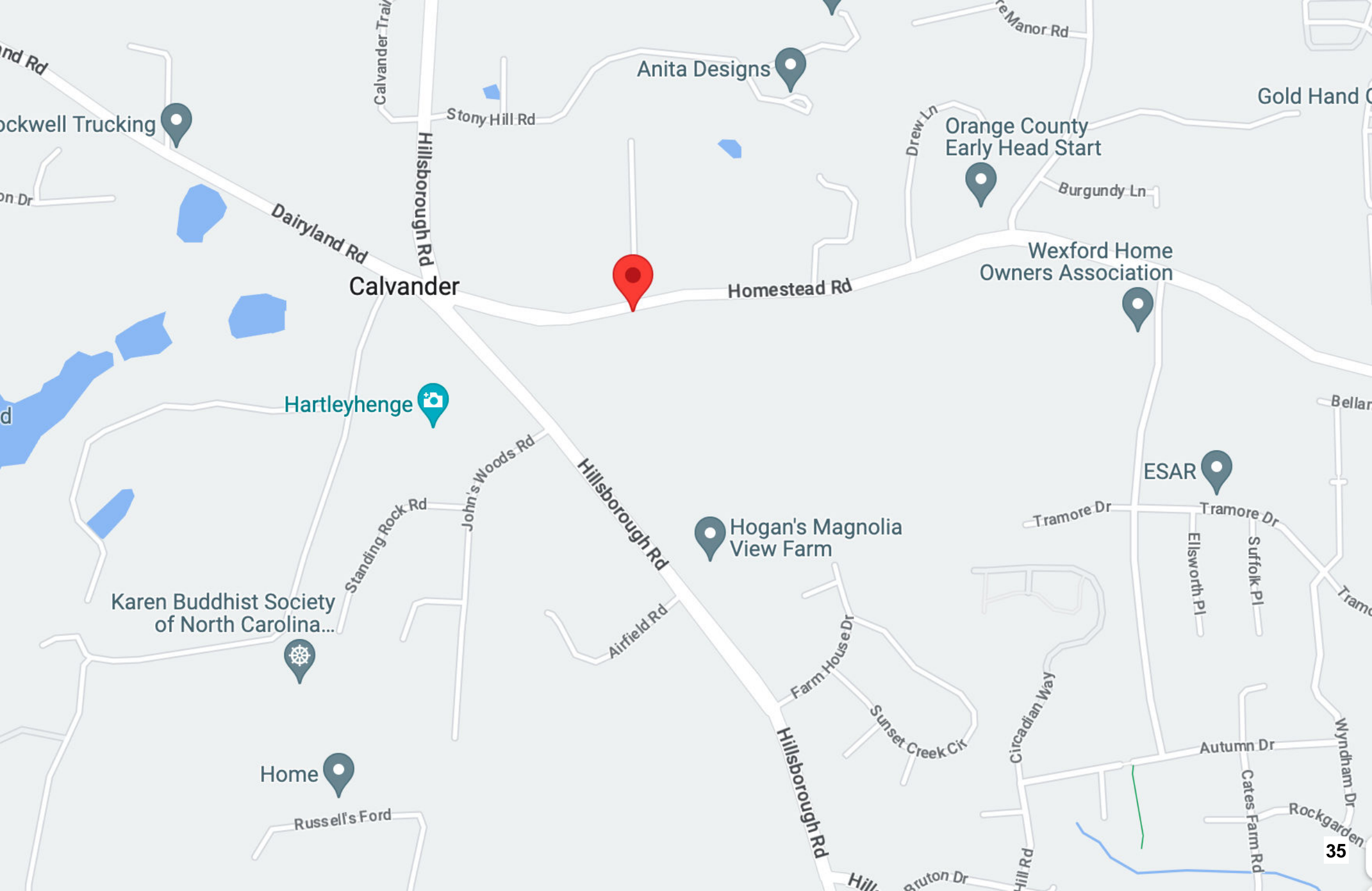
20-YEAR PRO FORMA, 301 Homestead Road, CHAPEL HILL, NC				
EmPOWERment, Inc accepts housing vouchers. We also rent to families without vouchers. Our target tenant population earns 30% to 80% of the area median income. The pro forma is based on initial rent at \$1100 per month for 9 units, \$1500 for 1 unit. Rental increase is calaulated at 3% every five years.				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>
Income	136,800.00	136,800.00	136,800.00	136,800.00
Vacancy 3% per yr (1 month)	<u>(4,104.00)</u>	<u>(4,104.00)</u>	<u>(4,104.00)</u>	<u>(4,104.00)</u>
Total Income	132,696.00	132,696.00	132,696.00	132,696.00
Expenses				
Management fee	9,600.00	9,600.00	9,600.00	9,600.00
Maintenance & Repair	18,000.00	18,720.00	19,468.80	20,247.55
Administrative/Legal	12,000.00	12,000.00	12,000.00	12,000.00
Insurance	12,000.00	12,480.00	12,979.20	13,498.37
Property Taxes	6,000.00	6,240.00	6,489.60	6,749.18
Utilities	14,400.00	14,976.00	15,575.04	16,198.04
Rental Reserves	20,000.00	20,000.00	20,000.00	18,000.00
Turn-over Costs	<u>25,000.00</u>	<u>25,000.00</u>	<u>25,000.00</u>	<u>18,000.00</u>
Total Expenses	117,000.00	119,016.00	121,112.64	114,293.15
Annual Income	132,696.00	132,696.00	132,696.00	132,696.00
Less Expenses	<u>117,000.00</u>	<u>119,016.00</u>	<u>121,112.64</u>	<u>114,293.15</u>
Net Operating Income	15,696.00	13,680.00	11,583.36	18,402.85

<u>Year 5</u>	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
142,272.00	142,272.00	142,272.00	142,272.00	142,272.00	149,385.60
<u>(4,268.16)</u>	<u>(4,268.16)</u>	<u>(4,268.16)</u>	<u>(4,268.16)</u>	<u>(4,268.16)</u>	<u>(4,481.57)</u>
138,003.84	138,003.84	138,003.84	138,003.84	138,003.84	144,904.03
10,200.00	10,200.00	10,200.00	10,200.00	10,200.00	10,200.00
21,057.45	21,899.75	22,775.74	23,686.77	24,634.24	25,619.61
12,000.00	12,000.00	12,360.00	12,730.80	12,730.80	12,730.80
14,038.30	14,599.83	15,183.83	15,791.18	16,422.83	17,079.74
7,019.15	7,299.92	7,591.91	7,895.59	8,211.41	8,539.87
16,845.96	17,519.80	18,220.59	18,949.42	19,707.39	20,495.69
18,000.00	18,720.00	18,720.00	18,720.00	18,720.00	18,720.00
<u>18,720.00</u>	<u>18,720.00</u>	<u>18,720.00</u>	<u>18,720.00</u>	<u>18,720.00</u>	<u>18,720.00</u>
117,880.87	120,959.31	123,772.08	126,693.76	129,346.68	132,105.72
138,003.84	138,003.84	138,003.84	138,003.84	138,003.84	144,904.03
<u>117,880.87</u>	<u>120,959.31</u>	<u>123,772.08</u>	<u>126,693.76</u>	<u>129,346.68</u>	<u>132,105.72</u>
20,122.97	17,044.53	14,231.76	11,310.08	8,657.16	12,798.32

<u>Year 11</u>	<u>Year 12</u>	<u>Year 13</u>	<u>Year 14</u>	<u>Year 15</u>	<u>Year 16</u>
149,385.60	149,385.60	149,385.60	156,854.88	164,697.62	164,697.60
<u>(4,481.57)</u>	<u>(4,481.57)</u>	<u>(4,481.57)</u>	<u>(4,705.65)</u>	<u>(4,940.93)</u>	<u>(4,940.93)</u>
144,904.03	144,904.03	144,904.03	152,149.23	159,756.70	159,756.67
10,200.00	10,200.00	10,200.00	10,200.00	10,200.00	10,200.00
26,644.40	27,710.17	28,818.58	29,971.32	31,170.18	32,416.98
12,730.80	13,112.72	13,112.72	13,112.72	13,112.72	13,506.11
17,762.93	18,473.45	19,212.39	19,980.88	20,780.12	21,611.32
8,881.47	9,236.72	9,606.19	9,990.44	10,390.06	10,805.66
21,315.52	22,168.14	23,054.86	23,977.06	24,936.14	25,000.00
18,720.00	18,720.00	18,720.00	18,720.00	18,720.00	18,720.00
<u>19,468.80</u>	<u>20,247.55</u>	<u>21,057.45</u>	<u>21,899.75</u>	<u>22,775.74</u>	<u>22,775.74</u>
135,723.91	139,868.76	143,782.20	147,852.18	152,084.96	155,035.81
144,904.03	144,904.03	144,904.03	152,149.23	159,756.70	159,756.67
<u>135,723.91</u>	<u>139,868.76</u>	<u>143,782.20</u>	<u>147,852.18</u>	<u>152,084.96</u>	<u>155,035.81</u>
9,180.12	5,035.27	1,121.83	4,297.05	7,671.74	4,720.86

<u>Year 17</u>	<u>Year 18</u>	<u>Year 19</u>	<u>Year 20</u>
164,697.60	164,697.60	172,932.48	172,932.48
<u>(4,940.93)</u>	<u>(4,940.93)</u>	<u>(4,940.93)</u>	<u>(4,940.93)</u>
159,756.67	159,756.67	167,991.55	167,991.55
10,200.00	10,200.00	10,200.00	10,200.00
33,713.66	33,713.66	33,713.66	33,713.66
13,506.11	13,506.11	13,506.11	13,506.11
22,475.77	23,374.81	23,374.81	23,374.81
11,237.89	11,237.99	11,687.40	11,687.40
25,000.00	25,000.00	25,000.00	25,000.00
18,720.00	18,720.00	18,720.00	18,720.00
<u>22,775.74</u>	<u>22,775.74</u>	<u>25,619.61</u>	<u>25,619.61</u>
157,629.17	158,528.30	161,821.59	161,821.59
159,756.67	159,756.67	167,991.55	167,991.55
<u>157,629.17</u>	<u>158,528.30</u>	<u>161,821.59</u>	<u>161,821.59</u>
2,127.50	1,228.37	6,169.96	6,169.96





Anita Designs

Orange County
Early Head Start

Wexford Home
Owners Association

Hartleyhenge

ESAR

Hogan's Magnolia
View Farm

Karen Buddhist Society
of North Carolina...

Home

Russell's Ford

CMA Summary Report - Market Analysis

RESIDENTIAL Summary Statistics

High	Low	Average	Median
LP: \$300,000	\$229,000	\$259,333	\$249,000
SP: \$283,937	\$200,000	\$249,645 $\times 9 =$	\$265,000

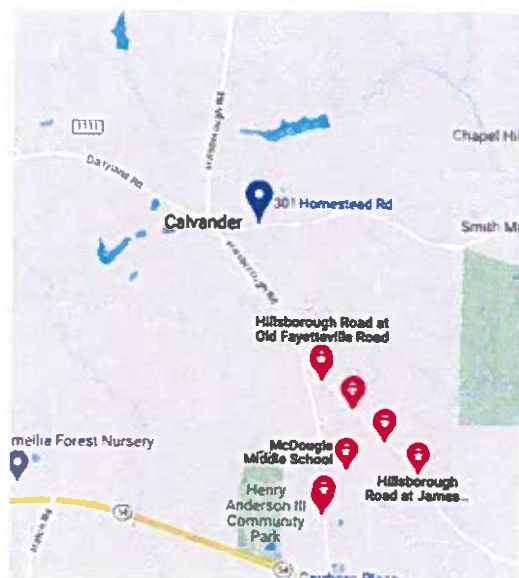
RESIDENTIAL - Sold

Number of Properties: 3

Num	MLS #	PropDesc	Address	Subdiv	Beds	TotBths	YrBlt	SPLP	LvngAreaSF	DOM	LP	LP/LvngAreaSF	SP	SP/LvngAreaSF
1	2487937	SF	2506 NC 86 N Highway	Not in a Subdivision	2	1	1962	0.87	864	68	\$229,000	\$265.05	\$200,000	\$231.48
2	2492329	SF	113 Glosson Circle	Crestwood Acres	2	1	1967	0.88	875	9	\$300,000	\$342.86	\$265,000	\$302.86
3	2514913	SF	1400 W NC 54 Highway	Not in a Subdivision	2	1	1980	1.14	952	3	\$249,000	\$261.55	\$283,937	\$298.25
Avg					2	1	1969	0.96	897	26	\$259,333	\$289.82	\$249,646	\$277.53
Min					2	1	1962	0.87	864	3	\$229,000	\$261.55	\$200,000	\$231.48
Max					2	1	1980	1.14	952	68	\$300,000	\$342.86	\$283,937	\$302.86
Med					2	1	1967	0.88	875	9	\$249,000	\$265.05	\$265,000	\$298.25

average sales price 250,000 $\times 9$ units = 2,250,000

average sales price 340,000 $\times 1 = 340,000$
 3 bedroom
 3 bedroom
2,590,000.





Agenda Item Abstract

File Number: 23-322

Agenda Date: 11/29/2023
In Control: Town Council
Version: 1

File Type: Agendas

Climate Action Grant Submissions Update

PURPOSE: The purpose of this item is to update the Council on Town participation in collaborative climate action grant submissions related to implementation of the Energy and Climate Protection Plan, Community Climate Action Plan, and Comprehensive Plan.

DEPARTMENT: Planning

CONTACT INFORMATION: Laura Janway, Environmental Sustainability Coordinator, ljanway@carrboronc.gov, (919) 918-7326; Patricia McGuire, Planning Director, pmcguire@carrboronc.gov, (919) 918-7327

COUNCIL DIRECTION:

☐ Race/Equity ☒ Climate ☒ Comprehensive Plan ☐ Other

These grants support climate action and Comprehensive Plan emissions reduction and resilience goals. Race and Equity pocket questions have been completed (Attachment B).

INFORMATION: The purpose of this memo is to provide the Council with an update on two grant proposals which were submitted as part of regional collaborative efforts. The first proposal involves a submission to the [Charging and Fueling Infrastructure \(CFI\) Discretionary Grant Program](https://www.fhwa.dot.gov/environment/cfi/) [<https://www.fhwa.dot.gov/environment/cfi/>](https://www.fhwa.dot.gov/environment/cfi/) administered by the Federal Department of Transportation (DOT) Federal Highways Administration (FHWA) to expand the electric vehicle (EV) charging station network in the triangle area.

The second submission requested funding to complete technical assessments and facilitate a community planning process for a network of energy resilience hubs through the [Energy Futures Grant](https://www.energy.gov/scep/energy-future-grants) [<https://www.energy.gov/scep/energy-future-grants>](https://www.energy.gov/scep/energy-future-grants), administered by the U.S. Department of Energy's Office of State and Community Energy Programs.

Details on the two grant proposals are included in the staff memo (Attachment A).

Staff are also working to engage with additional Federal funding as part of a regional steering group for a [Climate Pollution Reduction Grant](file:///G:/PZI/Energy%20and%20Climate%20Action/CCAP/17%20-%20November%202023/Climate%20Pollution%20Reduction%20Grant%20(CPRG)>) [<file:///G:/PZI/Energy%20and%20Climate%20Action/CCAP/17%20-%20November%202023/Climate%20Pollution%20Reduction%20Grant%20\(CPRG\)>](file:///G:/PZI/Energy%20and%20Climate%20Action/CCAP/17%20-%20November%202023/Climate%20Pollution%20Reduction%20Grant%20(CPRG)>).

FISCAL IMPACT: There is no fiscal or staff impact related to this update.

RECOMMENDATION: Staff recommends that the Town Council receive this update.



TOWN OF CARRBORO • NC
PLANNING, ZONING & INSPECTIONS

Climate Action Grant Submission Update

Summary

The purpose of this memo is to provide the Council with an update on two grant proposals submitted as part of regional collaborative efforts to programs funded by the 2021 Bipartisan Infrastructure Law and 2022 Inflation Reduction Act. The first proposal involves a submission to the [Charging and Fueling Infrastructure \(CFI\) Discretionary Grant Program](#) administered by the Federal Department of Transportation (DOT) Federal Highways Administration (FHWA) to expand the electric vehicle (EV) charging station network in the triangle area.

The second submission requested funding to complete technical assessments and facilitate a community planning process for a network of energy resilience hubs through the [Energy Futures Grant](#), administered by the U.S. Department of Energy's Office of State and Community Energy Programs.

Staff are also working to engage with additional Federal funding as part of a regional steering group for a [Climate Pollution Reduction Grant](#).

Charging and Fueling Infrastructure (CFI) Discretionary Grant Program

- *Policy Connections: Community Climate Action Plan Transportation Recommendation #1: Reduce Greenhouse Gas Emissions from Motor Vehicle Use by 80% by 2030. Comprehensive Plan Energy Strategy 1.1: Support adoption of electric vehicles by...expanding charging options outdoors and at rental properties.*

Five participating governments, including the Towns of Carrboro, Chapel Hill, and Hillsborough as well as Durham and Orange Counties, applied for funding to the CFI Program in June 2023 under the leadership and coordination of Central Pines Regional Council. The submission, titled *Charging Forward - Filling Gaps in Equitable Electric Vehicle Charging for Orange-Durham Communities*, requested \$440,000 to fill gaps in electric vehicle (EV) charging infrastructure throughout the region.

The project will involve contracting with a private vendor to deploy 218 Level 2 and 3 EV charging ports, primarily by retrofitting existing parking spaces at public facilities and on government land. By nearly doubling the total number of public EV charging ports spread across these five communities, this project will serve urban, suburban, and rural residents and also those who commute or travel into these communities from elsewhere along [Alternative Fuel Corridors](#).

It is predicted that electric vehicles will comprise 50% of vehicle sales and 22% of vehicles on the road by 2030. There are currently 5,478 EVs registered in Orange and Durham Counties. Using data on local rates of EV adoption, staff expect this number to grow at an average of 39% per year (based on annual average growth rate since 2021; in comparison, the US average growth rate is 55% since 2011). Using the U.S. Department of Energy's [EVI Pro Lite tool](#), staff estimate that the local EV market will require 1,182 public level 2 charging stations by 2028. Given that

10-13% of the current EV charging stations in the project areas are owned by governments, this leaves a gap of 122 Level 2 ports and eight Level 3 ports needed within the next five years to support the growing EV market.

Twenty-four locations for Level 2 EV Charging Stations were proposed for Carrboro, including:

Address	Name	Number of Charging Ports
301 W Main St Carrboro, NC 27510	Town Hall	2
203 N Greensboro St Carrboro, NC 27510	203 Project	10
302 N Carolina Hwy 54 W Chapel Hill, NC 27516	Henry “Hank” Anderson III Community Park	4
110 Williams St Carrboro, NC 27510	Wilson Park	4
609 Berryhill Dr Chapel Hill, NC 27516	Jones Ferry Park and Ride Lot	4

Greenhouse gas emissions from transportation account for 30% of all community emissions in Carrboro. By expanding the local network of charging stations, this project aims to incentivize the adoption of alternative-fuel vehicles and reduce emissions from transportation in Carrboro and throughout the region. The applicant team also plans to work with the selected vendor(s) to offer reduced charger usage fees for qualifying low-income residents.

Central Pines Regional Council has experience coordinating large federal grants to construct alternative fuel vehicle infrastructure. The Charging Forward project will leverage both private-sector investment and long-standing intergovernmental relationships to significantly reduce transportation emissions, increase economic opportunity, and offer new mobility options for the community.

Energy Futures Grant

- *Policy Connections: Comprehensive Plan Municipal Operations Goal: Improve resilience against climate concerns with energy backup generators for new critical facilities. Supply backup energy generators for new critical facilities such as fire houses, hospital and care facilities, and shelters.*

Central Pines Regional Council led six participating governments in a grant submittal to the Energy Futures Program in November 2023, including the Towns of Carrboro, Chapel Hill, and Hillsborough, City of Durham, and Orange and Durham Counties. The proposal, titled, *Building Community Resilience Through Regional Connections and Energy Investments*, requested \$500,000 to begin planning a network of regional, energy resilient community hubs that will offer power to residents during and after disasters and provide community programming, including workforce development and sustainability training, during blue skies.

During disasters and disruptions, these hubs would provide backup power generation to disadvantaged communities through solar and storage, vehicle-to-building, or other innovative technology. During normal times, they will act as the focal point for implementing long-term community-based initiatives to maximize clean energy usage and affordability.

The project will involve three phases:

1. Conducting community engagement and collaborative design for resilience hubs. Anticipated strategies for direct community engagement include:

- Directly fund community-based organizations (CBO) to assemble an engagement plan for communities that are directly served by resilience hubs and conduct outreach. This will include sharing information with community members about the project and collecting feedback through workshops.
- Host collaborative workshops that bring together community members, Town/City/County staff, and technical experts to design resilience hubs.
- Present community members with a final design that will incorporate feedback from the collaborative planning process and technical assessments.

2. Performing technical assessments on community facilities to understand clean technology capabilities at each site. Carrboro will use this opportunity to evaluate which types of services would be most effective to aid Town residents in times of need, through the evaluation of options including siting a potential shelter location or creating a network for shared knowledge and support.

3. Producing a report for each site outlining results of phase 1 and 2, and a resilience hub network plan for the region. Two comprehensive resilience assessments have been performed in the region: the [*Triangle Regional Resilience Partnership Resilience Assessment*](#), conducted through Central Pines Regional Council in 2018, and [*Climate Change and Natural Hazards Vulnerability Assessment for the Triangle J Region*](#), conducted through the North Carolina Office of Recovery and Resiliency in 2022. Both helped identify the most vulnerable assets and potential solutions to address flooding, temperature variability, drought, and population growth. These reports provide data that will support the resilience hub planning process.

The funds received from this grant will be leveraged by other federal and private philanthropy funds, including:

- **Local Infrastructure Hub Grant:** The Southeast Sustainability Director's Network has provided \$25,000 in technical assistance through their Local Infrastructure Hub program to support robust planning for resilience hubs. This funding will go straight to CBOs to provide increased support as they engage with local communities throughout the project.
- **Energy Efficiency and Conservation Block Grant:** Durham and Orange County were recently awarded a \$1.5 million Energy Efficiency and Conservation Block Grant for their Energy Burden and Emissions Reduction Program. This program will work directly with low to moderate income to implement strategies that lower energy costs and emissions. The Program will work closely with this program to connect resilience hub planning to their programming.

Proposed Project Locations:

Name	Address
Orange County	
Cedar Grove Community Center	5800 NC Hwy NC-86 N, Hillsborough, NC 27278-8935
Efland Cheeks Community Center	117 Richmond Road, Mebane, NC 27302-8592
Rogers Road Community Center	101 Edgar St., Chapel Hill, NC 27516-4228
Seymour Center	2551 Homestead Drive, Chapel Hill, NC 27516-9087
Passmore Center	103 Meadowlands Drive Hillsborough, NC 27278-8500
Hargraves Community Center	216 N. Roberson Street, Chapel Hill, NC 27514-2216
Chapel Hill Public Library	100 Library Drive, Chapel Hill, NC 27514-3640
Chapel Hill Community Center	120 S. Estes Drive, Chapel Hill, NC 27514-2880
Durham County	
WD Hill Recreation Center	1308 Fayetteville St, Durham, NC 27707-2326
Campus Hills Recreation Center	2000 S Alston Ave, Durham, NC 27701-4310
Edison Johnson Recreation Center	500 W Murray Ave, Durham, NC 27704-3104
Weaver Street Recreation Center	3000 Weaver St, Durham, NC 27707-3088
Holton Career Resource Center	410 N Driver St, Durham, NC 27703-30087
Hayti Heritage Center	804 Old Fayetteville St, Durham, NC 27701-3958
Chatham County	
Chatham Community Library	197 NC Highway 87, Pittsboro, NC 27312-5639
Wren Memorial Library	502 N Second Ave, Siler City, NC 27344-3123
Goldston Library	9235 Pittsboro Goldston Rd, Goldston, NC 27252-8713

Staff will update the Council when funding decisions are made by the awarding agencies.

Climate Pollution Reduction Grants

Staff are also working to engage with additional funding available through the Inflation Reduction Act. Carrboro is a member of the Climate Pollution Reduction Grant (CPRG) Regional Government Steering Committee, led by Central Pines Regional Council. The CPRG Program, a two-stage grant program that includes funding for planning grants and competitive implementation grants, is administered by the U.S. Environmental Protection Agency (EPA).

Central Pines Regional Council recently received a \$1 million planning grant through the program in order to prepare two Climate Action Plans, one each for the Raleigh-Cary and Durham-Chapel Hill Metropolitan Statistical Areas (MSAs). The goals of the plans will include reducing greenhouse gas emissions and climate pollution.

After completion of the plans, the local governments within these MSAs will be able to apply for \$4.6 billion in competitive funding, authorized by the Inflation Reduction Act to implement projects and actions included in the climate plan.



Race and Equity Pocket Questions

Title and purpose of this initiative: The purpose of this memo is to provide the Council with an update on two grant proposals which were submitted as part of regional collaborative efforts. The first proposal involves a submission to the [Charging and Fueling Infrastructure \(CFI\) Discretionary Grant Program](#) administered by the Federal Department of Transportation (DOT) Federal Highways Administration (FHWA) to expand the electric vehicle (EV) charging station network in the triangle area.

The second submission requested funding to complete technical assessments and facilitate a community planning process for a network of energy resilience hubs through the [Energy Futures Grant](#), administered by the U.S. Department of Energy's Office of State and Community Energy Programs.

Department: Planning Department

What are the racial and equity impacts?

Historically marginalized communities suffer and will suffer disproportionately larger impacts due to climate disruption. For example, rising temperatures may lead to increased electric bills as residents increase air conditioner use. These bills will be greater for those who live in rental housing, as they do not have control over the efficiency of their units and for those who have low incomes or experience housing cost burden, as they will be less able to pay for the installation of energy efficiency upgrades. In Carrboro, 59% of housing is rental property. There is a racial disparity in owner-occupied and rental-occupied units:

- Owner-occupied units Black: 6.1% White: 80%; Hispanic: 5.6%
- Renter-occupied units: Black 22.1%; White 66.1%; Hispanic: 5.5%

This is also a racial disparity in households who experience severe cost burden in Carrboro: 15% of white, non-Hispanic households in Carrboro experience severe cost burden, while 19% of Hispanic households and 21% of Black households experience severe cost burden.

Who is or will experience community burden?

There may be some reduction of parking spaces during construction of EV charging stations. Those who cannot afford an electric vehicle will not be able to utilize these resources.

In addition, the EV charging stations will result in less stations available for non-electric vehicles.

Who is or will experience community benefit?

Due to cost burden, it is especially difficult for many households to afford expensive energy generation and storage systems that would help increase their resilience. Some communities have facilities with backup power generation that residents can depend on during emergencies, but

these backup power systems are often driven by fossil fuels due to the expense of solar and batteries.

A network of resilience hubs has the potential to dramatically change how communities and local governments obtain resources and information before, during, and after a disaster. This is especially true for disadvantaged communities that have historically been disproportionately impacted by disasters. These hubs will operate during normal times as well, providing training, information, and tools to residents.

What are the root causes of inequity?

Historic and deliberate institutional policies at all levels of government and unintended consequences of “race-neutral” policies have created inequities for Black and other marginalized communities in education, incarceration rates, employment, housing, generational wealth, and health outcomes. These inequities will only be exacerbated by ongoing climate disruption.

What might be the unintended consequences of this action or strategy?

While EV prices are decreasing each year, purchasing an EV still represents a significant cost for many households. Consequently, public EV charging stations may currently be utilized disproportionately by residents with higher incomes.

Based on the results of the Town’s [2022 Parking Study](#), installing 24 EV charging ports (12 stations) is not predicted to significantly impact available parking for non-electric vehicles. The stations will occupy only 24 of the approximately 697 publicly-available off-street parking spaces for non-EVs in downtown Carrboro. In addition, in 2022 the North Carolina Sustainable Energy Association reported that Carrboro had the most registered EVs per 1,000 people (760 EVs) when compared to municipalities in of similar size throughout the state.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

The vendor will be charging a fee in order to offset costs associated with the charging stations. Local government staff plan to work with the selected vendor to offer reduced charger usage fees for qualifying low-income EV drivers to further incentivize EV adoption by marginalized communities who are bearing a disproportionate burden from climate change.

When planning the resilience hub network, community engagement will be a focal point. Anticipated strategies for direct community engagement include:

- Directly fund community-based organizations (CBO) to assemble an engagement plan for communities that are directly served by resilience hubs and conduct outreach. This will include sharing information with community members about the project and collecting feedback through workshops.
- Host collaborative workshops that bring together community members, town/city/county staff, and technical experts to design resilience hubs.
- Present community members with a final design that will incorporate feedback from the collaborative planning process and technical assessments.



Agenda Item Abstract

File Number: 23-337

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 1

Request to Set Legislative Public Hearings for Conditional Rezoning at 1307 West Main Street and Associated Text Amendments

PURPOSE: The Town has received a petition to rezone property at 1307 West Main Street from B-3 to R-2-CZ at 1307 West Main Street for the development of a five-story multi-family residential project. The application includes a request for a text amendment to increase the maximum building height from 50 feet to 65 feet. The Town Council must receive public comment before considering these requests. Resolutions setting the public hearings for the rezoning and text amendments, and directing staff to prepare an ordinance for the text amendment have been provided.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon, Planning Administrator, 918-918-7325, cmoon@carrboronc.gov <<mailto:cmoon@carrboronc.gov>>; Patricia McGuire, Planning Director, 918-918-7327, pmcguire@carrboronc.gov <<mailto:pmcguire@carrboronc.gov>>; Nick Herman, Town Attorney, 919-929-3905.

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ Other

Setting a public hearing for map and text amendments are required steps in accordance with North Carolina state statutes and Town regulations. Pocket questions relating to the process for legislative public hearings are provided as Attachment I.

INFORMATION: The Town has received a petition from Tempo Investco, LLC, to rezone the 1.16-acre property at 1307 West Main Street from B-3 (Neighborhood Business, 7,500 square feet per dwelling unit) to R-2-CZ (Residential, 2,000 square feet per dwelling unit) for the purpose of constructing a multifamily residential development. The proposal is for 34 residential units consisting of a combination of 1-bedroom, 2 bedroom and 3-bedroom units. The site is currently undeveloped. A vicinity map of the property is provided for information (*Attachment D*).

Materials submitted by the applicant include the petition for change of zoning with answers to the four-part question seven addressing consistency with the comprehensive plan, a short project narrative, site plans and building elevations (*Attachment E*). Materials relating to the neighborhood information meeting (NIM) held on March 1, 2023, are provided as (*Attachment F*). On September 13, 2023, the Board of Adjustment approved a variance to allow encroachment into and placement of fill within the Special Flood Hazard Area (SFHA) along the eastern portion of the property. (Agenda materials may be found here:

https://www.carrboronc.gov/AgendaCenter/ViewFile/Agenda/_09132023-4322.)

The applicants have also submitted an associated text amendment request to allow an increase in the maximum building height in the district from 50 feet to 65 feet to accommodate the proposed 5-story building

(Attachment G). A resolution has been provided to direct staff to prepare an ordinance for the requested amendment (Attachment B).

A draft rezoning ordinance has also been provided with a draft list of conditions (Attachment C). It is anticipated that the conditions will be modified during the joint review and public hearing process. The final list of conditions must be mutually agreed upon by the Town and the applicants. Should the Council approve the rezoning, the applicants would follow with an application for a Special Use Permit-A.

The Town Council must receive public comment before taking action on map and text amendments. Orange County review of the text amendment is also required. Excerpts from the Land Use Ordinance include Article IX, Zoning Districts, and Article XX, Amendments; Section 15-322 of Article XX describes the role of the Planning Board and other advisory boards in reviewing amendments (Attachment H). Responses to the pocket questions relating to the amendment process have been provided (Attachment I). A discussion of the specifics of the project will be provided as part of the public hearing materials.

Resolutions are provided for the Council to set the public hearings for February 27, 2024. The process would be to hold the two public hearings sequentially on the same night. The council would open the hearing for the text amendment first, followed by the rezoning.

FISCAL IMPACT: The petitioner has submitted materials and fees, as applicable, for reviewing and processing these requests, including providing envelopes for the mailed notice for the rezoning. Staff time will be necessary for public notice and agenda preparation for advisory board review and public hearings.

RECOMMENDATION: Staff recommends that the Town Council consider:

- Attachment A-1 - setting a public hearing for the text amendment and referring the text amendment to Orange County, the Planning Board and other advisory boards as appropriate, and
- Attachment A-2 - setting a public hearing for the map amendment and referring the petition for change of zoning to the Planning Board and other advisory boards as appropriate, and
- Attachment B - directing staff to prepare a text amendment to allow an increase in the maximum building height in the R-2-CZ district from 50 feet to 65 feet.

A RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO INCREASE THE BUILDING HEIGHT FOR MULTI-FAMILY BUILDINGS IN THE R-2-CZ DISTRICT

WHEREAS, the Carrboro Town Council seeks to provide ample opportunities for the public to comment on proposed amendments to the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED that the Town Council sets a public hearing on February 27, 2024, to consider adopting “An Ordinance Amending the Carrboro Land Use Ordinance to Increase the Building Height for Multi-family Buildings in the R-2-CZ District.”

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County and the Town of Carrboro Planning Board for consideration and recommendation prior to the specified public hearing date.

BE IT FURTHER RESOLVED that the draft ordinance is also referred to the following Town of Carrboro advisory boards and commissions.

☒ Appearance Commission

☐ Recreation and Parks Commission

☒ Transportation Advisory Board

☐ Northern Transition Area Advisory Committee

☒ Environmental Advisory Board

☒ Affordable Housing Advisory Commission

☒ Economic Sustainability Commission

☐ _____

This is the 29th day of November in the year 2023.

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CONDITIONAL
DISTRICT REZONING AT 1307 WEST MAIN STREET

WHEREAS, the Carrboro Town Council seeks to provide ample opportunities for the public to comment on proposed projects; and

WHEREAS, an application has been received for a Conditional District Rezoning for the property located at 1307 West Main Street; and

WHEREAS, the application includes a petition to rezone a single parcel of property that may be identified by Orange County PIN Numbers (#9778-28-664) from B-3 to R-2, Conditional.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the Council call a public hearing on February 27, 2024, to discuss the rezoning petition.

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

- | | |
|-------------------------------------------------------------------|--------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Appearance Commission | <input type="checkbox"/> Recreation and Parks Commission |
| <input checked="" type="checkbox"/> Transportation Advisory Board | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input checked="" type="checkbox"/> Environmental Advisory Board | <input checked="" type="checkbox"/> Affordable House Advisory Commission |
| <input type="checkbox"/> Economic Sustainability Commission | <input checked="" type="checkbox"/> Stormwater Advisory Commission |

This is the 29th day of November in the year 2023.

RESOLUTION SPECIFYING PREPARATION OF A DRAFT ORDINANCE IN RESPONSE
TO TEXT AMENDMENT REQUEST FOR CHANGES TO BUILDING HEIGHTS IN R2-CZ
ZONING DISTRICTS

WHEREAS the Town Council of the Town of Carrboro recognizes the varying community interests and needs in relation to land use and development standards, and

WHEREAS the Town of Carrboro Land Use Ordinance, Article XX provides for community members to initiate requests for amendments to the land use standards, and

WHEREAS a request for an amendment to allow increased building heights in the R2-CZ district has been submitted in conjunction with a request to rezone property at 1307 W. Main Street to an R2-CZ district, and

WHEREAS, the Carrboro Land Use Ordinance contains provisions relating to adjusting property density, building and site development standards for both the B-1(g)CZ and M-3 CZ zoning districts that allow such adjustments in relation to site and building elements that will create a more vibrant and successful community, such as enhanced stormwater management, energy performance, provision of affordable housing, and others.

NOW, THEREFORE, BE IT RESOLVED that the Town Council directs staff to prepare a draft ordinance that allows for increased building height in the R2-CZ district similar to the provisions already in place for the B-1(g) and M-3CZ districts.

ADOPTED, this the 29th day of November in the year 2023

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE
APPROXIMATELY 1.16 ACRES OF PROPERTY KNOWN AS 1307 WEST MAIN
STREET FROM B-3 (RESIDENTIAL, 7,500 SQUARE FEET PER DWELLING UNIT) TO
R-2-CZ (RESIDENTIAL, 2,000 SQUARE FEET PER DWELLING UNIT, CONDITIONAL)

Draft 11-20-2023

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

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

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

PIN	Existing Zoning	Acreage	Proposed Zoning
9778-28-6664	B-3	1.16	R-2-CZ

1. The Concept Plan labeled “_____,” dated_____ is approved and incorporated herein to indicate all potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle-pedestrian access points, general circulation patterns, location of stormwater management features, setbacks, preserved trees and other landscaped areas. Other features and issues remain to be decided at the time a special use permit-A is requested for the development. Those features and issues include, but are not necessarily limited to, the location of EV charging stations, bicycle parking, open space and recreation facilities, and stormwater management devices, all other elements necessary to determine compliance with the Land Use Ordinance.
2. Height of the structure will be applied based on approval of a text amendment to allow sufficient height for a five-story structure (proposed as 65’ maximum height) measured from the ground level at the front door.
3. The residential density of the project shall be capped at a maximum of 35 dwelling units of a combination of use classifications, 1.331 (multi-family apartments, max 20% units > 3 bedrooms), 1.332 (multi-family apartments, no bedroom limit).
4. The conceptual site plan and location of stormwater management features shall comply with the variance approved by the Board of Adjustment on September 13, 2023.
5. Maintenance of stormwater facilities on the proposed site will be managed by the Homeowners’ Association in accordance to homeowners documents provided at the time that the special use permit-A is requested.
6. Vehicular parking for the site and building is proposed at one parking space per dwelling unit. Alternate transportation amenities will be provided such as bike lockers and racks.
7. If the final landscaping and additional planting plan proposes alternate compliance with Town of Carrboro tree canopy requirement other than as is shown on the Concept Plan, the final planting plan shall be approved by the Town Council.

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

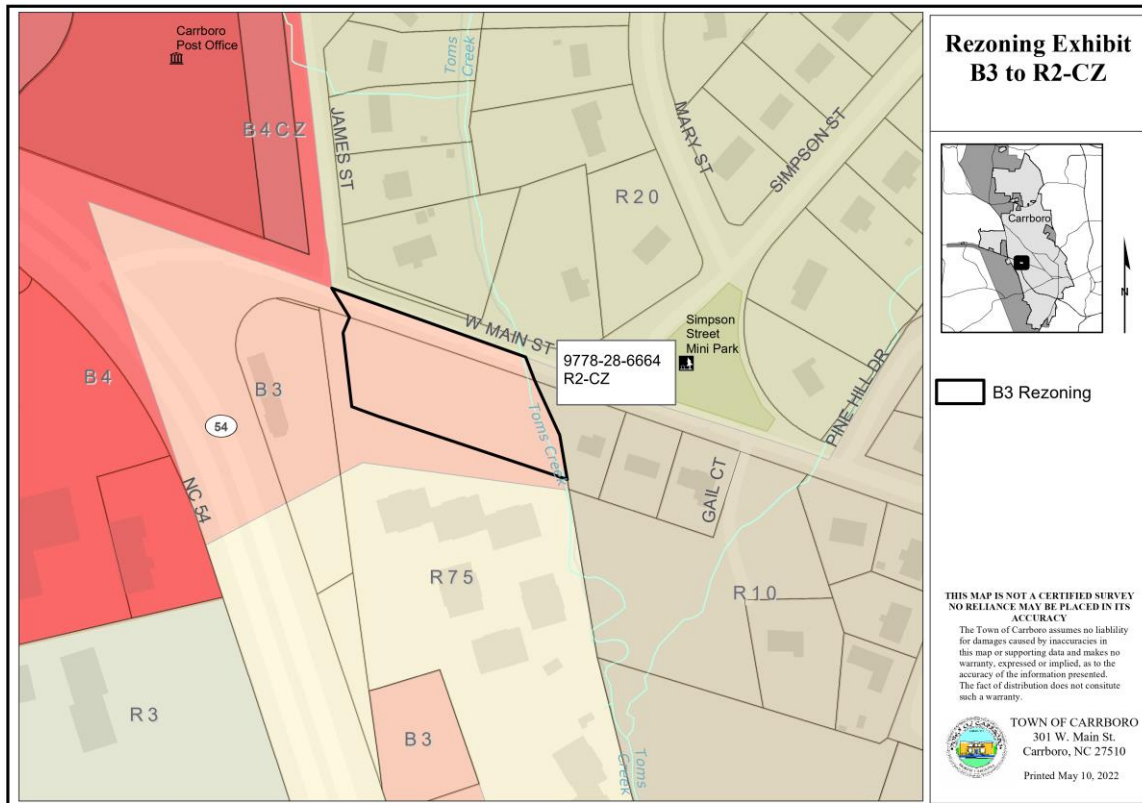
SECTION 3. This ordinance shall become effective upon adoption.

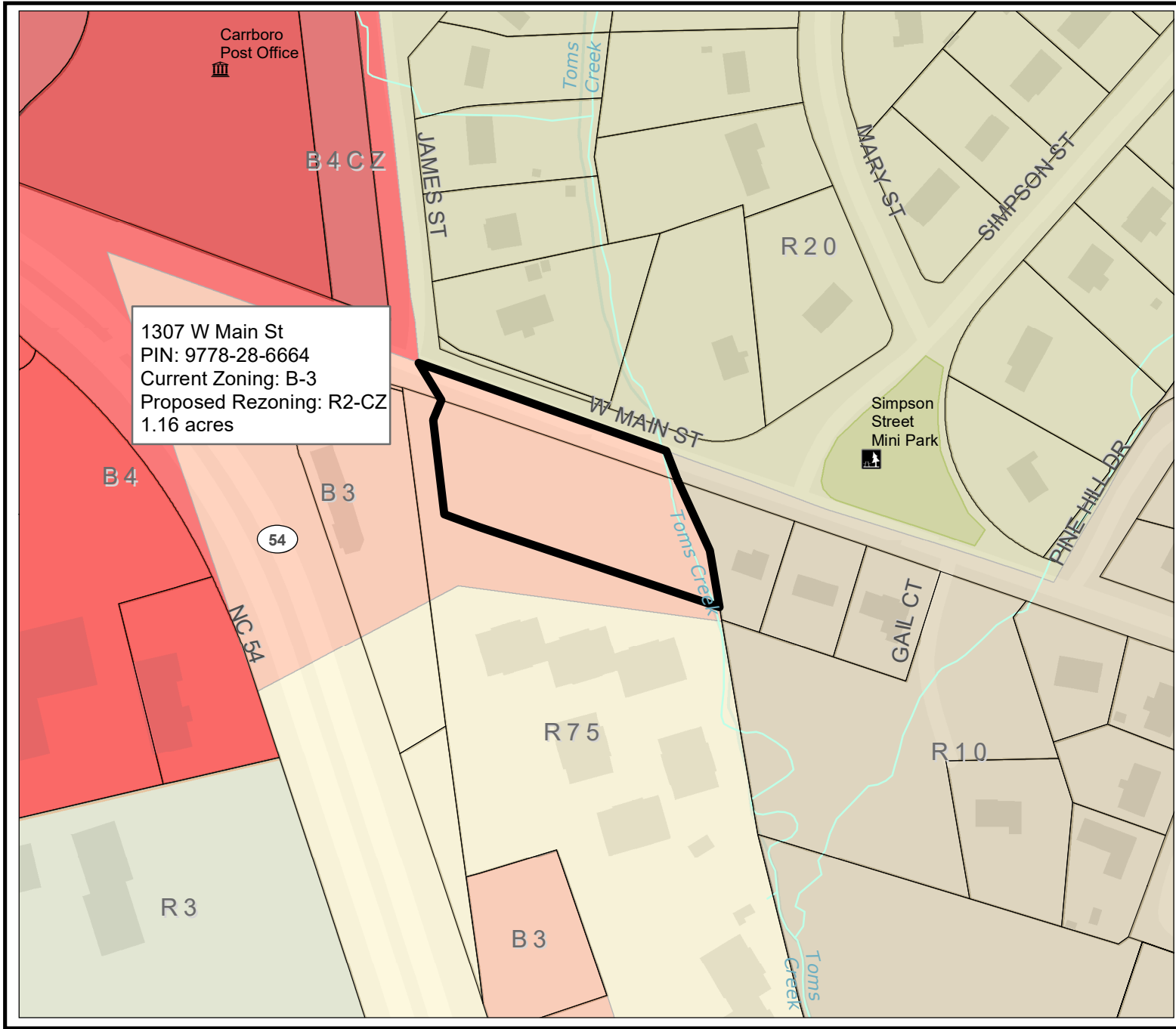
The foregoing ordinance having been submitted to a vote received the following vote and was duly adopted this ____ day of _____ 2024:

AYES:

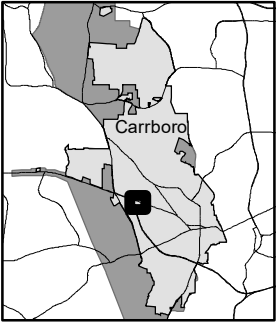
NOTES:


ABSENT OR EXCUSED:





Proposed R2-CZ Rezoning



 R2CZ Rezoning

THIS MAP IS NOT A CERTIFIED SURVEY
NO RELIANCE MAY BE PLACED IN ITS
ACCURACY

The Town of Carrboro assumes no liability
for damages caused by inaccuracies in
this map or supporting data and makes no
warranty, expressed or implied, as to the
accuracy of the information presented.
The fact of distribution does not constitute
such a warranty.



TOWN OF CARRBORO
301 W. Main St.
Carrboro, NC 27510
Printed May 10, 2022

APPENDIX A – 2

PETITION FOR CHANGE OF ZONING FORM

TOWN OF CARRBORO

PETITION FOR CHANGE OF ZONING



PETITIONER:

Tempo Investco, LLC (J. Allen Knight)

DATE:

April 12, 2022

The Petitioner named above respectfully requests the Town Council of the Town of Carrboro to rezone the below-described property from B-3 to R-2-CZ zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. PETITIONER'S NAME J. Allen Knight/ Erik M. Lensch c/o Tempo Investco, LLC
 ADDRESS: 8591 Pickards Meadow Road, Chapel Hill, NC 275216
 TELEPHONE #:(919) 524-2074
2. INTEREST IN PROPERTY(IES): Managing Partner, Tempo Investco, LLC (owner)
3. BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS : 1307 West Main Street, Carrboro Pin # 9778 28 6664, lot directly north of Berkshire 54 Apartments, Northwest corner adjacent to West Main Street, 1 lot east of NC 54 Bypass West
4. DESCRIPTION OF INDIVIDUAL LOT SOUGHT TO BE REZONED:
 - a. OWNER: Tempo Investco, LLC (J. Allen Knight/Erik M. Lensch)
 TAX MAP: _____ BLOCK: _____ LOT: _____ ACREAGE: 1.16 ac PARCEL: Pin # 9778 28 6664
 SUBDIVISION NAME: Berkshire Manor FRONTAGE: 324.63' DEPTH : ~ 123'
 EXISTING STRUCTURES AND USES:
Vacant lot, previously part of Berkshire Apartments Lot,
Has existing loose fill redevelopment from another project
on western end of lot
 - b. OWNER: n/a
 TAX MAP: _____ BLOCK: _____ LOT: _____ ACREAGE: _____ PARCEL: _____
 SUBDIVISION NAME: _____ FRONTAGE: _____ DEPTH : _____

**CARRBORO DEVELOPMENT GUIDE
APPENDIX A**

EXISTING STRUCTURES AND USES:

c. OWNER: n/a

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

SUBDIVISION NAME: _____ FRONTAGE: _____ DEPTH: _____

EXISTING STRUCTURES AND USES:

d. OWNER: n/a

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

SUBDIVISION NAME: _____ FRONTAGE: _____ DEPTH: _____

EXISTING STRUCTURES AND USES:

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

NAME	ADDRESS
see attached list and map	

6. HAS THIS PROPERTY BEEN THE SUBJECT OF A ZONING CHANGE SINCE 1979? YES ___ NO X (unverified)
IF "YES", WHEN? _____ We have not discovered another zoning change

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

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

See attached # 7 narrative for these four findings

CARRBORO DEVELOPMENT GUIDE
APPENDIX A

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

See attached # 7 narrative for these four findings

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

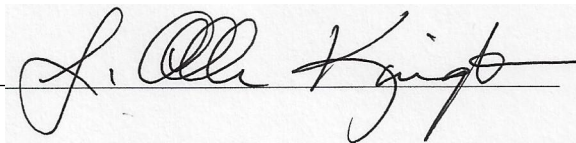
See attached # 7 narrative for these four findings

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

See attached # 7 narrative for these four findings

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE 12th DAY OF April, 2022.

PETITIONER'S SIGNATURE:



PLEASE NOTE:

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



JIM SPENCER ARCHITECTS, PA
109A Brewer Lane | PO Box 385
Carrboro, NC 27510
919.960.6680

April 11, 2022

Petition for Change of Zoning
Tempo – Multi-family building
1307 West Main Street, Carrboro
PIN # 9778 28 6664

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

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

Response:

The new district would allow multi-family with higher density on the site. The Carrboro Connects (new comprehensive plan) document specifically describes the Town's need to develop and provide housing opportunities along existing transportation corridors. This site is such an opportunity.

This potential use relates well to the existing character of the area. This site is adjacent to a major intersection at the west entry to Carrboro. The character here is variety. There are multi-family residential buildings to the south, single family dwellings to the east and across Main Street to the north, a busy service station to the east, a post office to the northwest, and a major shopping center/strip center to the west across NC 54. Additionally, the character will be modified extensively by the new Lloyd Farm mixed-use development already approved by the Town. The development contains both grocery, other retail, and senior multi-story residential.

We feel the development would aid the character of the existing area by addressing several goals of the Carrboro Connects document. The new building would add density and diversity to the housing stock in Carrboro. It would preserve existing trees on site and treat and store stormwater on site. It would use far fewer natural resources per habitant than single family or lower density housing. The comprehensive plan states that Carrboro needs to accommodate up to 10,000-15,000 new citizens in the next 30 years. This site is an opportunity to help with that goal, without major infrastructure burden or destruction of existing buildings or natural features.

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

Response:

The property is particularly well suited for a dense multi-family development. The existing access points and utility infrastructure are in place. The relatively lower trip count for vehicles (in relation to the potential number of tenants) will balance the high trip counts and heavy retail uses nearby. The site has good access to alternate transportation means (bus, bike, pedestrian).

Carrboro Connects states in its Plan Goals section regarding Land Use that Carrboro should:

"Plan for the expansion of affordable housing availability through land use tools of planning, zoning and development review". Adding density and height to this site opportunity will aid this goal.

"Expand appropriate development opportunities that meet the goals of the comprehensive plan". This site will add much needed housing stock with little extra infrastructure required.

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

Response:

The rezoning may allow construction of a new owner-occupied residential building of approximately 40,000-50,000 square feet. The current vacant lot's value will increase dramatically with the newly built residential. Preliminary pricing places the constructed value of the building around \$10-13 million. Adding new construction residential will increase property values for both existing uses (residential and retail). It will also place these new town of Carrboro residents within walking distance (and bike and vehicular as well) of the many retail and office uses nearby, adding to the vitality and economic success of the area.

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

Response:

The rezoning will allow a much higher density of use and value than the existing B-3 zone. A low-density business use such as office, retail or lower density residential would create comparable or higher traffic and infrastructure needs, but without nearly the tax revenue and added economic benefits of new residents in the area. The real estate term "highest and best use" seems to apply here. When showing the concept plans for this development to the various Carrboro Boards (planning, economic sustainability, transportation, affordable housing, etc), we were encouraged to add density and height to the extent possible (by rezoning).

The Town's new Carrboro Connects document stresses the need for all kinds of new housing in the near future, with special emphasis on affordable and "missing middle" housing. The rezoning of this lot would allow a higher density, which allows more affordable units and more units with less dependence on cars and energy use (efficiency through density).

Summary statement regarding consistency with Carrboro Connects:

The current draft of Carrboro Connects – the Carrboro Comprehensive Plan, contains plan goals and outlines specific strategies for a variety of subjects to guide development.

Consistent themes in the area of development/redevelopment are: sustainability (both environmental and economic), density, inclusivity, resilience, and transportation connectivity and efficiency. This project would utilize a currently vacant site to aid Carrboro's inevitable growth in many of these ways. More density and less reliance on cars can both be addressed with this project. Sites which can be developed that are on existing transportation corridors lessen the need for new infrastructure and for users to rely on their own transportation. This new construction will be highly energy efficient and use progressive sustainability measures and stormwater control. The proposed plan maintains the maximum area of green space on the property and controls and treats storm water on the site for the first time.

These are specific plan goals from the Carrboro Connects documents which we feel are directly addressed by the project:

"Expand appropriate development opportunities that meet the goals of the comprehensive plan." Please see notes above – the plan adds needed housing, density along existing transit corridors, promotes alternate means or transit, promotes green building and environmental and energy efficiency.

"Plan for the expansion of affordable housing availability through land use tools or planning, zoning, and development review." Adding more dense residential developments like Tempo will also increase opportunities for affordable housing. Building more units on less land simply makes the economics of adding affordable units to the project work.

"Support development patterns that advance climate action goals and environmental protection." Development with more density and less need for new infrastructure advances these goals. The ability for people to walk/bike/bus to needed goods and services is key, along with new construction which is more efficient and environmentally responsible.

No single project can embody all of the goals of Carrboro's ambitious new comprehensive plan. Our project team feels that this is an opportunity to utilize this site with these goals in mind – to create a denser, more sustainable housing stock in Carrboro.



JIM SPENCER ARCHITECTS, PA
109A Brewer Lane | PO Box 385
Carrboro, NC 27510
919.960.6680

DRAFT

April 11, 2022

**Petition for Change of Zoning
Tempo – Multi-family building
1307 West Main Street, Carrboro
PIN # 9778 28 6664**

Proposed List of Conditions – Petition for Change of Zoning:

1. The Concept Plan labeled “_____,” dated _____ is approved and incorporated herein to indicate potential land uses, the general location and size of buildings and parking areas, vehicular and bicycle-pedestrian access points, general circulation patterns, storm-water management features, setbacks, preserved trees and other landscaped areas.
2. If the final landscaping and additional planting plan proposes alternate compliance with Town of Carrboro tree canopy requirement other than as is shown on the Concept Plan, the final planting plan shall be approved by the Town Council.
3. Height of the structure will be applied based on approval of a text amendment allow sufficient height for a five-story structure (proposed as 65' maximum height)
4. Maintenance of storm water facilities on the proposed site will be managed by the home owners' association under a plan approved by the Town of Carrboro staff.
5. Vehicular parking for the site and building is proposed at one parking space per dwelling unit. Alternate transportation amenities will be provided such as bike lockers and racks.



JIM SPENCER ARCHITECTS, PA
109A Brewer Lane | PO Box 385
Carrboro, NC 27510
919.960.6680

October 24, 2022

Christina Moon, Planning Administrator
Town of Carrboro
301 West Main Street
Carrboro, North Carolina 27510

Re: Resubmission of Tempo, 1307 West Main Street development narrative

Dear Tina and Planning staff:

We are supplementing our resubmission package for Tempo (multi-family development) at 1307 West Main Street with this narrative regarding modifications we have made to the application.

We developed our initial plans based on our own site and town observations and experience. We made some revisions to these plans based on our initial interactions and comments from the Town or Carrboro's boards and commissions. We want to point out that the various boards and commissions encouraged dense development on this site and incorporation of affordable housing and sustainable building methods. We were also encouraged to promote alternate means of transportation and access to the existing services and transit options nearby.

The original design attempted to balance the building's footprint and parking with our desire to save the existing oaks on the northwest corner of the site. Through the first round of review, it is clear to our team that the need to keep the building and parking out of the existing 100' stream buffer supersedes the preservation of all of these trees. We have therefore moved the building footprint and parking completely out of the buffer and redesigned the storm water treatment and storage.

Other modifications we have made include changes to the building shape and façade treatments. We have revised the building to have a more pronounced pedestrian and public entry along Main Street. We have also redesigned the westernmost end of the building to provide a more dynamic gateway into Carrboro from the NC 54W corridor.

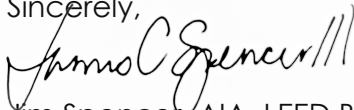
Another key consideration for the project is the affordable housing component. Our team is committing to including affordable units in the project. We will, at minimum, meet the 15% affordable unit threshold in the ordinance. We have potential plans which would increase the percentage of affordable units (and increase the overall number of affordable units). These may depend on the

density we can achieve on the site – which depends on the allowed height and footprint of the building.

Finally, we would like to discuss the scale and density of the proposed project. We believe that the scale (both height and floor area) of the building is appropriate in this area of Carrboro. The new comprehensive plan acknowledges that more density will be required to meet housing demand in Carrboro. The development existing near this major intersection now (both commercial and residential) includes very suburban models of car-based form-making. The multi-family apartments to the south contain moderate density two-story structures surrounded by parking and drives. The shopping mall across 54 west covers nearly its entire site with impervious paving and one-story buildings. The proposed (and approved) Lloyd Farm development contains many multi-story buildings and parking. As Will Rogers famously said about land, “they ain’t making any more of the stuff.” This project is responsible infill – working with the existing natural constraints but building density on a lot which has good infrastructure in place.

Please let us know if you have any additional questions or comments regarding the proposal. We look forward to discussing it with the Council.

Sincerely,

A handwritten signature in black ink, reading "Jim Spencer" with a stylized flourish at the end.

Jim Spencer, AIA, LEED BD+C
Jim Spencer Architects, PA



JIM SPENCER ARCHITECTS, PA
109A Brewer Lane | PO Box 385
Carrboro, NC 27510
919.960.6680

March 8, 2022

Conditional Rezoning Permit Application
Tempo – 1307 West Main Street
Carrboro, North Carolina 27510
PIN # 9778 28 6664

36. Sustainability Checklist for Commercial Development

The partners/owners at 1307 West Main (Tempo) and Jim Spencer Architects, PA and our team are committed to sustainable development. We have listed here a summary of sustainable features of the project.

Sustainable Site Characteristics

Site Selection

The site is a redevelopment site in terms of having previously been graded and recombined from another development site. We will use great care in design of all site elements and storm water systems. The site has been chosen for excellent location and transportation flexibility for its users. It is an opportunity site for higher density housing in Carrboro that is already near denser housing and other retail uses.

Development Density & Community Connectivity

The site development provides density and community connectivity to goods and services.

Public Transportation Access

Site provides access to multiple bus lines as well as bicycle and pedestrian access.

Alternative Transportation- Bikes and Low-Emission & Fuel-Efficient Vehicles

Bike racks will be provided for both residents and visitors to the property, along with bike lockers for residents. We also plan to have the opportunity for EV charging on site.

Storm water Design- Quantity Control

Volume of stormwater will be controlled and treated for the first time on-site, and we will carefully design storm water systems for the site that will assist in not creating detrimental downstream effects from Tom's Creek.

Heat Island Effect- Non-Roof and Roof

Parking spaces are partially under cover, reducing heat island effect of large surface parking areas. We are minimizing impervious surface on the site by designing a more vertical structure with a slender profile. Roofs of structures will be designed to minimize heat gain for the site (white TPOs, etc).

Light Pollution Reduction

Site lighting will be designed to provide dark-sky compliant fixtures and meet town requirements minimizing light spill over at the lot lines.

Water Efficiency**Water Efficient Landscaping**

We are investigating using captured rainwater to irrigate landscaping on the site- goal is to use no potable water for landscape watering.

Energy and Atmosphere**Optimize Energy Performance**

The building will be designed to meet or exceed all energy performance standards required by the state energy codes. Higher density of the development will allow higher efficiency of systems.

Materials and Resources**Construction Waste Management**

Specifications for the project will include directions for managing waste during construction, segregating recyclables and minimizing volume of disposal.

Recycled Content

The building will be designed to specify the maximum practical amount of material with recycled content.

Regional Materials

The building will specify many materials that originate from within 500 miles of project site.

Rapidly Renewable Materials

The building will be designed to specify the maximum practical amount of rapidly renewable construction materials.

Indoor Environmental Quality

Outdoor Air Delivery Monitoring

Monitoring of carbon dioxide concentrations for indoor spaces will ensure well ventilated and healthy spaces.

Increased Ventilation

The building will have spaces designed to have natural ventilation or to surpass ASHRAE standards for mechanical ventilation.

Construction IAQ Management Plan-During Construction and Before Occupancy

Contractors will control air quality and distribution systems before and after construction to ensure minimal dust, moisture and filtration issues.

Low-Emitting Materials- Adhesives, sealants, paints, coatings, and carpet, composite wood & Agrifiber

The building design will specify the maximum practical number of products which reduce air contaminants.

Indoor Chemical & Pollutant Source Control

The building will be designed to minimize exposure of building occupants to hazardous particulates and chemical pollutants.

Controllability of Systems- Lighting and Thermal Comfort

The building is planned to have a high level of controllability by individual users to minimize wasted energy in occupied spaces.

Thermal Comfort- Design and Verification

Consultants will design building HVAC systems that will meet or exceed ASHRAE standards for quality performance over time.

Daylighting & Views

The building will be designed to provide daylighting and views to occupants, increasing quality of the user experience.

Innovation in Design

Innovation in Design

The building will be designed to stress communal spaces and interaction, while maintaining a slender profile on site. The building is meant to provide a striking gateway building into Carrboro's western entry.

LEED Accredited Professional

Building design will be by LEED accredited professionals.

TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510
PIN: 9778286664



① W. MAIN PERSPECTIVE

SECTION		EXISTING B-3	PROPOSED UNDER R-2CZ (1.300)
#	REGULATION	(VACANT)	
15-146	PERMISSABLE USES	SPECIAL USE OR CONDITIONAL R-2 W/1.300	CONDITIONAL FOR R-2 W/1.300
15-182	RESIDENTIAL DENSITY	-	34 UNITS
15-183	LOT SIZE	7,500 SF - 5 ACRE 75' MIN WIDTH	1.16 ACRE
15-184	SETBACKS	15' ROW, 45' CENTER, 68' BOUND	13.92' ROW, 72.86' BOUND
15-185	BUILDING HEIGHT	50'	65'
15-291	PARKING	1.5/BED AND 2/2BED OR MORE	1 PER UNIT = 34
	BICYCLE PARKING	-	52 (42 LOCKERS+10 RACK)
15-250	SCREENING OF DUMPSTERS	-	PROVIDED
15-308	SCREENING & TREES	-	PROVIDED
15-196	RECREATIONAL AREA POINTS	-	320.67
15-198	OPEN SPACE	20%	41.20%

SHEET LIST

CVR	COVER
EC	EXISTING SURVEY
C1.3	SITE UTILITY
C1.4	GRADING & DRAINAGE
C1.5	LANDSCAPE & OPEN SPACE PLAN
A1.0	FLOOR PLANS
A2.0	ELEVATIONS
A3.0	PERSPECTIVES
A4.0	SITE CONTEXT
S	STRUCTURAL (RESERVED)
E	ELECTRICAL (RESERVED)
M	MECHANICAL (RESERVED)
P	PLUMBING (RESERVED)
FA	FIRE ALARM (RESERVED)



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OWNER

TEMPO INVESTCO LLC
C/O Erik M. Lensch
8591 Pickards Meadow Rd.
Chapel Hill, NC 27516

SITE & CIVIL ENGINEER

C3 Design & Engineering, PLLC
Chad E. Abbot, PE
2537 East Lyon Station Rd.
Suite 102
Creedmoor, NC 27522-0361

chad@c3designeng.com
919.625.7368

STRUCTURAL ENGINEER

Summit Design & Engineering Services
Chris Berg, PE
320 Executive Ct.
Hillsborough, NC 27278

919.322.0115

PME ENGINEER

GENERAL CONTRACTOR

Allen Knight
Housewright Building Co.
PO Box 786
Carrboro, NC 27510

allen@housewrightbuilding.com
919.524.2074

CONDITIONAL
REZONING
APPLICATION

DATE: 2022.10.24

\\jims-new-pc\jso-active\TEMPO-1307 W MAIN\LAND USE PERMIT\2022-09-13_TEMPO-v2.mxd 66 THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND AS SUCH SHALL REMAIN THE PROPERTY OF THE ARCHITECT. THEY HAVE BEEN PREPARED FOR A SPECIFIC PROJECT AND SHALL NOT BE USED IN CONJUNCTION WITH ANY OTHER PROJECT WITHOUT THE PRIOR WRITTEN PERMISSION OF THE ARCHITECT. ALL RIGHTS RESERVED.



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TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

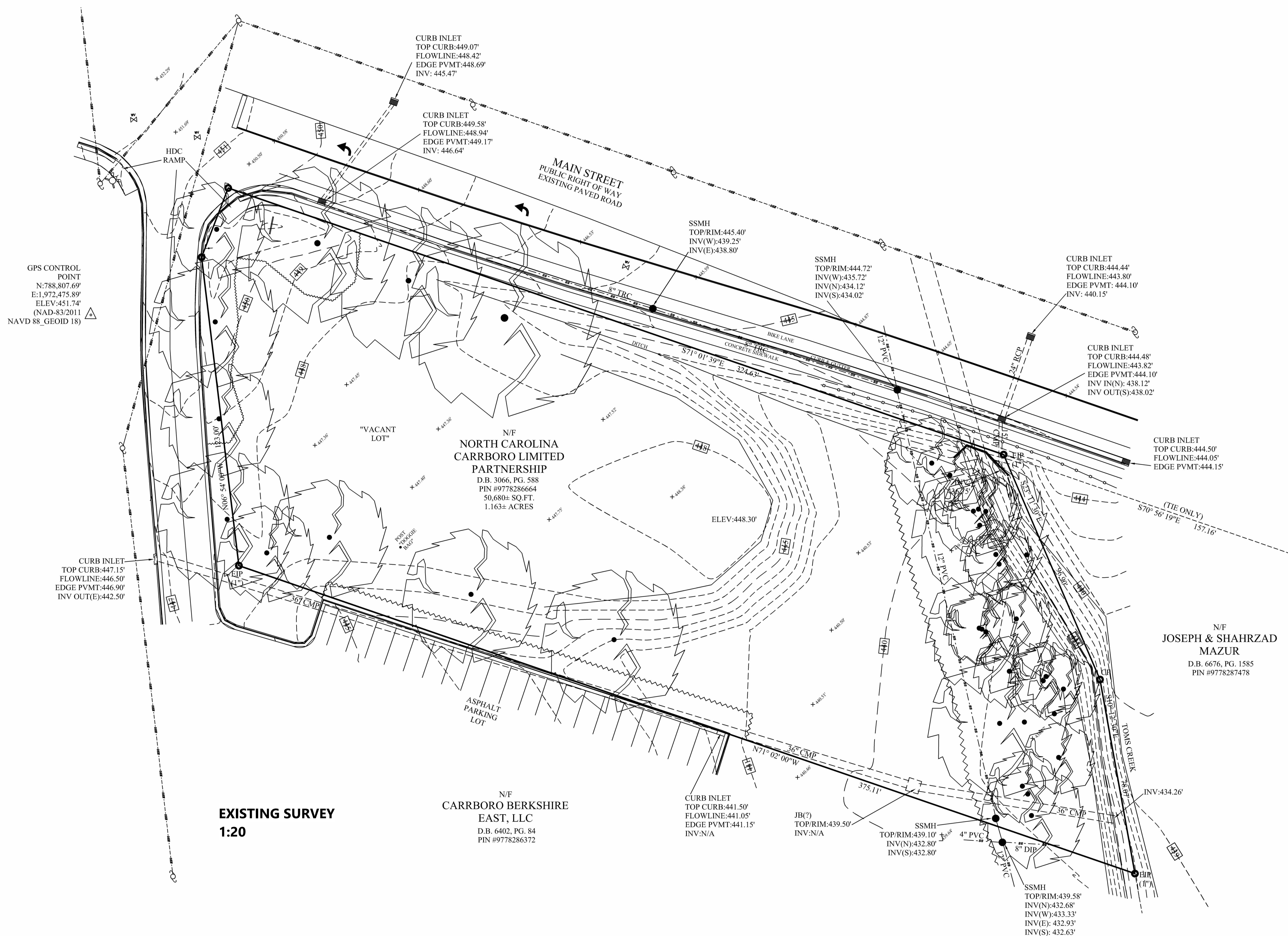
CONDITIONAL REZONING APPLICATION

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DATE:	2022.10.24
DRAWN BY:	1_SRV
CHECKED BY:	JSA

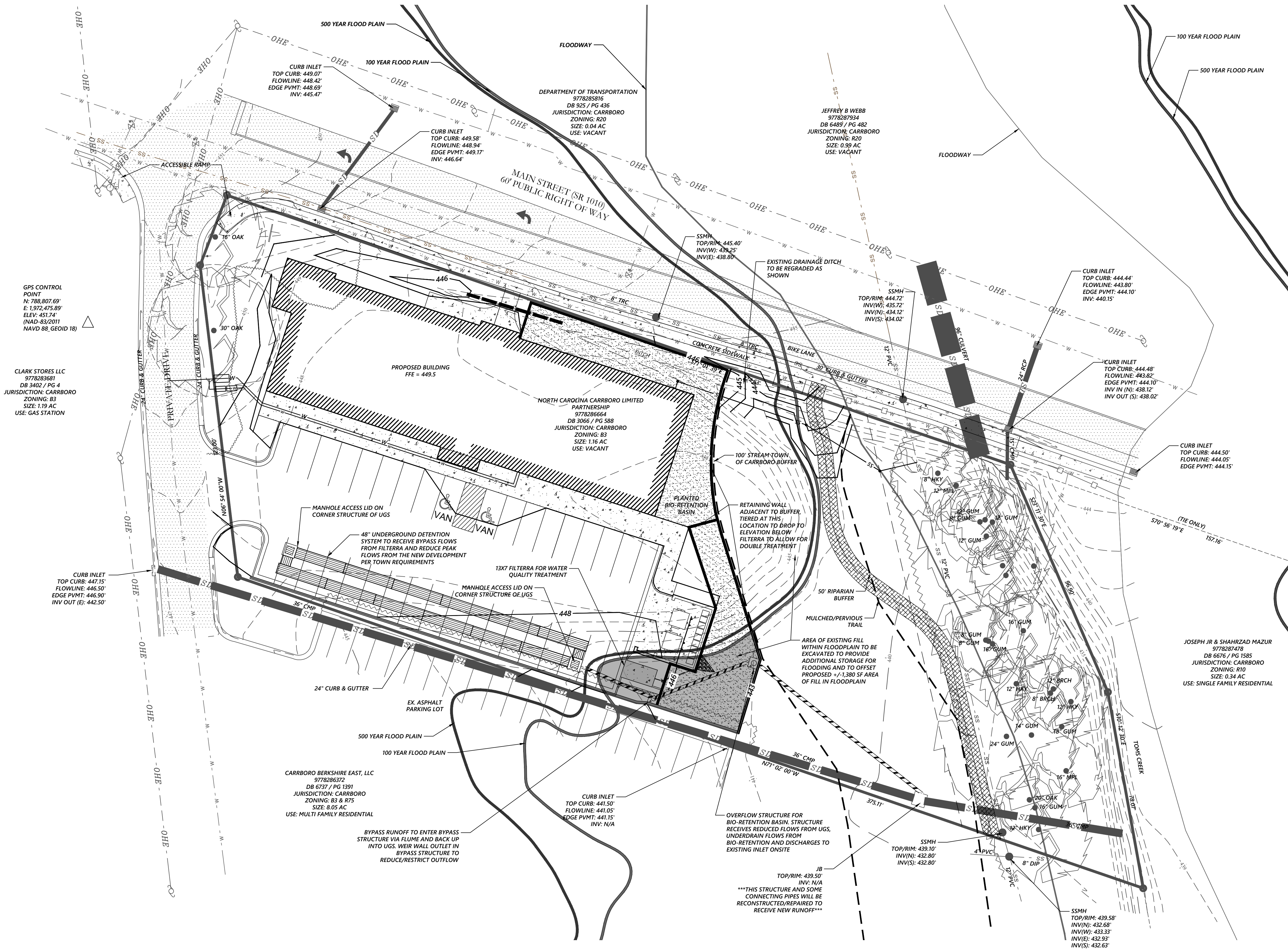
EXISTING SURVEY

EC



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GRADING AND STORM DRAINAGE NOTES:

- EXISTING TOPOGRAPHY & SITE CONDITIONS SURVEYED BY HAWKEYE GEOMATICS, DATED JUNE 1, 2021.
- ALL PIPE TO BE INSTALLED ON-SITE AND IN THE RIGHTS OF WAY SHALL MEET OR EXCEED THE NCDOT ASTM AND AASHTO SPECIFICATION REQUIREMENTS FOR SUCH PIPE MATERIAL.
- ROOF DRAIN CONNECTIONS AND INLINE CATCH BASINS IN NON-TRAFFIC BEARING LOCATIONS MAY BE HDPE SYSTEMS SUCH AS "NYLOPLAST" BY ADS OR APPROVED EQUAL. (SEE DETAILS FOR USE AS STORM DRAINAGE SYSTEM)
- ALL ON-SITE PIPE SHALL BE INSTALLED MEETING COVER, BACKFILL AND BEDDING REQUIREMENTS PER NCDOT OR THE MANUFACTURER'S RECOMMENDATIONS, WHICHEVER IS MOST STRINGENT.
- SUBGRADE PREPARATION FOR BUILDING PAD AND PARKING AREAS SHALL BE CONSTRUCTED PER THE RECOMMENDATION OF THE GEOTECHNICAL REPORT BY MODULUS, PLLC ON JULY 19th, 2021 OR AS DIRECTED BY A NON-SITE GEOTECHNICAL TESTING FIRM HIRED BY THE OWNER. TESTING AND INSPECTIONS SHALL BE REQUIRED FOR ALL AREAS OF BACKFILL, INCLUDING PIPE BACKFILL, PER THE GEOTECHNICAL REPORT, ONSITE TESTING FIRM'S DIRECTION OR MANUFACTURER'S REQUIREMENTS. CONTACT ENGINEER OF RECORD WITH ANY QUESTIONS ABOUT THESE REQUIREMENTS PRIOR TO SUBMITTING BIDS AND STARTING CONSTRUCTION
- NCDOT PRE-CAST DRAINAGE STRUCTURES / MANHOLES CAN BE USED IN LIEU OF NCDOT STANDARD BRICK OR CONCRETE CATCH BASINS. ANY DEVIATION FROM THE SPECIFIED STRUCTURES SHALL BE APPROVED BY ENGINEER PRIOR TO INSTALLATION AND SHALL MAINTAIN COMPLIANCE WITH ALL CORRESPONDING NCDOT MATERIAL, DRAWING & DETAILED SPECIFICATIONS.
- CONTRACTOR SHALL FIELD VERIFY THAT PROPOSED GRADES MATCH EXISTING PAVEMENT AT ALL CONNECTIONS/TIE-INS. CONTRACTOR SHALL NOTIFY ENGINEER IF DISCREPANCY OCCURS.
- ALL WORK WITHIN NCDOT ROW SHALL COMPLY WITH MOST RECENT NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES, NCDOT STANDARD DRAWINGS, AND THE MUTCD STANDARDS.
- ALL ONSITE STORM DRAINAGE CONSTRUCTION SHALL COMPLY WITH MOST RECENT NCDOT STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES, AND NCDOT STANDARD DRAWINGS.
- ADDITIONAL SPECIFICATIONS AND REQUIREMENTS FOR FOOTER AND BUILDING PAD PREPARATION AND COMPACTION MAY EXIST IN ARCHITECTURAL AND STRUCTURAL DRAWINGS AND SHALL BE EXECUTED/IMPLEMENTED AS REQUIRED.
- THE GRADE LINES DENOTE THE FINISHED ELEVATIONS OF THE PROPOSED SURFACE. GRADE LINES MAY BE ADJUSTED AT THEIR BEGINNING, ENDING AND AT STRUCTURES AS DIRECTED BY THE ENGINEER IN ORDER TO PROVIDE A PROPER TIE-IN. CONTRACTOR SHALL FIELD VERIFY ALL PROPOSED INVERTS, FFS & FINISHED SURFACES TO ENSURE THAT MINIMUM SLOPE & COVER REQUIREMENTS ARE PROVIDED PRIOR TO INSTALLATION OF REFERENCED ITEMS. CONTACT ENGINEER WITH DISCREPANCIES.
- THE EARTHWORK ON THIS PLAN DOES NOT NECESSARILY BALANCE. OFFSITE BORROW OR WASTE MAY BE REQUIRED AND SHALL BE INCLUDED IN CONTRACT PRICE/BID. OFFSITE BORROW/WASTE AREAS SHALL BE PERMITTED.
- ALL PIPE INVERTS TO BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTING GRAVITY SYSTEMS AND SHALL BE ADJUSTED BY THE ENGINEER IF NECESSARY.
- UNLESS OTHERWISE NOTED, SPILL CURB LOCATIONS SHALL BE FIELD DETERMINED BY THE CONTRACTOR TO ENSURE POSITIVE DRAINAGE THROUGHOUT THE PARKING LOTS AND DRIVE AISLES. NO "BIRD BATHS" OR LOW AREAS THAT WILL HOLD WATER SHALL BE ALLOWED WITHIN THE CURB AND GUTTER OR PAVED AREAS.
- OUTLET STRUCTURES AND OUTFALLS SHALL CONSIST OF FLARED END STRUCTURES (FES) UNLESS OTHERWISE NOTED. END OF OUTLET STRUCTURES SHALL BE THE END OF THE FES.

STORM DRAINAGE NARRATIVE & SUMMARY:

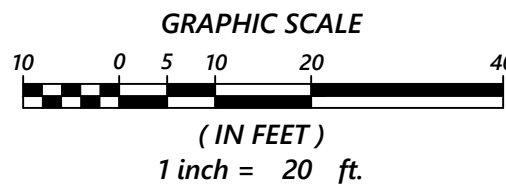
THE PROPOSED SITE FALLS UNDER THE REQUIREMENTS FOR BOTH WATER QUALITY AND QUANTITY TREATMENT PER THE TOWN OF CARRBORO STANDARDS. THE DRAINAGE FOR THE ROOF AREA ON THE BUILDING WILL BE RELEASED TO THE PARKING SURFACE VIA DOWNSPOUTS ALONG THE REAR OF THE BUILDING. ALL DRAINAGE FROM BOTH THE ROOF AND THE PARKING AREA WILL THEN SHEET FLOW OVER TO THE FILTERRA FOR THE FIRST STAGE OF WATER QUALITY TREATMENT. ALL WATER THAT ENTERS THE FILTERRA WILL DRAIN THROUGH THE PROPRIETARY MEDIA BLEND AND THEN EXIT VIA A 6" UNDERDRAIN THAT DISCHARGES TO THE BIO-RETENTION BASIN. THE BIO-RETENTION BASIN WILL THEN ADDITIONALLY REMOVE REMAINING NUTRIENTS, TSS, AND PROVIDE FOR THE VOLUME REDUCTION REQUIRED FOR THIS PROJECT. THE SITE FALLS WITHIN THE CATEGORY FOR THE 200% VOLUME REDUCTION REQUIREMENT WHEREBY THE SITE IS ONLY ALLOWED TO INCREASE THE ANNUAL VOLUME LEAVING THE PROPERTY BY DOUBLE WHAT IS CURRENTLY LEAVING THE PROPERTY. ALL RUNOFF IN THE BIO-RETENTION BASIN WILL DRAIN DOWN THROUGH THE MEDIA AND INFILTRATE OR DISCHARGE THROUGH THE UNDERDRAINS.

ALL WATER EXCEEDING THE FIRST 1" OF RUNOFF WILL BYPASS THE FILTERRA AND BIO-RETENTION BASIN WHERE IT WILL BE REDIRECTED TO UNDERGROUND STORAGE SYSTEM. THIS SYSTEM WILL DETAIN THE WATER TO MEET THE PEAK FLOW DISCHARGE REQUIREMENTS FOR THE VARIOUS STORMS AS REQUIRED BY THE TOWN ORDINANCE.

ADDITIONALLY, THERE IS AN STREAM BUFFER LOCATED ON THE PROPERTY THAT CURRENTLY IS NOT WOODED AND DOES LITTLE TO ADDRESS THE MITIGATION FACTORS AND PROVIDE FOR THE ENVIRONMENTAL BENEFITS THAT RIPARIAN BUFFERS ARE INTENDED TO ADDRESS. IT WILL BE PART OF THE DEVELOPMENT PLAN TO PROVIDE FOR ADDITIONAL FLOOD STORAGE WITHIN THIS BUFFER AND ALSO TO THEN VEGETATE THIS BUFFER SUCH THAT IT MEETS THE INTENT OF THE STREAM BUFFER REGULATIONS. THE CURRENT CONDITIONS OF THIS BUFFER FALL WELL SHORT OF MEETING THE INTENT AND GOALS OF STREAM BUFFER RULES AND IT IS THE DESIRE OF THIS DEVELOPMENT TO PROVIDE A MODEL AS TO HOW DEVELOPMENT AND ENVIRONMENTAL STEWARDSHIP CAN CO-EXIST ON THE SAME SITE WITH THE PROPER PLANNING AND INITIATIVE.

Pre-Development				
DA-A				
Land Description	Area (sf)	Area (ac)	CN	C
Pervious / Landscape (HSG-B)	23,161	0.53	61	0.30
Wooded (HSG-B)	12,821	0.29	60	0.35
Pervious / Landscape (HSG-D)	14,698	0.34	80	0.30
Total DA-A	50,680	1.16	66	0.31

Post-Development				
DA-A1: SCM				
Land Description	Area (sf)	Area (ac)	CN	C
Roof	8,216	0.19	98	0.95
Parking/concrete	12,898	0.30	98	0.95
Wooded (HSG-B)	21,832	0.50	55	0.35
Pervious / Landscape (HSG-B)	0	0.00	61	0.30
Pervious / Landscape (HSG-D)	3,934	0.09	80	0.30
SCM	3,800	0.09	61	0.30
Total DA-A1	50,680	1.16	75	0.44



HOUSEWRIGHT BUILDING COMPANY

ALLEN KNIGHT
PO BOX 786
CARRBORO, NC 27516
allen@housewrightbuilding.com
919.524.2074

NOT FOR PRELIMINARY CONSTRUCTION

REVISIONS	DATE	BY
1		
2		
3		
4		
5		
6		

CONDITIONAL USE PERMIT
TEMPO
1307 WEST MAIN ST. CARRBORO, NC 27510
ORANGE COUNTY

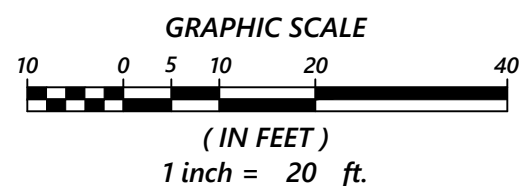
C3 PROJECT #:
21-040
REVIEW PROJECT #:
XX-XXX
SHEET #:
C-1.4

GRADING & DRAINAGE PLAN

6	
5	
4	
3	
2	
1	

CONDITIONAL USE PERMIT
TEMPO
1307 WEST MAIN ST. CARRBORO, NC 27510
ORANGE COUNTY

C3 PROJECT #:	21-040
REVIEW PROJECT #:	XX-XXX
SHEET #:	C-1.5





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TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

CONDITIONAL
REZONING
APPLICATION

No.	Description	Date

DATE: 2022.10.24
DRAWN BY: JSA
CHECKED BY: JSA

FLOOR PLANS

A1.0

UNIT COUNT NOTES:

PROPOSED AFFORDABLE UNIT COUNT WILL BE AT LEAST 15% OF TOTAL UNIT COUNT. FINAL AFFORDABLE UNIT COUNT T.B.D. BASED ON OVERALL DENSITY PERMITTED AND MAY INCLUDE ADDITIONAL UNITS ABOVE 15%.

UNIT TYPES AND COUNTS BASED ON PROPOSED FLOOR PLATES:

A = 1-BEDROOM 7 UNITS, 7 BEDS
B = 2-BEDROOM 17 UNITS, 34 BEDS
C = 3-BEDROOM 10 UNITS, 30 BEDS

RQD RECREATION POINTS: 320.67

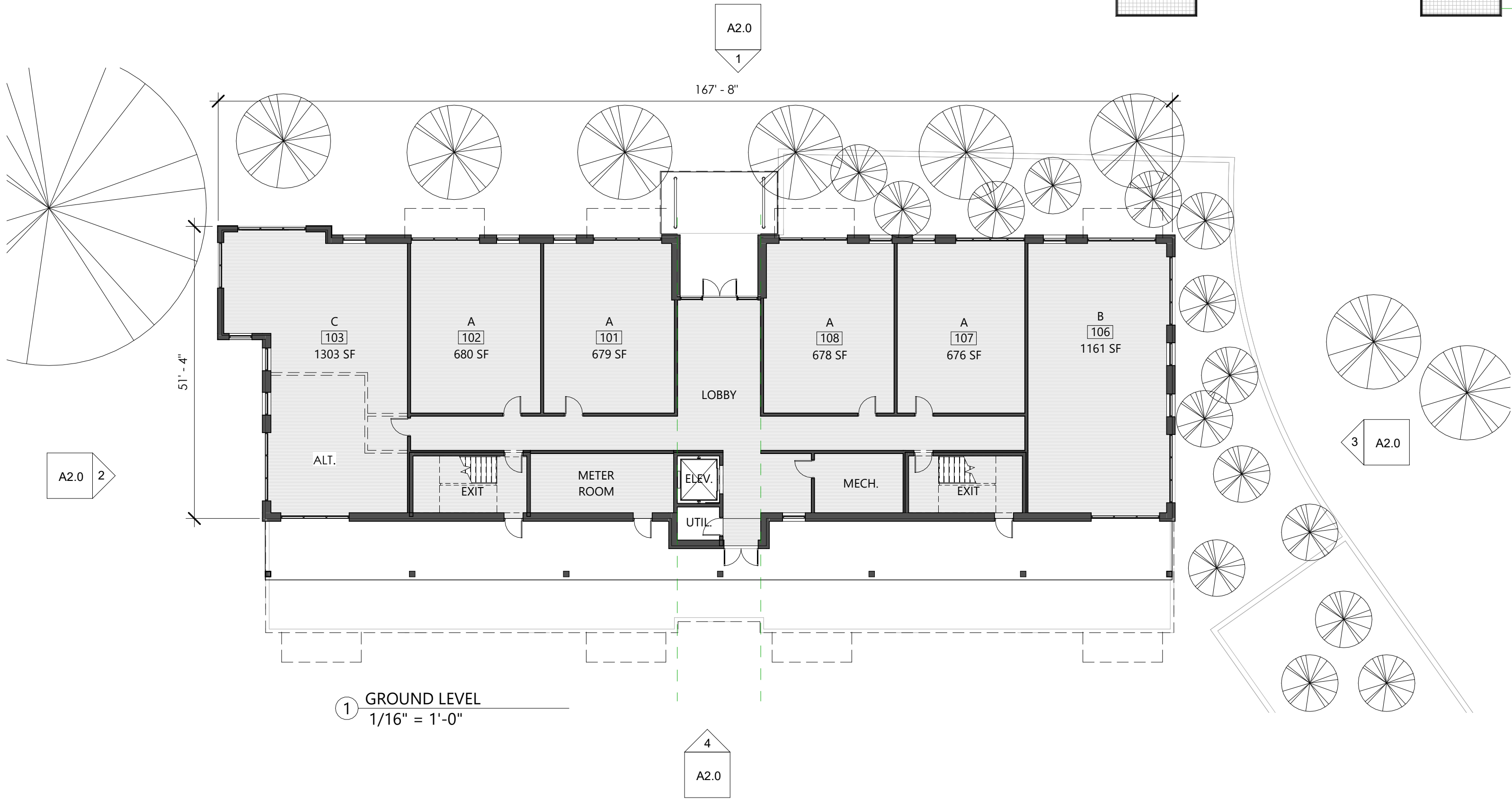
1-BED: 5.94 x 7 = 41.58

2-BED: 9.47 x 17 = 160.99

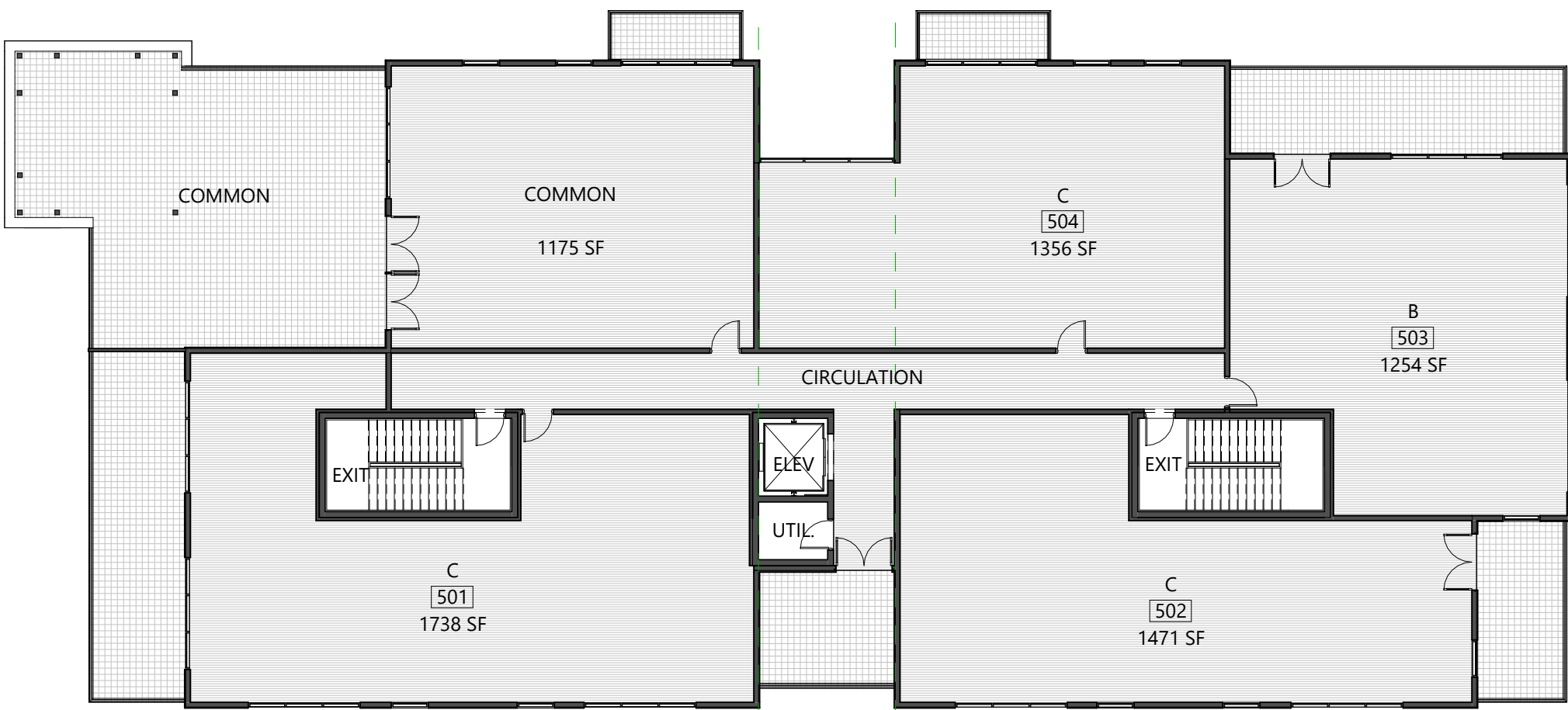
3-BED: 11.81 x 10 = 118.10

UNIT COUNT TABLE		
UNIT TYPE	UNIT COUNT	BED COUNT
GROUND LEVEL		
A	4	4
B	1	2
C	1	3
LEVEL 2		
A	1	1
B	5	10
C	2	6
LEVEL 3		
A	1	1
B	5	10
C	2	6
LEVEL 4		
A	1	1
B	5	10
C	2	6
LEVEL 5		
B	1	2
C	3	9

Grand total: 34



1 GROUND LEVEL
1/16" = 1'-0"



3 LEVEL 5
1/16" = 1'-0"



2 LEVEL 2-4
1/16" = 1'-0"
*THIS PLAN REPRESENTS 3-STORIES



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TEMPO

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CARRBORO, NC 27510

CONDITIONAL
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APPLICATION

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DATE: 2022.10.24
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ELEVATIONS

A2.0



1 NORTH ELEVATION
1/16" = 1'-0"



3 EAST ELEVATION
1/16" = 1'-0"



2 WEST ELEVATION
1/16" = 1'-0"



4 SOUTH ELEVATION
1/16" = 1'-0"

EXTERIOR FINISHES	
KEYNOTE	DESCRIPTION
A	GRAY MASONRY
B	FIBER-CEMENT SHIPLAP SIDING, PAINTED
C	WOOD OR ENGINEERED WOOD VERTICAL SIDING
D	CLAD OR ALUMINUM WINDOWS
E	METAL GUARDRAIL



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TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

CONDITIONAL
REZONING
APPLICATION

No.	Description	Date

DATE: 2022.10.24
DRAWN BY: JSA
CHECKED BY: JSA

PERSPECTIVES

A3.0



1 PRELIMINARY PERSPECTIVE



2 SOUTHWEST



3 NORTHWEST



4 SOUTHEAST



5 NORTHEAST

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TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

CONDITIONAL
REZONING
APPLICATION

No.	Description	Date

DATE: 2022.10.24
DRAWN BY: JSA
CHECKED BY: JSA

SITE CONTEXT

A4.0

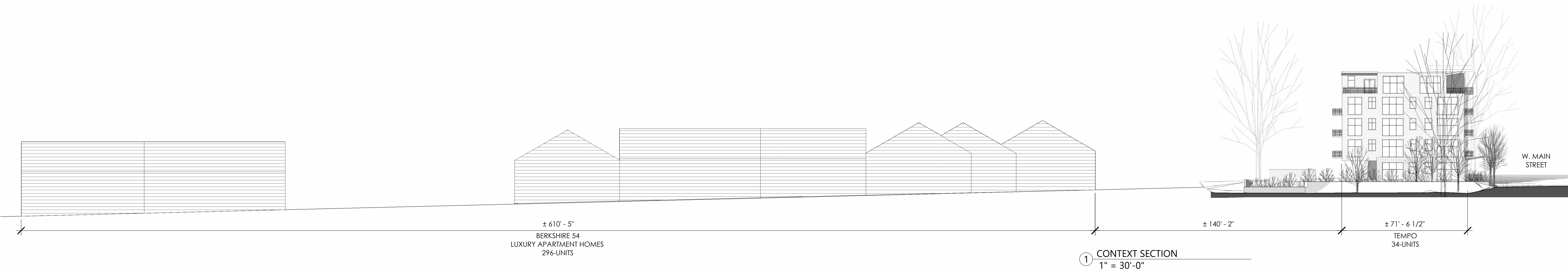


PROPOSED SITE

SEE CONTEXT SECTION BELOW

SOUTH

NORTH



① CONTEXT SECTION
1" = 30'-0"



JIM SPENCER ARCHITECTS, PA
109A Brewer Lane | PO Box 385
Carrboro, NC 27510
919.960.6680

March 6, 2023

Petition for Change of Zoning
Tempo – Multi-family building
1307 West Main Street, Carrboro
PIN # 9778 28 6664

Neighborhood Information Meeting Summary
Meeting Date: March 1, 2023, Carrboro Town Hall

On Wednesday, March 1, 2023, a neighborhood information meeting was held at Carrboro Town Hall for a proposed conditional zoning request for Tempo (a multi-family project proposed for 1307 West Main Street in Carrboro).

An attendees list is attached. This list does not include Town of Carrboro staff who were in attendance. The applicants (Erik Lensch and Allen Knight) were represented by architects Jim Spencer and Ryan Fitzsimmons of JSA Architects in Carrboro, along with civil engineer Chad Abbott of C3 Design and Engineering. After a staff introduction regarding the process from Tina Moon with the Town of Carrboro, Jim Spencer gave a project overview.

The attached presentation materials were shown to the attendees. The applicants noted the existing variety of uses and zoning districts adjacent and near the site and intersection, and the new Carrboro Connects comprehensive plan's emphasis on new development in areas with existing utility and transportation infrastructure. It was noted that the project was working through site planning issues with the Town staff and reviewers (including storm water, trees and landscaping) and that the applicant was also requesting a text amendment to allow the height of the structure in the proposed zone.

Questions were asked by the attendees regarding the parking, the storm water treatment, and the public transportation options. After questions for the applicant, attendees Jeff Rubish and Tom Whisnant spoke in favor of the project.

N

1307 WEST MAIN STREET

NAME **(PLEASE PRINT)**	ADDRESS, PHONE & EMAIL **(PLEASE PRINT)**
1. Patricia Owen	302 Spring Valley Rd Carrboro 919-259-3122 patricia@patriciaowen.com
2. Jeff Russell	TELEPHONE HILLSBORO Jeff Russell jeffrussell@earthlink.net
3. Tom Witberger	503 Oak Ave. Carrboro 919-451-0740 Tom@tomwitberger.com
4. Jeff Rubish	215 Simpson St Carrboro 919-971-2584 jeff@highlandrubish.com
5. Jim Spurrer	Arduetett jspencerjsa@gmail.com 919-593-4150
6. Thomas Whisnant	Tom@TRACmanagement.com
7.	153 Viburnum Way, Carrboro
8. Amanda Klepper	1102 B West Main St. 919-704-5726 acklepper@gmail.com
9. Erik Lensch	8591 Pirkards Meadows Rd, Chapel Hill elensch7@earthlink.net
10. DAVID BECK	101 HAWAII ST DAVIDSBECK@GMAIL.COM
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	

Tempo – 1307 West Main Street Multifamily Residential Project



Tempo – 1307 West Main Street

Project Introduction and Fact Sheet

The new Carrboro Connects Comprehensive Plan acknowledges that more density will be required to meet housing demand in Carrboro. It also encourages development along existing transit corridors which will have limited demand for extensive infrastructure. The existing development near the site of this proposal includes very suburban models of car-based form and place making. Future development must be more compact and dense to accommodate the estimated 8,500-13,500 new Carrboro residents by 2050. We feel this proposed multi-family project is responsible infill – working with the existing natural constraints but building density on a lot which has good infrastructure already in place.

Primary facts regarding Tempo:

- Multifamily residential building (new construction) with 34 units on 1.16 acre lot. The building is proposed as five-story and located out of (to the west of) existing flood hazard areas and buffers
- On-site parking for 36 vehicles – one per unit plus accessible parking
- On-site storm water management
- Affordable housing units to meet or exceed Town requirements
- Extensive landscaping and sustainability features in construction
- **No** new curb cuts/entry drives on Main Street – entry from existing drive to the west of site
- Bicycle lockers, wider sidewalk and new bus stop/shelter to encourage alternate transportation

The project is currently going through the Town of Carrboro's Conditional Rezoning and text amendment processes. The current zoning is B-3, and the proposed zoning is R-2CZ. Development Owner – Tempo Investco, LLC – Erik Lensch and Allen Knight; Civil Engineering – C3 Design and Engineering; Architect – JSA Architects, PA, Carrboro





VICINITY MAP

N.T.S.

1307 WEST MAIN STREET - PROPOSED MIXED USE DEVELOPMENT

- EXISTING SITE IS 1.163 ACRES AND ZONED B-3; VACANT LOT
- KEY FEATURES
- PROGRAM: ONE FLOOR SMALL OFFICE SUITES (LOW DENSITY), THREE/FOUR FLOORS FOR SALE RESIDENTIAL UNITS, WITH EMPHASIS ON AFFORDABILITY AND WALKABILITY
- SURFACE PARKING - 33 SPACES PROVIDED ON SITE, ACCESS TO BUS, COVERED BIKE PARKING, PEDESTRIAN ACCESS TO SIDEWALKS AND POTENTIAL CROSSWALK ON MAIN
- STORM WATER TREATMENT ON SITE
- PARK AND PUBLIC ACCESS TO EXISTING GREEN SPACE ALONG TOM'S CREEK AND LARGE WILLOW OAKS AT WEST OF SITE
- GATEWAY PROJECT FOR CARRBORO DOWNTOWN AND USE OF EXISTING COMMERCIAL ZONED LOT



A - VIEW OF NORTHWEST LOT CORNER



B - VIEW OF SOUTHWEST LOT CORNER



C - VIEW OF NORTHEAST LOT CORNER



Jim Spencer Architects, PA
 109-A Brewer Lane
 Carrboro, NC 27510
jimspencerarchitects.com
 919.960.6680

1307 WEST MAIN // SITE ANALYSIS

Mixed Use Development

1307 West Main Street
 Carrboro, NC 27510
 May 26, 2021



JIM SPENCER ARCHITECTS, PA

109-A BREWER LANE
CARRBORO, NC 27510

919.960.6680
JSPENCERJSA@GMAIL.COM

TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

CONDITIONAL
REZONING
APPLICATION

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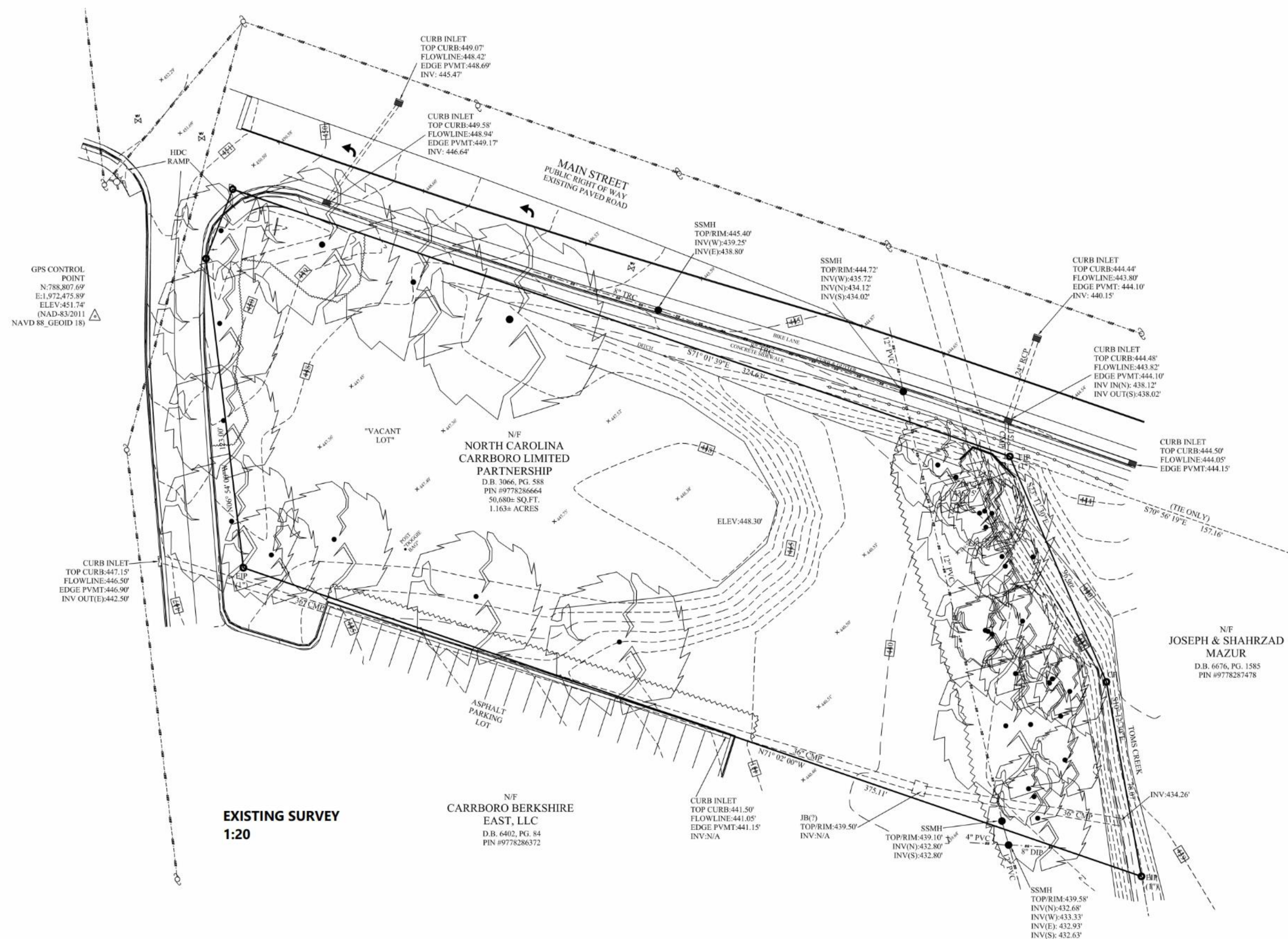
DATE: 2023.10

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EXISTING SURVEY

EC



— — — — —

CURRENT OWNER:	NORTH CAROLINA CARRBORO LIMITED PARTNERSHIP 380 UNION ST, WEST SPRINGFIELD, MA 01089		
PIN:	977828664		
PROPERTY ADDRESS:	1307 WEST MAIN ST, CARRBORO, NC 27510		
JURISDICTION:	TOWN OF CARRBORO		
COUNTY:	ORANGE		
STATE:	NORTH CAROLINA		
REFERENCE:	DB 3006 / PG 388		
PARCEL SIZE:	50,080 SF / 1.16 AC		
EXISTING ZONING/USE:	B-3 / VACANT		
PROPOSED ZONING/USE:	R-2 CZ / MULTI FAMILY		
SETBACKS:	REQUIRED	PROPOSED	
• STREET:	15' (ROW)/45' (CENTERLINE)	13.50' (ROW)	
• LOT BOUNDARY:	8' + 2' PER 1' ABOVE 35' - 06'	72.86'	
MAXIMUM BUILDING HEIGHT: ALLOWED	30'	PROPOSED	65' - SEE ARCH PLANS
EXISTING IMPERVIOUS:	0 SF		
AREAS DEMOLISHED:	0 SF		
PROPOSED IMPERVIOUS AREAS:			
BUILDING	8,216 SF (0.19 AC)		
DRIVES & PADS	10,743 SF (0.25 AC)		
SIDEWALKS	2,151 SF (0.05 AC)		
TOTAL	= 21,114 SF (0.48 AC) - 41.66%		
PARKING REQUIREMENTS:	1.5 / 1 BEDROOM & 2 / 2 OR MORE BEDROOMS		
PROPOSED PARKING:	34 SPACES (20 UNIT)		
BICYCLE PARKING:	10 SPACES + BICYCLE LOCKERS ON REAR OF BUILDING FOR RESIDENTS		
OPEN SPACE:	REQUIRED	PROPOSED	
	20% (10,136 SF)	41.2% (+/- 30,892 SF)	
WATERSHED:	N/A		
RIVER BASIN:	CAFE FEAR		
OVERLAY:	JORDAN LAKE UNPROTECTED		
WATER PROVIDER:	OWASA		
SEWER PROVIDER:	OWASA		

HOUSEWRIGHT BUILDING COMPANY
ALLEN KNIGHT
PO BOX 786
CARRBORO, NC 27516
allen@housewrightbuilding.com
919.524.2074

DESIGN & ENGINEERING, PLLC
NC Firm License #: P-1764
2337 E LYON STATION RD, STE 102 (PHYSICAL)
P.O. Box 361 (MAILING)
Creditor, NC 27522-0361
allen@housewrightbuilding.com
919.625.7868

NOT FOR PRELIMINARY CONSTRUCTION
D.E. ABBOTT
4/22/24

REVISIONS	DATE	BY
1		
2		
3		
4		
5		
6		

CONDITIONAL USE PERMIT
TEMPO
1307 WEST MAIN ST, CARRBORO, NC 27510
ORANGE COUNTY
SITE & UTILITY PLAN

C3 PROJECT #:
21-040
REVIEW PROJECT #:
XX-XXX
SHEET #:
C-1.3

SITE NOTES:

1. SURVEY DATA AND LOCATIONS PROVIDED BY HAWKEYE GEOMATICS, DATED JUNE 1, 2021. FIELD VERIFY EXISTING CONDITIONS BY DETAILED SITE INSPECTION PRIOR TO SUBMITTING BID AND BEGINNING CONSTRUCTION. NOTIFY ENGINEER OF ANY DISCREPANCIES.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF CARRBORO AND/OR NC DOT STANDARDS AND SPECIFICATIONS.
3. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
4. CONTRACTOR SHALL MAINTAIN ANY EXISTING ACCESS TO ADJACENT RESIDENCES, BUSINESSES AND PROPERTIES AT ALL TIMES.
5. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY PERMITS NECESSARY FOR CONSTRUCTION.
6. ALL STRIPING WITHIN THE ROW SHALL BE THERMOPLASTIC PER DOT STANDARDS UNLESS OTHERWISE NOTED.
7. CONTACT 811 PRIOR TO ANY SUBSURFACE WORK.
8. OBTAIN FINAL ZONING INSPECTION APPROVAL PRIOR TO USE/OCCUPANCY.

UTILITY NOTES:

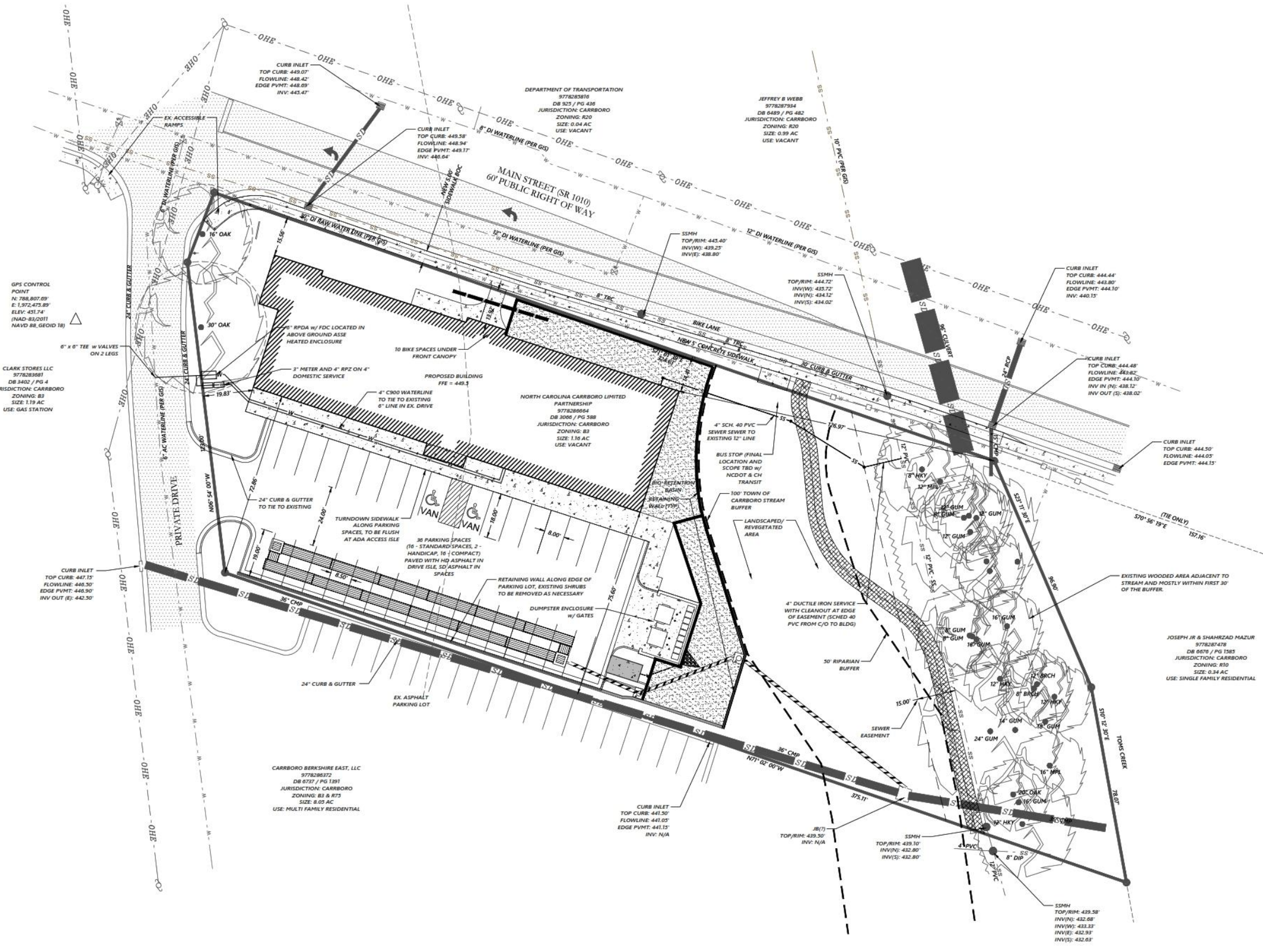
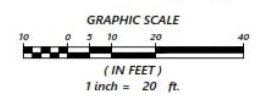
1. ALL NEW UTILITIES SHALL BE LOCATED UNDERGROUND UNLESS OTHERWISE NOTED.
2. ALL PUBLIC UTILITIES AND CONNECTIONS TO PUBLIC UTILITIES SHALL CONFORM TO OWASA STANDARDS AND SPECIFICATIONS.
3. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY PERMITS NECESSARY FOR CONSTRUCTION.
4. IF REQUIRED, PRIOR TO THE CONSTRUCTION OF ANY WATER MAIN EXTENSIONS, TAPS OR RELOCATIONS, THE ENGINEER OF RECORD SHALL BE CONTACTED BY THE GENERAL CONTRACTOR TO DISCUSS CERTIFICATION REQUIREMENTS. FAILURE TO CONTACT THE ENGINEER OF RECORD OR PROVIDE ANY OF THE REQUESTED DOCUMENTATION DISCUSSED MAY RESULT IN THE INABILITY OF THE ENGINEER TO CERTIFY THE LINE AND POSSIBLE REPLACEMENT.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF THE LOCATION AND/OR RELOCATION OF ALL EXISTING UTILITIES WITH THE APPROPRIATE UTILITY, AGENCY OR COMPANY.
6. THE CONTRACTOR SHALL COORDINATE ALL UTILITY CONNECTIONS AND DISTURBANCES WITH EXISTING USERS AND OWASA SO THAT ANY SERVICE INTERRUPTIONS ARE MINIMAL.
7. ALL PIPE INVERTS, TAP LOCATIONS & AVAILABLE CLEARANCES TO BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTING STORM & UTILITY SYSTEMS AND SHALL BE ADJUSTED BY THE ENGINEER IF NECESSARY. IF THESE ITEMS ARE NOT VERIFIED AT THIS TIME, THE CONTRACTOR WILL BE WHOLLY RESPONSIBLE FOR THE FIELD REVISIONS AND ASSOCIATED DESIGN COSTS OF THE SOLUTIONS PROPOSED.
8. ALL WATER LINE JOINTS/CONNECTIONS SHALL BE RESTRAINED WITH MECHANICAL JOINT FITTINGS OR PROVIDED WITH APPROPRIATE THRUST BLOCKING.
9. NO IRRIGATION SYSTEM WILL BE INSTALLED ON STATE ROW.
10. CONTACT 811 PRIOR TO ANY SUBSURFACE WORK.

ORANGE COUNTY SOLID WASTE NOTES:

1. CONSTRUCTION WASTE:
 - ALL EXISTING STRUCTURES 300 SQUARE FEET & LARGER IN SIZE SHALL BE ASSESSED PRIOR TO DEMOLITION TO ENSURE COMPLIANCE WITH THE COUNTY'S REGULATED RECYCLABLE MATERIALS ORDINANCE (RRMO) & TO ASSESS THE POTENTIAL FOR DE-CONSTRUCTION &/OR THE RE-USE OF SALVAGEABLE MATERIALS.
 - BY ORANGE COUNTY ORDINANCE, CLEAN WOOD WASTE, SCRAP METAL, & CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.
 - BY ORANGE COUNTY ORDINANCE, ALL HAULERS OF MIXED CONSTRUCTION & DEMOLITION WASTE THAT INCLUDES ANY REGULATED RECYCLABLE MATERIALS SHALL BE LICENSED BY ORANGE COUNTY.
 - PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE THE APPLICANT SHALL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH THE SOLID WASTE STAFF. THIS MAY BE THE SAME PRE-CONSTRUCTION MEETING HELD WITH OTHER DEVELOPMENT/ENFORCEMENT OFFICIALS.
 - THE PRESENCE OF ANY ASBESTOS CONTAINING MATERIALS (ACM) &/OR OTHER HAZARDOUS MATERIALS IN CONSTRUCTION & DEMOLITION WASTE SHALL BE HANDLED IN ACCORDANCE WITH ANY & ALL LOCAL, STATE, & FEDERAL REGULATIONS AND GUIDELINES.



Know what's below.
Call before you dig.



2024-04-22 10:00 AM C:\Users\allen\OneDrive\Documents\21-040\21-040_C-1.3.dwg



JIM SPENCER ARCHITECTS, PA
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JSPENCERJSA@GMAIL.COM

TEMPO

1307 WEST MAIN STREET
CARRBORO, NC 27510

CONDITIONAL
REZONING
APPLICATION

No.	Description	Date

DATE: 2022.10.24
DRAWN BY: J.SA
CHECKED BY: J.SA

PERSPECTIVES

A3.0



① PRELIMINARY PERSPECTIVE



② SOUTHWEST



③ NORTHWEST



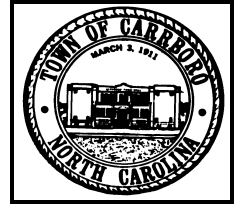
④ SOUTHEAST



⑤ NORTHEAST

TOWN OF CARRBORO

LAND USE ORDINANCE AMENDMENT REQUEST



"Dear Potential Business Operator:

Please be advised that it may be necessary to meet with several members of Town staff as well as outside agencies to identify and fully understand all rules, regulations, and policies applicable to your business. Please refer to the 'Checklist for Opening a Business in Carrboro.'"

To the Town Council, the Planning Board, and the Appearance Commission, as appropriate, of the Town of Carrboro:

I (we), the undersigned do hereby respectfully make application and petition the Board of Aldermen to amend the Land Use Ordinance. In support of this application, the following facts are shown:

- 1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):**

Article XII, Section 15-185 Building Height Limitations

For Zone R-2, maximum height = 50'

- 2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):**

Maximum height in R-2-CZ of 65'

- 3) State the reasons for the proposed amendment:**

Building multi-family residential with the density encouraged by the Town of Carrboro's new Comprehensive Plan (Carrboro Connects) would allow for five (5) stories. This building height and size (already allowed in B-1-C and B-1-G) maximizes efficiency and minimizes building footprint, impervious surface, and dependence on new infrastructure.

SIGNATURE:

J. Allen Knight
applicant

J. ALLEN KNIGHT
{print}

ADDRESS:

Tempo Investco, LLC PO Box 786, Carrboro, NC 27510

TELEPHONE NUMBER:

919-524-2074

ARTICLE IX

ZONING DISTRICTS AND ZONING MAP

PART I. ZONING DISTRICTS

Section 15-135 Residential Districts Established.

(a) The following basic residential districts are hereby established: R-20, R-15, R-10, R-7.5, R-3, R-2, R-R, R-S.I.R., and R-S.I.R.-2. The purpose of each of the foregoing residential districts is to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in non-residential districts. **(AMENDED 5/12/81; 12/7/83; 2/4/86)**

(b) The WR (watershed residential) district is also established. All land within this district is located within the University Lake Watershed, and while this district is designed to achieve the objectives identified in subsection (a), it is also intended to protect the community water supply by allowing residential development of the land within the University Lake Watershed only at reduced density levels. **(AMENDED 12/7/83; 05/15/90)**

(c) The R-R (rural residential) district is designed to accommodate the residential and related uses as well as several additional uses that would be appropriate in the more sparsely populated areas of the town's joint planning transition area or extraterritorial planning area, but that would be inappropriate within the more intensively developed residential zones. **(AMENDED 11/14/88)**

(d) The R-S.I.R. (suitable for intensive residential) zone is designed (i) to encourage high density residential development that is compatible with the housing element of the town's Comprehensive Plan, and (ii) to locate this high density development in areas most suitable for it, thereby reducing pressure for growth in less desirable locations and reducing urban sprawl. Land in this zone is deemed especially suitable for intensive residential development because of (i) the availability of police, fire, and sanitation service at low marginal cost due to existing service patterns, (ii) the availability of public water and sewer service, (iii) the ample road system serving the area, (iv) the compatibility of existing development in the area with high density residential development, and (v) the compatibility of high density residential development with environmental concerns, especially water quality. Developers are encouraged to construct housing that is consistent with the town's housing objectives through density bonuses, as set forth in Section 15-182.1.

(e) The R-S.I.R.-2 zoning district is designed to serve essentially the same purposes as the R-S.I.R. zone, but the maximum density allowed in the R-S.I.R.-2 district is less than that permitted in the R-S.I.R. district (see Section 15-182.1). Except as otherwise specifically provided in this chapter, all regulations and standards applicable to the R-S.I.R. district are also applicable to the R-S.I.R.-2 district. **(AMENDED 11/10/81)**

(f) **REPEALED 12/7/83**

Section 15-135.1 Conservation District. (AMENDED 12/7/83)

There is hereby established a conservation (C) district. The purpose of this district is to protect the public health, safety, and welfare by severely restricting development within and adjacent to certain lakes, ponds, watercourses, streams, creeks, drainage areas, floodplains, wetlands, and other flood-prone areas within the University Lake Watershed. The limited development allowed within a conservation district not only minimizes the danger to the community water supply from the more intensive development of this land but also allows this land to act as a natural buffer between more intensively developed areas and the watercourses contained within a conservation district. (AMENDED 12/7/83)

Section 15-136 Commercial Districts Established. (AMENDED 2/4/86; 5/28/02)

The districts described below are hereby created to accomplish the purposes and serve the objectives indicated:

- (1) **B-1(C) TOWN CENTER BUSINESS.** This district is designed to encourage and accommodate a unified, compact, contiguous shopping and entertainment area focused around restaurants, specialty shops, arts and crafts. This area is intended for development around a theme or themes consistent with the Carr Mill, The Station, and historic or old Carrboro. The area is intended to accommodate the pedestrian user. (AMENDED 6/09/98)
- (2) **B-1(G) GENERAL BUSINESS.** This district is designed to accommodate a broad range of business uses. This district, because of its close proximity to established residential single family neighborhoods, is limited in the types of night uses permitted. Uses may be restricted in the hours of operation where the permit-issuing authority finds that such restrictions are necessary to prevent unreasonable disruptions to the peace and quiet of a nearby residential area. (AMENDED 12/08/92; 6/09/98; 6/20/06)
- (2.1) **(EAT) RESTAURANT DISTRICT OVERLAY.** This overlay district is designed to accommodate on-premises (inside and outside) dining 8.100 and 8.200 restaurant uses in the B-1(g) General Business district. Because of the B-1(g) district's close proximity to established residential single-family neighborhoods, the EAT overlay is restricted to properties a minimum distance of one property width from abutting residential zones and is limited in the types of night uses permitted. In addition, emphasis is given to the existing restrictions in the B-1(g) district and the ability of the permit-issuing authority to limit hours of operation where such restrictions are necessary to prevent unreasonable disruptions to the peace and quiet of a nearby residential area. Use of property within the overlay district for 8.100 and 8.200 purposes shall require the issuance of a special use permit-A. (AMENDED 03/21/95)
- (3) **B-2 FRINGE COMMERCIAL.** This district is a transitional district which is designed to accommodate commercial uses in areas that formerly were residential but that now may be more desirable for commercial activities due to high traffic volumes and

proximity to other nonresidential districts. At the same time, continued residential use of existing and nearby structures, and preservation of the existing character and appearance of this area is encouraged. Accordingly, however, whenever the use of the land in this district is changed to commercial, it is intended and desired that existing residential structures be converted and adapted to commercial use rather than new buildings constructed, and to encourage this, the regulations for this district allow development at a lower density than is permitted in the B-1 districts and permit uses that tend to generate minimal traffic. In this way, the B-2 district should provide a smoother transition from the more intensively developed B-1 areas to residential areas. Any development within the B-2 district shall comply with the following requirements: **(AMENDED 9/06/88; 6/20/06).**

- a. To the extent practicable, development shall otherwise retain, preserve and be compatible with the residential character of the older homes within and immediately adjacent to this district;
 - b. To the extent practicable, vehicle accommodation areas associated with uses on lots in this district shall be located in the rear of buildings so that parking areas are not readily visible from the streets; and
- (4) **B-3 NEIGHBORHOOD BUSINESS.** This district is designed to accommodate commercial needs arising at the neighborhood level, such as grocery stores, branch banks, gas sales, and the like, as well as other commercial and office uses that are of such size and scale that they can compatibly coexist with adjoining residential neighborhoods. To insure compatibility between B-3 areas and the neighborhoods, no B-3 district shall be greater than five acres, and no areas shall be zoned B-3 if any portion of a pre-existing business district lies within one-half mile in any direction. **(AMENDED 3/7/2006)**
 - (5) **B-4 OUTLYING CONCENTRATED BUSINESS.** This zone is designed to accommodate a variety of commercial enterprises that provide goods and services to a larger market area than those businesses permitted in the neighborhood business district. Development regulations also permit higher buildings and increased density over that allowed in the B-3 zone. This zone is intended to create an attractive, concentrated business district in areas that are outside the town's central business district but that are served by the town's major thoroughfares. Examples of permitted uses include shopping centers, professional offices and motels. Uses that are not permitted include outside storage and drive-in theaters.
 - (6) **B-5 WATERSHED COMMERCIAL.** This district is designed to accommodate commercial uses within the University Lake Watershed area without adversely affecting the community water supply.
 - (7) **CT CORPORATE TOWN.** This district is designed to create a visually attractive, commercial use district with flexible space. The district is intended to provide space for assemblage and research and development type enterprises. Any structure in this

Art. IX ZONING DISTRICTS AND ZONING MAP

district which is proposed for non-residential use shall be located a minimum distance of 50 feet from any residential dwelling unit in the district that was in existence on July 1, 1985. In order to encourage the creation of flexible space, an average minimum building height of 18 feet for any principal structure is required. The continued use of existing residential dwelling units along North Greensboro Street is encouraged. **(AMENDED 6/20/06)**

- (8) **B-3-T TRANSITION AREA BUSINESS.** This district is designed to accommodate commercial needs arising in the town's more rural neighborhoods, especially in the joint planning transition areas, and which are more appropriately dealt with at the neighborhood level than at a community or regional level. To insure compatibility between B-3-T areas and their associated rural neighborhoods, no B-3-T district shall be greater than five acres, and no areas shall be zoned B-3-T if any portion of a pre-existing business district lies within one-half mile in any direction. **(AMENDED 11/14/88)**
- (9) **O OFFICE.** This district is intended to provide locations for low intensity office and institutional uses. This district is designed for parcels three (3) acres or less in size. Rather than have new buildings constructed, it is intended and desired that any existing residential structures within the district be converted and adapted to office or institutional use. In order to assure compatibility of residential conversions or new office construction with existing and future residential development, specific performance measures to mitigate negative impacts of office development will be required. Any development within the Office (O) district shall comply with the following requirements:
- a. Type A screening will be required between any non-residential use and adjacent properties, except for openings necessary to allow pedestrian movement between the office or institutional use and adjacent properties;
 - b. To the extent practicable, vehicle accommodation areas associated with uses on lots in this district shall be located in the rear of buildings so that parking areas are not readily visible from the streets, unless doing so would adversely affect adjoining residential properties;
 - c. Whenever a new building is erected in this district, (i) the exterior walls shall be constructed of materials commonly used on the exterior walls of single-family residences (such as brick, stone, wood, or fabricated residential lap siding made of hardboard, vinyl, or aluminum); (ii) the pitch of the roof shall have a minimum vertical rise of one foot for every five feet of horizontal run; provided that this requirement shall not apply to lots that have frontage on any street where, within the same block as the property in question, at least 75% of the buildings (in place on April 16, 1991) that front along the same side of the street do not have roofs that comply with this pitched roof standard; and (iii) windows shall be of a type commonly used in single-family residences;

Art. IX ZONING DISTRICTS AND ZONING MAP

- d. Manufacturer's specifications for proposed outdoor lighting fixtures (including candlepower distribution) must be included in the submitted plans and maximum illumination areas must be delineated on the site plan. Light sources (light bulbs or tubes) shall be shielded to reflect down onto the ground and not out onto neighboring properties. **(AMENDED 4/16/91)**
- (10) **O/A OFFICE/ASSEMBLY.** This district is intended to provide for office, administrative, professional, research, and specialized manufacturing (such as light assembly and processing) activities in close proximity to an arterial street. This district is intended to provide employment near residential areas; therefore, the required development standards are intended to be compatible to adjacent residential uses and provide a park-like setting for employment. It is strongly encouraged that development in the Office/Assembly zoning district be designed so that employees may easily utilize alternative forms of transportation (such riding buses, cycling or walking) to commute to their place of employment. Any development within the Office/Assembly (O/A) district shall comply with the following requirements: **(AMENDED 5/25/99; 5/28/02)**
- a. No area less than five contiguous acres may be zoned as an Office/Assembly district;
 - b. The performance standards (Article XI, Part I) applicable to 4.000 classification uses in business zones shall govern uses in an Office/Assembly zone;
 - c. As shown in Section 15-308, Table of Screening Requirements, screening will be required between non-residential uses in the Office/Assembly district and adjacent residential properties;
 - d. Manufacturer's specifications for proposed outdoor lighting fixtures (including candlepower distribution) must be included in the submitted plans and maximum illumination areas must be delineated on the site plan. Light sources (light bulbs or tubes) shall be shielded to reflect down onto the ground and not out onto neighboring properties. **(AMENDED 4/16/91)**
 - e. Not more than 25 percent of the total building gross floor constructed within the proposed district may be used for uses permissible within this district that fall within the 2.000 classification.

- (11) **O/A CU OFFICE/ASSEMBLY CONDITIONAL USE.** **(REPEALED 6/22/21)**

Section 15-136.1 Historic Rogers Road Districts Established. **(AMENDED 6/18/2019; 2/9/21)**

- (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*

Art. IX ZONING DISTRICTS AND ZONING MAP

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 5 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 15-137 Manufacturing Districts Established. (AMENDED 6/22/82; 2/4/86)

(1) The M-1 and M-2 districts are hereby created to accomplish the purposes and serve the objectives set forth in this subsection. Part of Article XI contains performance standards that place limitations on the characteristics of uses located in the districts created by this section.

- (a) **M-1 LIGHT MANUFACTURING.** This zone is designed to accommodate a limited range of industrial activities and a wide range of commercial uses including wholesaling, storage, mail-order, auto related, and office and retail in conjunction with industrial or wholesaling uses. Permitted industrial uses include enterprises engaged in manufacturing, processing, creating, repairing, renovating, painting, cleaning and assembly where all operations are contained inside a fully enclosed building. The performance standards for the M-1 zone located in Part I of Article XI are more restrictive than those in the M-2 district.
- (b) **M-2 GENERAL MANUFACTURING.** This district is designed to accommodate the widest range of industrial uses. Business operations may be conducted within and outside a fully enclosed building. The performance standards for this zone are less restrictive than those in the M-1 district.

(2) There is also established a watershed light industrial (WM-3) zoning district. The purpose of this district is to allow areas within the University Lake Watershed that have been zoned M-1 prior to the effective date of this subdivision to continue to be used and developed for light industrial and related purposes, subject to certain restrictions designed to protect the watershed. Consistent with the purpose of this zone, this district shall be confined to that area zoned M-1 on the effective date of this subsection (12/7/1983); this area shall not be expanded and no new WM-3 areas shall be designated. For the purposes of this section, changes to make WM-3 zoning uniform on lots that were depicted as entirely within the M-1 zoning at the time of its establishment, but that were later depicted as being bisected by the zoning boundary, will not be considered an expansion of the district or the creation of new WM-3 areas. **(AMENDED 12/7/83; 06/27/17)**

(3) There is also established a Planned Industrial Development (PID) zoning district. The purpose of this district is to provide for the possibility of well-planned and tightly controlled industrial development in areas that are suitable for such development but that are not deemed appropriate for M-1 or M-2 zoning because of the less restricted types of development that may occur in such zones. **(AMENDED 6/22/82; 12/7/83)**

- (a) No area less than twenty contiguous acres may be zoned as a Planned Industrial Development district, and then only upon a request submitted by or on behalf of the owner or owners of all the property intended to be covered by such zone.

- (b) As indicated in the Table of Permissible Uses (Section 15-146) a planned industrial development (use classification 30.000) is the only permissible use in a PID zone.
- (c) Subject to subdivision (2) of this subsection, and consistent with the restrictions contained in the definition of a planned industrial development [see Subdivision 15-15], land within a PID zone may be used in a manner that would be permissible if the land were zoned M-1, except that (i) the only permissible uses are those described in the 2.130 and 4.100 classifications and (ii) the performance standards (Article XI, Part I) applicable to 4.100 uses in business zones shall govern uses in a planned industrial development.

Section 15-138 Public Facilities District Established.

There is hereby created a Public Facilities (P-F) zoning district. Within this district, those uses indicated as permissible in the Table of Permissible Uses may be developed, but only if such developments are owned and operated by the United States, the State of North Carolina, Orange County, the Town of Carrboro, or any agency, department, or subdivision of the foregoing governments.

Section 15-139 Planned Unit Development District Established.

(1) There are hereby established sixty different Planned Unit Development (PUD) zoning districts as described in this section. Each PUD zoning district is designed to combine the characteristics of at least two and possibly three zoning districts. **(AMENDED 2/24/87)**

- (a) One element of each PUD district shall be the residential element. Here there are six possibilities, each one corresponding to one of the following residential districts identified in Section 15-135: R-20, R-15, R-10, R-7.5, R-3, or R- S.I.R. Within that portion of the PUD zone that is developed for purposes permissible in a residential district, all development must be in accordance with the regulations applicable to the residential zoning district to which the particular PUD zoning district corresponds.
- (b) A second element of each PUD district shall be the commercial element. Here there are five possibilities, each one corresponding to either the B-1(g), B-2, B-3, O, or O/A zoning districts established by Section 15-136. Within that portion of a PUD district that is developed for purposes permissible in a commercial district, all development must be in accordance with the regulations applicable to the commercial district to which the PUD district corresponds. **(AMENDED 2/04/97)**
- (c) A manufacturing/processing element may be a third element of any PUD district. Here there are two alternatives. The first is that uses permitted within the M-1 district would be permitted within the PUD district. The second alternative is that uses permitted only within the M-1 or M-2 zoning districts

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would not be permitted. If an M-1 element is included, then within that portion of the PUD district that is developed for purposes permissible in an M-1 district, all development must be in accordance with the regulations applicable to the M-1 district.

The sixty different PUD zoning districts are derived from the various combinations of possible alternatives within each of the three elements -- residential, commercial, manufacturing/processing. For example, there is an R-20/B-1(g)/M-1 district, an R-20/B-2/M-1 district, an R-20/B-2 district, an R-15/B-1(g)/M-1 district, etc. (AMENDED 2/04/97)

(2) No area of less than twenty-five contiguous acres may be zoned as a Planned Unit Development district, and then only upon the request of the owner or owners of all of the property intended to be covered by such zone.

(3) As indicated in the Table of Permissible Uses (Section 15-146), a planned unit development (use classification 28.000) is the only permissible use in a PUD zone, and planned unit developments are permissible only in such zones.

Section 15-140 Residential High Density and Commercial Overlay District. (AMENDED 2/4/86)

There is hereby created a Residential High Density and Commercial Overlay (RHDC) zoning district. The purpose of this district is to provide for the redevelopment of deteriorating commercial and manufacturing areas in a manner that is consistent with commercial development goals of the town, namely, for compact, compressed town center growth, for a substantial increase in residential opportunities near the town center, and for mixed use development in the downtown. Property that lies within this overlay district may be developed in accordance with either the regulations applicable to the underlying district or the following regulations:

- (1) To take advantage of provisions applicable to the RHDC overlay district, lots must contain at least one and one half acres of contiguous land under single ownership.
- (2) Uses permissible shall be those permissible within either the R-2 district or the B-1(c) district, or both, except that subdivisions other than architecturally integrated subdivisions shall not be allowed.
- (3) Residential density shall be determined as if the property were zoned R-2.
- (4) Twenty percent of the lot area shall remain as usable open space (see Section 15-198), except that where the development seeks to provide interior open space or indoor hard court, pool, or other active recreation facilities in excess of the basic requirement set forth in Article XIII, the permit-issuing authority may reduce the open space requirement to reflect the quality and amount of such facilities. The developer may substitute grassed areas, lawn, gardens, and shrubbed space for wooded space in meeting the requirements of 15-198(b)(3).

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- (5) Subject to subdivision (6), the amount of floor area set aside or used for purposes not permissible within the R-2 district (i.e., commercial uses) may not exceed ten percent of the floor area used for residential purposes.
- (6) Where at least one-third of the total number of parking spaces for the development are provided on a tier or level other than ground level (as with underground parking or a two tier parking garage) and where the open space is increased to 40% of the development tract, the development may either (i) increase the commercial floor area over that allowed in subdivision (5) to 25% of the floor area in residential use, or (ii) increase the density for residential use to 1,500 square feet per dwelling unit.
- (7) The maximum building height for the district shall be 50 feet. A building that is over 35 feet shall be set-in and setback 2 additional feet for every additional foot above 35 feet in height.
- (8) Commercial space shall be located at ground level or on the top level of a building.
- (9) Except as otherwise provided herein, the regulations applicable to land within an R-2 district shall apply to property within a RHDC district.

Section 15-140.1 Office-Residential Mixed Use District. (AMENDED 6/20/06)

(a) There is hereby created an Office-Residential Mixed Use (OR-MU) zoning district. The purpose of this district is to provide for mixed use developments, i.e. developments that contain both residential and non-residential elements, within areas that are near the downtown commercial districts.

(b) Any lot within the OR-MU district that exists on the effective date of this section or that is hereafter created may be developed and used for those purposes within the 3.000 classification that are permissible within the B-2 zoning district, subject to the same permitting requirements and other applicable regulations of this chapter, just as if the property were zoned B-2.

(c) Any lot or tract within the OR-MU district may be developed as a mixed use project in accordance with the provisions of this subsection.

- (1) Development of property under this subsection requires the issuance of a special use permit-A by the Town Council in accordance with the applicable provisions of this chapter.
- (2) A mixed use project approved under this subsection must have both a residential and a nonresidential component.
- (3) At least one-half but not more than two-thirds of the gross floor area of the mixed use development shall consist of residential uses listed in use classifications 1.100, 1.200, 1.300, or 1.400, 1.510 (hotels and motels) and

1.520 (tourist homes and other temporary residences), provided that use classifications 1.510 and 1.520 shall not comprise more than one-third of the residential component. However, the residential component of the mixed use development may be increased to ninety percent of the floor area of the mixed use development if the developer donates to a non-profit agency engaged in providing affordable housing at least ten percent of the total acreage within the development and enters into an enforceable agreement with such agency to construct on such land and convey to the agency, at not more than the developer's cost, the number of housing units for which the agency obtains a permit. For purposes of this subsection, the phrase "within the development" means within the area covered by the special use permit-A issued for the mixed use development as well as any adjacent property that is or was owned by the developer of the mixed use project and that is conveyed to a non-profit agency and developed for affordable housing as described herein, even if such other area is not located with the Town of Carrboro.

- (4) The permissible residential density within the mixed use development shall be calculated as if the development were zoned R-3, except that the density shall be calculated as if the property were zoned R-2 if the developer conveys at least ten percent of the land within the development to a non-profit agency and constructs on that land affordable housing as described in subsection (c)(3) above. For purposes of this subsection, if land that is not located within the Town of Carrboro is regarded as "within the development" as that phrase is defined in subsection (c)(3) above, then such area shall be considered part of the development for purposes of calculating the permissible residential density under this subsection.
- (5) Subject to the other provisions of this subsection, the dimensional and other requirements of this chapter applicable to the R-3 district shall apply to a mixed use development permitted under this section. However, the maximum height of buildings within the mixed use development, shall be four stories, except that a fifth story shall be permitted if the developer conveys at least ten percent of the land within the development to a non-profit agency and constructs on that land of affordable housing as described in subsection (c)(3) above. Notwithstanding other provisions of this chapter, any parking levels that are constructed underneath a building within a mixed use development and that are at least in substantial part constructed below the ground service levels shall not be regarded as "stories" for purposes of the height limitations established herein.
- (6) Permissible uses within the commercial component of the mixed use shall be those listed in the following use classifications within the Table of Permissible Uses: (i) use classification 3.100; (ii) use classifications 2.110, 2.112, 2.120, 2.130, 2.150, 2.210, 2.220, provided that such uses do not comprise more than fifty percent of the total commercial space within the

mixed use development; and (iii) restaurant uses 8.100, 8.200, and 8.500, so long as any one restaurant business does not occupy more than 1,500 square feet of gross floor area and so long as such restaurant uses do not operate during the hours of 2:00 a.m. to 6:00 a.m.

- (7) A mixed use development may be constructed in phases as provided in Section 15-61. However, the phasing plan shall ensure that, as buildings are constructed and occupied, the relative mix of residential and commercial floor space remains substantially consistent with the percentages approved in the plans.
- (8) If portions of the mixed use development are subdivided, the final plat shall contain notations indicating any limitations on uses or the sequencing of development created as a result of approval of the development as a mixed use under this section.

Section 15-141 Neighborhood Preservation District Established. (AMENDED 9/26/89; 11/21/95; 5/27/08)

(a) There are hereby established an Historic District (HD) and a Neighborhood Preservation District (NPD).

- (1) **HD HISTORIC DISTRICT.** This district is designed to apply to areas which are deemed to be of special significance in terms of their history, architecture and/or culture, and to possess integrity of design, setting, materials, feeling and association. The historic district is one of Carrboro's most valued and important assets and is established for the following purposes: to protect and conserve the heritage of Carrboro, Orange County and the State of North Carolina; to preserve the social, economic, cultural, political, and architectural history of the district and its individual properties; to promote the education, pleasure and enrichment of residents in the district and Carrboro and Orange County and the State as a whole; to encourage tourism and increased commercial activity; to foster civic beauty; and to stabilize and enhance property values throughout the district as a whole, thus contributing to the improvement of the general health and welfare of Carrboro and any residents of the district.
- (2) **NPD NEIGHBORHOOD PRESERVATION DISTRICT.** This district is designed to apply to areas which are deemed to possess form, character, and visual qualities from arrangements or combinations of architectural or appurtenant features or places of historical or cultural significance that create an image of stability, local identity, and livable atmosphere. This district is established to achieve the same objectives and purposes as those set forth above with respect to the historic district.

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(b) The HD and NPD districts are overlay districts, and properties within these districts are subject to the regulations applicable to the underlying district as well as the requirements set forth in Article XXI of this chapter.

Section 15-141.1 Jordan Lake Watershed District Established. (AMENDED 10/15/96)

(a) There is hereby established an overlay district to be known as the Jordan Lake Watershed Protection District (JLWP). The purpose of this overlay district is to provide for the imposition of regulations applicable to areas within the town's planning jurisdiction that are part of the Jordan Lake WS-IV Watershed in order to comply with the provisions of Article 21, Chapter 143 of the North Carolina General Statutes.

(b) Because the JLWP district is an overlay district, properties within this district are subject to the regulations applicable to the underlying district as well as the requirements of the JLWP district.

Section 15-141.2 Village Mixed Use District Established. (AMENDED 5/25/99)

(a) There is hereby established a Village Mixed Use (VMU) district. This district is established to provide for the development of rural new villages at a scale intended to continue Carrboro's small town character as described in its Year 2000 Task Force Report and to promote a traditional concept of villages. The applicant for rezoning to this district must demonstrate that its planning, design and development will achieve, but not necessarily be limited to, all of the following specific objectives:

- (1) The preservation of open space, scenic vistas, agricultural lands and natural resources within the Town of Carrboro and its planning jurisdiction and to minimize the potential for conflict between such areas and other land uses;
- (2) The creation of a distinct physical settlement surrounded by a protected landscape of generally open land used for agricultural, forest, recreational and environmental protection purposes.
- (3) Dwellings, shops, and workplaces generally located in close proximity to each other, the scale of which accommodates and promotes pedestrian travel for trips within the village.
- (4) Modestly sized buildings fronting on, and aligned with, streets in a disciplined manner.
- (5) A generally rectilinear pattern of streets, alleys and blocks reflecting the street network in existing small villages which provides for a balanced mix of pedestrians and automobiles.
- (6) Squares greens, landscaped streets and parks woven into street and block patterns to provide space for social activity, parks and visual enjoyment.

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- (7) Provision of buildings or structures, open to all residents of the VMU development, for civic assembly or for other common purposes that act as visual landmarks and symbols of identity within the community. **(AMENDED 5/28/2019)**
- (8) A recognizable, functionally diverse, but visually unified village focused on a village green or square.
- (9) Development of a size and scale, which accommodates and promotes pedestrian travel rather than motor vehicle trips within the village.
- (10) Compliance with the policies embodied in this chapter for the development of a village mixed use.

(b) The VMU district shall be a conditional district authorized under G.S. 160D-703(b). As such, property may be placed within this district only in response to a petition by the owners of all the property to be included. **(AMENDED 6/22/21)**

(b1) Pursuant to G.S. sections 160D-705(c) and 160D-102(30), any VMU district adopted as a conditional use district, in accordance with this section and Article XX of this chapter, prior to June 22, 2021 shall be deemed a conditional district and the conditional use permit issued concurrently with the establishment of the district shall be deemed a valid special use permit-A. **(AMENDED 6/22/21)**

(c) As indicated in the Table of Permissible Uses, the only permissible use within a VMU district is a village mixed use development, and a village mixed use development is only permissible within a VMU district.

(d) Property may be rezoned to the VMU district only when the property proposed for such rezoning:

- (1) Comprises at least fifty, but not more than two hundred, contiguous acres. For purposes of this subsection, acreage is not “contiguous” to other acreage if separated by a public street or connected only at a point less than one hundred feet in width; and
- (2) Is so located in relationship to existing or proposed public streets that traffic generated by the development of the tract proposed for rezoning can be accommodated without endangering the public health, safety, or welfare; and
- (3) Will be served by OWASA water and sewer lines when developed.

(e) No more than 350 gross acres may be rezoned to the VMU district and no more than three villages may be approved.

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(f) Nothing in this section is intended to limit the discretion of the Town Council to deny an application to rezone property to a VMU district if it determines that the proposed rezoning is not in the public interest.

(g) When a VMU rezoning application is submitted (in accordance with Article XX of this ordinance), the applicant shall simultaneously submit a master plan for the proposed village mixed use development, in accordance with the following provisions. **(AMENDED 6/22/21)**

- (1) The master plan shall show, through a combination of graphic means and text (including without limitation proposed conditions to be included in the rezoning for the proposed development):
 - a. The location, types, and densities of residential uses;
 - b. The location, types, and maximum floor areas and impervious surface areas for non-residential uses;
 - c. The location and orientation of buildings, parking areas, recreational facilities, and open spaces;
 - d. Access and circulation systems for vehicles and pedestrians;
 - e. How the development proposes to satisfy the objectives of and comply with the regulations applicable to a village mixed use development as set forth in Section 15-176.2 of this chapter;
 - f. How the development proposes to minimize or mitigate any adverse impacts on neighboring properties and the environment, including without limitation impacts from traffic and stormwater runoff; and
 - g. How the development proposes to substantially comply with the town's recommended "Village Mixed Use Vernacular Architectural Standards." **(AMENDED 8/22/06).**
- (2) The planning board, Northern Transition Advisory Committee, Appearance Commission, Environmental Advisory Board, Transportation Advisory Board (and other advisory boards to which the Town Council may refer the application) shall review the proposed master plan as part of the applicant's rezoning request. In response to suggestions made by the planning board (or other advisory boards), the applicant may revise the master plan before it is submitted to the Town Council. **(AMENDED 6/22/21)**
- (3) Applicants for VMU districts that are located within the Transition Area portion of the Carrboro Joint Development Area as defined within the Joint Planning Agreement should meet with Carrboro Town and Orange County Planning staff prior to the formal submittal of an application to informally

discuss the preliminary rezoning development plan. **(REWRITTEN 6/22/21)**

- (4) Approval of a VMU rezoning application with a master plan under this section does not obviate the need to obtain a special use permit-A for the village mixed use development in accordance with the provisions of Section 15-176.2 of this chapter. **(REWRITTEN 6/22/21)**
 - a. In addition to other grounds for denial of a special use permit-A application under this chapter, a special use permit-A for a village mixed use development shall be denied if the application is inconsistent with the approved master plan in any substantial way. Without limiting the generality of the foregoing, an application for a special use permit-A is inconsistent in a substantial way with a previously approved master plan if the plan of development proposed under the special use permit-A application increases the residential density or commercial floor area permissible on the property or decreases or alters the location of open space areas.
 - b. No special use permit-A for a village neighborhood mixed use development may be denied for reasons set forth in Subsection 15-54(c)(4) if the basis for such denial involves an element or effect of the development that has previously been specifically addressed and approved in the master plan approval process, unless (i) it can be demonstrated that the information presented to the Town Council at the master plan approval stage was materially false or misleading, (ii) conditions have changed substantially in a manner that could not reasonably have been anticipated, or (iii) a basis for denial for reasons set forth in Subsection 15-54(c)(4) is demonstrated by clear and convincing evidence.
- (5) Subject to Subsection 15-141.2(g)(4)b, a master plan approved under this section as a condition of the conditional rezoning may only be amended in accordance with the provisions applicable to a rezoning of the property in question. Notwithstanding the foregoing, the Council may consider as a condition to the rezoning, parameters for future minor modifications to the master plan. All other requests for modifications shall be considered in accordance with the standards in subsection 15-141.4(g). [See also sections 15-128.2 and 15-128.3 for modifying or extending site specific vesting plans and vested rights.] **(REWRITTEN 6/22/21)**

Section 15-141.3 Conditional Use Zoning Districts. (REPEALED 6/22/21)

Pursuant to G.S. sections 160D-705(c) and 160D-102(30), any 'conditional use zoning district,' adopted in accordance with section 15-141.3 and Article XX of this chapter prior to July 1, 2021, shall automatically be converted to a 'conditional zoning district' and the 'conditional use permit'

issued concurrently with the establishment of the district shall be deemed a valid 'special use permit-A.' (AMENDED 5/25/04; 4/28/15; 10/23/18 AMENDED)

Section 15-141.4 Conditional Zoning Districts. (AMENDED 5/27/08; REWRITTEN 6/22/21)

(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 conventional 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, O/A-CZ, M-1-CZ, M-2-CZ, M-3-CZ (AMENDED 4/27/10; 6/23/15; 10/23/18)

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

(b) The conditional zoning districts authorized by this section may be applied to property only in response to a petition signed by all the owners of the property to be included within such district.

(c) Subject to the provisions of subsections (k), (l), and (n), the uses permissible within a conditional zoning district authorized by this section, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the conventional use zoning district to which the conditional district corresponds, except as those uses and regulations are limited by conditions imposed pursuant to subsection (f) of this section. For example, property that is rezoned to a B-2-CZ district may be developed in the same manner as property that is zoned B-2, subject to any conditions imposed pursuant to subsection (d). (AMENDED 10/23/18)

- (1) Property that is zoned B-4-CZ may be developed for use classifications 1.231 (duplex, maximum 20% units > 3 bedrooms/dwelling unit), 1.241 (two family apartment, maximum 20% units > 3 bedrooms/dwelling unit), 1.321 (multi-family residences, maximum 20% units > bedrooms/dwelling unit and 1.331 (multi-family, maximum 20% units > 3 bedrooms/dwelling unit) 1 in addition to other uses permissible in the B-4 district, subject to a special use permit-A, and the following: (i) not more than 25% of the total land area covered in this district may be developed for such uses; and (ii) the area developed for such uses shall have a minimum of 1,500 square feet per dwelling unit (except that applicable density bonuses shall apply).

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- (2) Except as otherwise provided in this section, the uses that are permissible within a M-3-CZ district, and the regulations applicable to property within such a district shall be those uses and those regulations that would be applicable to any property zone M-1-CZ (i.e. excluding specific conditions made applicable to any property zoned M-1-CZ) with the addition of use 3.230.
- (3) Property that is zoned O/A-CZ shall be subject to all regulations applicable to the O/A district (including but not limited to the performance standards set forth in part I of Article XI), except as follows:
 - a. No area less than four contiguous acres and no more than a total of twenty-five (25) acres may be rezoned to the O/A-CZ.
 - b. Uses within the O/A-CZ district shall be limited to those where loading and unloading occurs during daylight hours only.
 - c. Buildings within the O/A-CZ district shall comply with the following standards:
 - 1. Exterior walls shall be constructed of materials commonly used on the exterior walls of single-family residences (such as brick, stone, wood or fabricated residential lap siding made of hardboard or vinyl).
 - 2. The pitch of the roof shall have a minimum vertical rise of one foot for every two feet of horizontal run.
 - 3. Windows shall be of a scale and proportion typically of single-family residences.

(d) When a rezoning petition for a conditional zoning district is submitted (in accordance with Article XX of this chapter), the application shall include a list of proposed conditions (which may be in the form of written statements, graphic illustrations, or any combination thereof) to be incorporated into the ordinance that rezones the property to the requested conditional zoning district. The rezoning petition for a VMU district, described in subsection 15-141.2(g)(1), shall include a master plan as a condition of the approval.
(AMENDED 10/25/16)

(e) A rezoning petition may be submitted to allow use classification 3.260 Social Service Provider with Dining within a building of more than two stories or 35 feet in height.
(AMENDED 10/25/16)

- (1) The petition shall include information that demonstrates that, if the project is completed as proposed, it:

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- a. Will not substantially injure the value of adjoining or abutting property; and
- b. Will be in harmony with the area in which it is to be located. The manner in which a project is designed to accommodate additional building height including, but not limited to, scale, architectural detailing, compatibility with the existing built environment and with adopted policy statements in support of vibrant and economically successful and sustainable, mixed-use, core commercial districts shall be among the issues that may be considered to make a finding that a project is or is not in harmony with the area in which it is to be located. The applicant may use a variety of graphic and descriptive means to illustrate these findings; and
- c. Will be in general conformity with the Comprehensive Plan, Land Use Plan, long range transportation plans, and other plans officially adopted by the Council. **(AMENDED 3/22/16, 10/25/16)**

- (2) All relative provisions of the Land Use Ordinance shall apply except to the extent that such provisions are superseded by the provisions of this section or any conditions incorporated into the conditional zoning district described in subsection (d) and (f). **(AMENDED 10/25/16)**

(f) The specific conditions proposed by the petitioner or the Town may be modified by the planning staff, advisory boards or Town Council as the rezoning application works its way through the process described in Article XX, but only those conditions mutually approved by the Town and consented to by the petitioner in writing may be incorporated into the zoning regulations. Unless consented to by the petitioner in writing, the town may not require, enforce, or incorporate into the zoning regulations any condition or requirement not authorized by otherwise applicable law, including, without limitation, taxes, impact fees, building design elements within the scope of G.S. 160D-702(b), driveway-related improvements in excess of those allowed in G.S. 136-18(29) and G.S. 160A-307, or other unauthorized limitations on the development or use of land. Conditions and site-specific standards imposed in a conditional district shall be limited to those that address the conformance of the development and use of the site to the requirements of this chapter, or the impacts reasonably expected to be generated by the development or use of the site.

(g) Except as allowed under minor modifications below, all changes to conditional zoning districts are major amendments and shall follow the same process as for the original approval as described in this section and in Article XX. Changes to conditional zoning districts may also require amendments or modifications to associated special use permits, zoning permits or sign permits for the development as pursuant to Section 15-64.

- (1) Minor modifications in conditional zoning districts may be reviewed and approved administratively subject to the following limitations:

The minor modification:

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- a. Does not involve a change in uses permitted or the density overall of the development permitted;
- b. Is a limited minor change that does not have a substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development, such as, without limitation, a minor adjustment to internal road or parking configuration, a minor adjustment to building location, or a minor adjustment to internal tree screening or other landscaping, or a minor adjustment to utility location;
- c. Does not increase the impacts generated by the development on traffic, stormwater runoff, or similar impacts beyond what was projected for the original development approval;
- d. Meets all other applicable conditions of the rezoning; and
- e. Meets all other ordinance requirements.

- (2) For a conditional zoning district applicable to multiple parcels, the owners of individual parcels may apply for a minor modification or major amendment so long as the change would not result in other properties failing to meet the terms of the conditions. Any approved changes shall only be applicable to those properties who owners petition for the change.

(h) A decision on a minor modification may be appealed to the Board of Adjustment as an administrative determination as provided for in subsection 15-93.1. An application for a minor modification does not preclude an applicant from seeking a variance from the Board of Adjustment.

(i) All uses that are permissible in the conditional zoning district shall require the issuance of the same type of permit that such use in the corresponding conventional use district would ordinarily require (according to the Table of Permissible Uses), i.e. a special use permit-A, special use permit-B, or zoning permit.

(j) Notwithstanding the foregoing, all uses that are permissible in the B-4-CZ zoning district and M-3-CZ zoning district shall require the issuance of a special use permit-A. **(AMENDED 10/23/18)**

(k) Notwithstanding the foregoing, in approving a rezoning to a B-1(g) – CZ zoning district, the Town Council may authorize the property so zoned to be developed at a higher level of residential density than that otherwise permissible in B-1(g) zoning districts under Section 15-182 if the rezoning includes conditions that provide for site and building elements that will create a more vibrant and successful community. Site and building elements are intended to be selected from at least three of the following seven areas: stormwater management, water conservation,

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energy conservation, on-site energy production, alternative transportation, provision of affordable housing, and the provision of public art and/or provision of outdoor amenities for public use. Conditions that may be included to meet the above stated objective include but shall not be limited to the following: **(AMENDED 11/9/11)**

- (1) Reduction in nitrogen loading from the site by at least 8% from the existing condition, as determined by the North Carolina Stormwater Nitrogen and Phosphorus (SNAP) Tool.
- (2) Energy performance in building requirements to meet one or more of the following.
 - a. Achieve 40% better than required in the Model Energy Code, which for NC, Commercial is ASHRAE 90.1-2004-2006 IECC equivalent or better, and Residential is IECC 2006, equivalent or better).
 - b. “Designed to Earn the Energy Star” rating.
 - c. Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard measured from the regional (or country) average for that building type.
 - d. AIA goals of integrated, energy performance design, including resource conservation resulting in a minimum 50 percent or greater reduction in the consumption of fossil fuels used to construct and operate buildings.
 - e. LEED certification to achieve 50% CO2 emission reduction, or LEED silver certification
 - f. US Conference of Mayors fossil fuel reduction standard for all new buildings to carbon neutral by 2030.
 - g. Specific energy saving features, including but not limited to the following, are encouraged.
 - i. Use of shading devices and high performance glass for minimizing heating and cooling loads
 - ii. Insulation beyond minimum standards;
 - iii. Use of energy efficient motors/HVAC;
 - iv. Use of energy efficient lighting;
 - v. Use of energy efficient appliances
 - vi. LED or LED/Solar parking lot lighting (50-100% more efficient).
 - vii. Active and passive solar features.
- (3) Provision of onsite facilities (e.g. solar, wind, geothermal) that will provide 5% of electricity demand associated with the project.
- (4) Use of harvested rainwater for toilet flushing.
- (5) Parking lot meets the standard for a “green” parking lot, per the EPA document Green “Parking Lot Resource Guide.”

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- (6) Inclusion of Low Impact Development features.
- (7) Provision of covered bike parking sufficient to provide space for one space per every two residential units.
- (8) Provision of a safe, convenient, and connected internal street system or vehicle accommodation area designed to meet the needs of the expected number of motor vehicle, bicycle, pedestrian, and transit trips.
- (9) Inclusion of at least one (1) parking space for car sharing vehicles.
- (10) Provision of public art and/or outdoor amenities for public use.
- (11) Use of surface materials that reflect heat rather than absorb it.
- (12) Use of devices that shade at least 30% of south-facing and west-facing building facades.
- (13) Provision of affordable housing in accordance with Town policy.

(l) If a B-1(g) – CZ zoning district is created and, pursuant to subsection (k) of this section, a higher level of residential density than that otherwise permissible in B-1(g) zoning districts is approved for that district, then it shall be a requirement of such district that at least twenty percent (20%) of the total leasable or saleable floor area within all buildings located within such zoning district shall be designed for non-residential use. Occupancy permits may not be given for residential floor area if doing so would cause the ratio of residential floor area for which an occupancy permit has been issued to non-residential floor area for which an occupancy permit has been issued to exceed four to one (4:1). **(AMENDED 11/9/11)**

(m) For property that is zoned B-4-CZ, the Town Council may approve a special use permit-A that authorizes the tract to be divided into two or more lots, so long as (i) the application for the special use permit-A contains sufficient information to allow the Town Council to approve (and the Council does approve) such subdivision (including without limitation the street system, stormwater control system, open spaces, and all other common areas and facilities outside the boundaries of the subdivided lots) as well as the development of at least one of the lots within the subdivided tract, all in accordance with the applicable standards and requirements of this chapter (i.e. The subdivision and development of such lot(s) require no further review by the Council); and (ii) the application specifies (as a proposed condition on the CUP) the use or uses, maximum height, and maximum floor area of any structure(s) allowed on each lot for which the application does not provide sufficient information to allow development approval by the Council. (Amended 10/23/18)

- (1) Notwithstanding the provisions of subsection 15-64(d), with respect to lots for which the application for a special use permit-A for the entire tract does not provide sufficient information to allow development approval of such lots by the Council, the Council shall specify (by way

of a condition upon the special use permit-A) whether development approval of such lots shall be regarded as an insignificant deviation or a minor modification, or shall require a new application. In making this determination, the Council shall consider the extent to which the initial special use permit-A imposes limitations on the use and design of each such lot beyond the minimum requirements of this section. The Council's determination as to the type of approval of such lots shall apply only to applications that are consistent with the permit previously approved by the Council. Such applications may be submitted by persons who have an interest (as described in Section 15-48) only in such lots, rather than the developer of the entire tract zoned B-4-CZ.

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

(n) For property that is zoned M-3-CZ, pursuant to subsection 15-141.4(c)(2) the following provisions shall apply.

- (1) If the Town Council concludes that a proposed development of property zoned M-3- CZ will contain site and building elements that will create a more vibrant and successful community and provide essential public infrastructure, the Council may approve a special use permit-A that allows up to a specified maximum percentage of the gross floor area of the development to be devoted to any combination of uses 8.100, 8.200, 8.500, 8.600, and 8.700. The specified maximum percentage of the gross floor area of the development that may be devoted to such uses shall be proportional to the extent to which the development provides site and building elements that exceed the basic requirements of this ordinance. Such site and building elements are intended to be selected from the following five areas: stormwater management and water conservation; substantial transportation improvement and alternative transportation enhancement; on-site energy production and energy conservation; creation of new and innovative light manufacturing operations; and the provision of public art and/or provision of outdoor amenities for public use.
- (2) The following relationships between site and building elements and uses are hereby deemed to satisfy the standard set forth in subdivision (1) of this subsection: (i) up to fifteen percent of the gross floor area of a development approved pursuant to this section may be devoted to any combination of uses 8.100, 8.200, 8.500, 8.600, and 8.700 if the development includes at least fifteen percent of the examples of performance measures from the five areas of site and building element categories set forth below; (ii) up to thirty percent of the gross floor area of a development approved pursuant to this section may be devoted to any combination of the foregoing uses if the

development includes at least thirty percent of the examples of performance measures from the five areas of site and building element categories set forth below; and (iii) up to forty percent of the gross floor area of a development approved pursuant to this section may be devoted to any combination of the foregoing uses if the development includes at least forty percent of the examples of performance measures from the five areas of site and building element categories set forth below. In addition, the Council may allow up to forty percent of a development approved pursuant to this section to be devoted to any combination of the foregoing uses if it concludes that the development will be making a substantial enough investment in one or more of the performance measures listed below to satisfy the standard set forth in subdivision (1) of this subsection.

Performance Measures

Site and Building Element Categories	Examples of Performance Measures
Stormwater management and Water conservation	1) Substantial stormwater retrofits 2) Reduction in nitrogen loading from the site by at least 8 percent from the existing condition, as determined by the Jordan Lake Accounting Tool
Substantial transportation improvement and Alternative transportation enhancement	3) Provision of a safe, convenient, and connected internal street system or vehicle accommodation area designed to meet the needs of the expected number of motor vehicle, bicycle, pedestrian, and transit trips 4) Substantial improvement to public infrastructure, such as enhanced bicycle and pedestrian paths, or access to transit 5) Construction of substantially improved site entrance, intersection
On-site energy production and energy conservation	6) Meets or exceeds standards for LEED Gold certification 7) Installation of active and passive solar features such as sufficient solar arrays to account for 50 percent or more of the electrical usage for the property 8) Use of harvested rainwater for toilet flushing 9) Use of devices that shade at least 30 percent of south-facing and west-facing building elevations 10) Use of low emissivity (low-e ²) windows along south-facing and west-facing building elevations

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	<p>11) Installation of attic insulation that exceeds the current building code R-value rating by 35 percent or greater</p> <p>12) Use of geothermal heat system to serve the entire complex</p> <p>13) Use of LED fixtures for parking and street lights</p> <p>14) Meets the Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard, measured from the regional (or country) average for that building type or the US Conference of Mayors fossil fuel reduction standard for all new buildings to carbon neutral by 2030</p>
Creation of new and innovative light manufacturing operations	<p>15) The development of clean, innovative light manufacturing operation(s) that creates employment for a more than ten workers</p> <p>16) Incorporates technologies to reduce production waste by 50 percent or more</p>
The provision of public art and/or provision of outdoor amenities for public use	<p>17) Outdoor amenities such as major public art</p> <p>18) Amphitheatre or outdoor theater, outdoor congregating/gathering area</p> <p>19) Outdoor eating facilities</p> <p>20) Outdoor tables with game surfaces, etc.</p>

- (3) In approving a special use permit-A for a development of infill property zoned M-3-CZ, the Council may allow deviations from the otherwise applicable standards relating to public streets as follows:
- a. The Council may approve a curb and gutter street having a right-of-way of not less than 50 feet, travel lanes of not less than 11 feet, divided by a raised concrete median, with a two foot planting strip and a five foot sidewalk if the development provides a separate ten-foot wide paved bike path or shared-use path that constitutes a satisfactory alternative to a bike lane with the street right-of-way if the applicant can demonstrate that the proposed road will provide the functional equivalent to the required street classification standard for all modes of travel from the point of origin to the terminus at the property boundaries.
 - b. The Council may approve a street lighting system consisting of LED lights on 15 foot poles if satisfactory arrangements are made to ensure that all costs associated with the installation, operation, and maintenance of such poles and lights are borne by the developer or the developer's successor, and not the Town.

- c. The Council may approve a street tree planting plan that provides for the installation of fewer 6" caliper trees rather than the planting of more numerous 2" caliper trees required by Section 15-316.

Section 15-141.5 Site Specific, Flexible Zoning District. (AMENDED 6/21/16)

(a) A site specific, flexible zoning district (FLX) may be established in accordance with the provisions of this section. The purpose of such a district is to establish detailed standards for alternative possibilities for the development of a specific tract of land, thereby facilitating the development of that property according to the demands of the market, but in a way that is consistent with sound planning and the promotion of the public health, safety, and welfare.

(b) To be considered for FLX zoning, a tract must (i) be at least twenty-five acres in size, (ii) be, as a whole, owned by or under control or option to be purchased by one or more individuals or entities, (iii) be located adjacent to a major arterial such that, when developed, the principal entrance to such development will be from that arterial, (iv) have been the subject of a site specific planning study by the Town to determine the most appropriate potential development options for such tract. As used herein, the term "site specific planning study" shall mean a collaborative programmatic and design study for the site performed either by, or with the participation of the Town and input from one or more workshops, which shall result in a narrative report and conceptual master plan describing in general terms how the site might be developed and how the conceptual master plan corresponds to and addresses applicable components of all town plans for the area, and applicable conditions, and (v) be located in an area that is subject to an adopted small area plan.

- (1) If the Town receives a request for FLX zoning for a tract that has not been the subject of a site specific planning study as described in Subsection (b)(iv) above, the Planning Director shall present to the Town Council a proposal for undertaking such a study before accepting a formal application for the rezoning. If the Town Council accepts the proposal, the site specific planning study shall proceed as described in the following subsections, or as otherwise directed by the Council.
 - a. The site specific planning study shall be structured as a charrette of a minimum of one day in duration, or more as determined by the Council.
 - b. The Town shall contract a design professional, with no ties to the applicant, to conduct the charrette. The Town may also contract with a qualified facilitator to oversee the charrette process and final reports prepared from the charrette process.
 - c. Participation shall include representatives from advisory boards, neighbors, and members of the public.
 - d. Notice of the date of the charrette will be mailed to residents and property owners within 1000 feet of the subject property, published in the newspaper as well and any other means the Town deems suitable.
- (2) Findings from the site specific planning study report, or narrative, and site plan(s) shall be presented to the Town Council. Subsequent requests for

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FLX zoning shall demonstrate compliance with the findings from the site specific planning study.

- (3) If more than five years have elapsed since the findings from the site specific planning study were presented to the Council and the circumstances relating to the study have substantially changed, the Council may request an update to the study before accepting a request for FLX zoning. Examples of substantial changes in circumstances include but are not limited to: annexation, some or all of the tracts has been subject to a rezoning, unrelated to the FLX district, that increases residential density or changes the types of uses, (i.e. residential to commercial), development on surrounding properties has changed the character or capacity of existing infrastructure.
- (c) A FLX zoning district shall address the following:
- (1) The types of uses that are permissible within the FLX district, along with a maximum (and if applicable, a minimum) percentage of the gross land area that will be devoted to each such use. The description of uses may be in reference to the use classification numbers set forth in the Table of Permissible Uses, or the uses may otherwise be described. The district regulations may also establish density or intensity limitations (expressed in terms of a maximum and/or, if applicable, a minimum number of dwelling units or square feet of building floor area, and applicable ratios, if any if different types of uses within the district).
 - (2) The dimensional restrictions (building height, minimum lot size, setbacks) that shall apply throughout the district. Different restrictions may apply to different portions of the district, depending on the uses located therein. The dimensional restrictions may be described by reference to those applicable within particular zoning districts, or otherwise.
 - (3) Any limitations on the areas within the district where particular types of uses may be allowed.
 - (4) Any architectural standards that will apply to all or designated portions of the district.
 - (5) Any limitations on the timing or sequence of development of various portions of the district.
 - (6) The location of entrances to and exits from the tract zoned FLX.
 - (7) The manner in which the development of the property will comply with the stormwater requirements set forth in Article XVI, Part II. All developed lots within the district shall be subject to these standards, regardless of the amount of land disturbance, but the FLX district may allow the necessary

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stormwater treatment facilities to be constructed to meet these standards on a lot by lot basis, or some other basis that provides effective and efficient treatment for all new construction.

- (8) Any limitations on the location or design of parking lots and facilities.
- (9) Specifications and standards for the internal circulation system serving vehicular and pedestrian traffic, including a statement as to whether such facilities will be dedicated to the Town.
- (10) All infrastructure improvements proposed to be constructed in conjunction with the development of the property zoned FLX (including but not limited to improvements to adjoining streets) together with a schedule that links construction of such improvements to the development of the property.
- (10A) A traffic impact analysis of the FLX zone, including a phase plan or schedule of improvements along with a description of thresholds to require improvements.
- (11) The extent to which, and the manner in which, development within the tract zoned FLX will be required to meet the goals of Low Impact Design and or exceed the standards for LEED gold certification.

(d) Development of any lot within a FLX zoning district shall require a zoning permit (and a sign permit if applicable), but not a special use permit.

(e) All relevant provisions of the Land Use Ordinance shall apply except to the extent that such provisions are superseded by the provisions of this section or any FLX district established pursuant to this section. In the case of conflict, the provisions of this ordinance or of the specific FLX district ordinance for the tract shall apply.

(f) A text amendment establishing a FLX district as well as a map amendment applying such district to a particular tract shall be initiated and processed in accordance with the following provisions:

- (1) The owner of property who wishes to have such property zoned FLX shall submit a written request to the Town Council, identifying the subject property and explaining why the property is a good candidate for FLX zoning. This written request shall include or attach (i) relevant documents (i.e. narrative, and site plan(s) and a list of proposed conditions which may be in the form of written statements, graphic illustrations, or any combination thereof) that describe the results of the site specific planning process referred to in subsection (b)(iv) above, and (ii) an explanation as to why and how the proposed district is consistent with the Northern Study Area Plan, or if the property is not located within the Northern Study Area, such other plans or policies as may be applicable. The Council may, in its

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discretion, summarily deny the request or direct the town attorney and planning staff to work with the property owner to develop an ordinance pursuant to this section that establishes an appropriate FLX district and that applies this district to such property.

- (2) Once an ordinance has been drafted as provided in subdivision (f)(1), such ordinance shall be processed in accordance with the provisions of Article XX of this chapter applicable to ordinance amendments initiated by the town administration, except that (i) a preliminary draft of the ordinance, including a concept plan shall be presented to the planning board, Transportation Advisory Board, Environmental Advisory Board, Appearance Commission, Economic Sustainability Commission, and Northern Transition Area Advisory Committee (and other advisory boards to which the Town Council may refer the draft) prior to the ordinance being referred to the Town Council to establish a date for the legally required public hearing on the ordinance; (ii) at the time the Town Council directs that an ordinance be drafted in accordance with subsection (f)(1) above, the Council may establish such additional processes as deemed necessary to ensure that the public has an adequate opportunity for input into the proposed FLX district, and (iii) no property shall be rezoned FLX without the consent of the property owner (which consent may be withdrawn at any time before the adoption of the ordinance establishing the FLX district). The text and the map amendment may be processed simultaneously.
- (3) Amendments to a FLX district shall be initiated and processed in the same manner as the initial ordinance, except that, if the planning staff determines that a proposed amendment has no substantial impact on neighboring properties, the general public, or those intended to occupy the site zoned FLX, the staff may forward the requested amendment to the Council as provided in subsection 15-321(c)(2). In such case, the Council may (i) decline to call for a public hearing on the proposed amendment, thereby rejecting it; (ii) establish a date for a public hearing on the proposed amendment in accordance with the procedures applicable to any other zoning amendment; or (iii) direct that additional processes be followed to obtain additional public input on the proposal before setting a date for the legally required public hearing.

(g) Property within a FLX district may be subdivided according to the provisions of this chapter applicable to minor subdivisions, even if such subdivision involves the creation of more than a total of four lots or the creation of a new public street.

PART II. ZONING MAP**Section 15-142 Official Zoning Map.**

(a) There shall be a map known and designated as the Official Zoning Map, which shall show the boundaries of all zoning districts within the town's planning jurisdiction. This map shall be drawn on acetate or other durable material from which prints can be made, shall be dated, and shall be kept in the planning department.

(b) The Official Zoning Map dated April 1973 is adopted and incorporated herein by reference. Amendments to this map shall be made and posted in accordance with Section 15-143.

(c) Should the Official Zoning Map be lost, destroyed, or damaged, the administrator may have a new map drawn on acetate or other durable material from which prints can be made. No further authorization or action is required so long as no district boundaries are changed in this process.

Section 15-143 Amendments to Official Zoning Map. (AMENDED 4/27/10; 10/26/10; 9/24/13)

(a) Amendments to the Official Zoning Map are accomplished using the same procedures that apply to other amendments to this chapter, as set forth in Article XX.

(b) The administrator shall update the Official Zoning Map as soon as possible after amendments to it are adopted by the Town Council. Upon entering any such amendments to the map, the administrator shall change the date of the map to indicate its latest revision. New prints of the updated map may then be issued.

(c) No unauthorized person may alter or modify the Official Zoning Map.

(d) The planning department shall keep copies of superseded prints of the zoning map for historical reference.

Section 15-143.4 Downtown Neighborhood Protection Overlay District. (AMENDED 8/23/05)

(a) There is hereby created a Downtown Neighborhood Protection (DNP) Overlay District. The purpose of this district is to establish special height, setback, and design requirements applicable to lots in certain commercially zoned downtown areas where such lots abut or are directly across the street from residentially zoned properties.

(b) Because the DNP district is an overlay district, properties within this district are subject to the regulations applicable to the underlying district except as those regulations are modified or superseded by the requirements of the DNP district. The requirements of the DNP district are set forth in Section 15-185.1 of this chapter.

Section 15-143.5 Lloyd/Broad Overlay District. (AMENDED 6/26/2018)

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(a) There is hereby created a Lloyd/Broad Overlay District. The purpose of this district is to protect and preserve the character of the district and to establish special height, setback, mass and parking requirements applicable to lots within the district.

(b) Because the Lloyd/Broad Overlay District is an overlay district, properties within this district are subject to the regulations applicable to the underlying zoning district, except as those regulations are modified or superseded by the requirements of this district which are set forth in Section 15-185.2 of this Chapter.

Section 15-144 through 15-145 Reserved.

ARTICLE XX

AMENDMENTS

Section 15-320 Amendments in General.

(a) Amendments to the text of this chapter or to the zoning map or to the comprehensive plan may be made in accordance with the provisions of this article, or in the case of non-substantive editorial changes, may be made administratively by the planning director, as described in Section 15-38 of this ordinance. **(AMENDED 9/01/87; 6/22/21)**

(b) The term “major map amendment” shall refer to an amendment that addresses the zoning district classification of five or more tracts of land in separate ownership or any parcel of land (regardless of the number of lots or owners) in excess of fifty acres. All other amendments to the zoning district map shall be referred to as “minor map amendments.”

(c) All properties within the University Lake Watershed are zoned WR, B-5, WM-3 or C. As provided in Subsection 15-137(b), no additional areas may be rezoned WM-3 or B-5, and no areas within the University Lake Watershed may be rezoned to any classification other than WR, or C. **(AMENDED 10/15/96)**

(d) The regulations applicable to the watershed districts do, and all amendments to these regulations shall, comply with the water supply watershed protection rules promulgated by the State pursuant to G.S. section 143-214.5. Copies of all amendments to section 15-266 shall be sent to the Department of Environmental Quality (DEQ), Division of Water Resources and the Environmental Management Commission (EMC). **(AMENDED 10/15/96; 6/22/21)**

Section 15-321 Initiation of Amendments.

(a) Whenever a request to amend this chapter is initiated by the Town Council, the planning board, the board of adjustment, other town advisory board, or the town administration, the town attorney in consultation with the planning staff shall draft an appropriate ordinance and present that ordinance to the Town Council so that a date for a public hearing may be set.

(b) Any other person may also petition the Council to amend this chapter. The petition shall be filed with the planning department and shall include, among the information deemed relevant by the planning department:

- (1) The name, address, and phone number of the applicant. If a change in zoning district classification to a less dense development density is proposed, the name, address, phone number and signature of all property owners consent to the application is required. Applications for down-zoning shall not be considered unless all the property owners consent to the application. **(AMENDED 6/22/21)**

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- (2) A description of the land affected by the amendment if a change in zoning district classification is proposed.
- (3) Stamped envelopes containing the names and addresses of all those to whom notice of the public hearing must be sent as provided in Section 15-323.
- (4) A description of the proposed map change or a summary of the specific objective of any proposed change in the text of this chapter.
- (5) A concise statement of the reasons why the petitioner believes the proposed amendment would be in the public interest.

(b1) If a change in zoning district classification is proposed, the petitioner shall hold at least one neighborhood information meeting on the application. A mailing is required in accordance with the standards in 15-323(c). **(AMENDED 6/22/21)**

(c) Upon receipt of a petition as provided in (b), the planning staff shall either:

- (1) Treat the proposed amendment as one initiated by the town administration and proceed in accordance with subsection (a) if it believes that the proposed amendment has significant merit and would benefit the general public interest; or
- (2) Forward the petition to the Council with or without written comment for a determination of whether an ordinance should be drafted and a public hearing set in accordance with subsection (d).

(d) Upon receipt of a proposed ordinance as provided in subsection (a), the Council may establish a date for a public hearing on it. Upon receipt of a petition for an ordinance amendment as provided in subsection (b), the Council may summarily deny the petition or set a date for a public hearing on the requested amendment and order the attorney, in consultation with the planning staff, to draft an appropriate ordinance. In accordance with G.S. 160D-601(d), petitions for proposed map changes that would result in a downzoning of property shall only be initiated by the owners of the property or the Town. (See subsection (b)(1) above.) **(AMENDED 6/22/21)**

Section 15-322 Planning Board and Other Advisory Consideration of Proposed Amendments.

(a) If the Council sets a date for a public hearing on a proposed amendment, it shall also refer the proposed amendment to the planning board for its consideration and may refer the amendment to the appearance commission if community appearance is involved, and may refer the amendment to the transportation advisory board if the amendment involves community transportation issues, and may refer the amendment to the environmental advisory board if the amendment involves community environment issues, and may refer the amendment to the affordable housing advisory commission if the amendment involves an affordable housing issue, and may refer the amendment to the economic sustainability commission if the amendment

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involves an economic development issue or any other board if the amendment involves an issue of which the board has expertise.(**AMENDED 9/19/95; REWRITTEN 2/25/14; AMENDED 6/25/19; 6/22/21**).

(b) The planning board shall advise and comment on whether the proposed amendment is consistent with the Comprehensive Plan, Land Use Plan, long-range transportation plans, or other applicable plans officially adopted by the Town Council. The planning board shall provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the planning board. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the Town Council may proceed in its consideration of the amendment without the planning board report. (**AMENDED 10/24/06; 6/22/21**)

(c) A comment by the planning board that a proposed amendment is inconsistent with the Comprehensive Plan, Land Use Plan, long-range transportation plans or other officially adopted plan shall not preclude consideration or approval of the proposed amendment by the Town Council, and the Town Council is not bound by the recommendations of the planning board. (**AMENDED 10/24/06; 6/22/21**)

(d) A member of the planning board and any other advisory committee that provides direct advice to the Town Council (i.e. it does not report to the planning board) shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. (**AMENDED 10/24/06; 6/22/21**)

Section 15-323 Hearing Required: Notice.

(a) No ordinance that amends any of the provisions of this chapter may be adopted until a public hearing has been held on such ordinance.

(b) The planning staff shall publish a notice of the public hearing on any ordinance that amends the provisions of this chapter once a week for two successive weeks in a newspaper having general circulation in the Carrboro area. The notice shall be published for the first time not less than ten days nor more than twenty-five days before the date fixed for the hearing. This period is to be computed in accordance with G.S. section 160D-601(a), which provides that the date of publication is not counted but the date of the hearing is. (**AMENDED 6/22/21**)

(c) With respect to all map amendments, the planning staff shall mail, by first class mail, written notice of the public hearing to the record owners of all properties whose zoning classification is changed by the proposed amendment as well as the owners of all properties any portion of which is abutting the property rezoned by the amendment, including property separated by a street right of way, railroad or other transportation corridor and any other property that is within 1000 feet of the property rezoned by the amendment. For purposes of this section the term “owners” shall mean the persons shown as owners on Orange County’s computerized land records system. The planning staff

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shall also make reasonable efforts to mail a similar written notice to the non-owner occupants of residential rental property located within 1,000 feet of the lot that is the subject of the rezoning. The notices required by this subsection shall be deposited in the mail at least 10 but not more than 25 days prior to the date of the public hearing. If the rezoning map amendment is being proposed in conjunction with an expansion of municipal extraterritorial planning and development regulation jurisdiction under G.S. 160D-202, a single hearing on the zoning map amendment and the boundary amendment may be held. In this instance, the initial notice of the zoning map amendment hearing may be combined with the boundary hearing notice and the combined hearing notice mailed at least 30 days prior to the hearing. The staff member mailing such notices shall certify to the council that the notices have been mailed, and such certificate shall be deemed conclusive in the absence of fraud. **(AMENDED 10/12/82; 1/22/85; 10/1/85; 4/15/97; 3/26/02; 6/22/21)**

(d) The first class mail notice required under subsection (c) of this section shall not be required if the zoning map amendment directly affects more than 50 properties, owned by a total of at least 50 different property owners, and the Town elects to use the expanded published notice provided for in this subsection. In this instance, the Town may elect to either make the mailed notice provided for in subsection (c) of this section or may, as an alternative, elect to publish notice of the hearing as required by G.S. section 160D-602(b), but provided that each advertisement shall not be less than one-half (1/2) of a newspaper page in size. The advertisement shall only be effective for property owners who reside in the area of general circulation of the newspaper which publishes the notice. Property owners who reside outside of the newspaper circulation area, according to the address listed on the most recent Orange County property tax listing for the affected property, shall be notified according to the provisions of subsection (c) of this section. **(AMENDED 10/24/06; 6/22/21)**

(e) For proposed zoning map amendments, the planning staff shall prominently post a notice of the public hearing on the site proposed for a rezoning or an adjacent public street or highway right-of-way at least 10 but not more than 25 days prior to the date of the public hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required, but the planning staff shall post sufficient notices to provide reasonable notice to interested persons. **(AMENDED 6/22/21)**

(f) The planning staff shall take any other action deemed by the Planning Department to be useful or appropriate to give notice of the public hearing on any proposed amendment.

(g) The notice required or authorized by this section (other than the posted notice required by subsection (e)) shall: **(AMENDED 11/24/09)**

- (1) State the date, time, and place of the public hearing.
- (2) Summarize the nature and character of the proposed change.
- (3) If the proposed amendment involves a change in zoning district classification, reasonably identify the property whose classification would be affected by the amendment.

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- (4) State that the full text of the amendment can be obtained from the town clerk.
- (5) State that substantial changes in the proposed amendment may be made following the public hearing.

(h) The planning staff shall make every reasonable effort to comply with the notice provisions set forth in this section. However, it is the Council's intention that the notice requirements set forth in this section that are not required by state law shall not be regarded as mandatory, and therefore a failure to comply with such requirements shall not render any amendment invalid. **(AMENDED 11/24/09)**

(i) Except for a town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the owner of the parcel of land to which the amendment would apply (regardless of how the staff treats the proposed amendment under subsection 15-321(c)), the applicant shall certify to the Town Council that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of public hearing. The person or persons required to provide notice shall certify to the Town Council that proper notice has been provided in fact, and such certificate shall be deemed conclusive in the absence of fraud. **(AMENDED 11/24/09)**

(j) Actual notice of the proposed amendment and a copy of the notice of public hearing required under subsection 15-323(i) of this section shall be by any manner permitted under G.S. section 1A-1, Rule 4(j). If notice cannot with due diligence be achieved by personal delivery, registered or certified mail, or by a designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2), notice may be given by publication consistent with G.S. section 1A-1, Rule 4(j1). This subsection applies only to an application to request a zoning map amendment where the application is not made by the owner of the parcel of land to which the amendment would apply. This subsection does not apply to a town-initiated zoning map amendment. **(AMENDED 11/24/09)**

Section 15-324 Council Action on Amendments. **(AMENDED 10/24/06)**

(a) At the conclusion of the public hearing on a proposed amendment, the Council may proceed to vote on the proposed ordinance, refer it to a committee for further study, or take any other action consistent with its usual rules of procedure.

(b) The Council is not required to take final action on a proposed amendment within any specific period of time, but it should proceed as expeditiously as practicable on petitions for amendments since inordinate delays can result in the petitioner incurring unnecessary costs.

(c) Voting on amendments to this chapter shall proceed in the same manner as on other ordinances, subject to Section 2-15 of the Town Code.

(d) When adopting or rejecting any zoning or text amendment, the Council shall adopt a statement describing whether the action is consistent or inconsistent with an adopted comprehensive plan, which shall not be subject to judicial review. **(AMENDED 2/6/2018;**

REWRITTEN 6/22/21)

- (1) If the amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land use map in the approved plan, and no additional request or application for a plan amendment shall be required.
- (2) A plan amendment and zoning amendment may be considered concurrently.
- (3) If a zoning map amendment qualifies as a “large-scale rezoning” under G.S. section 160D-602(b), the Council’s statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken.

(d1) When adopting or rejecting any petition for a zoning map amendment the Council shall adopt a statement explaining the reasonableness of the proposed rezoning. The statement of reasonableness may consider, among other factors: (i) the size, physical conditions, and other attributes of any area proposed to be rezoned; (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community; (iii) the relationship between the current actual and permissible development and the development permissible under the proposed amendment, (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a zoning map amendment qualifies as a “large-scale rezoning” under G.S. section 160D-602(b), the statement on reasonableness may address the overall rezoning.

(e) A Council member shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A Council member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. (See also Carrboro Town Code Section 2-35). **(REWRITTEN 6/22/21)**

Section 15-325 Ultimate Issue Before Council on Amendments.

In deciding whether to adopt a proposed amendment to this chapter, the central issue before the Council is whether the proposed amendment advances the public health, safety or welfare. All other issues are irrelevant, and all information related to other issues at the public hearing may be declared irrelevant by the mayor and excluded. In particular, when considering proposed minor map amendments:

- (1) Except when the request is to rezone property to a conditional zoning district, the Council shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Council shall consider whether the entire range of permitted uses in the requested classification is more

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appropriate than the range of uses in the existing classification. **(AMENDED 05/25/99; 05/27/08)**

- (2) The Council shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.

Section 15-326 Citizen Comments on Zoning Map and Text Amendments. (AMENDED 10/24/06, REWRITTEN 12/6/16; 6/22/21).

The Town of Carrboro Land Use Ordinance may from time to time be amended, supplemented, changed, modified or repealed. If any resident or property owner in the Town submits a written statement regarding a proposed amendment, modification or repeal to a zoning regulation including a text or map amendment that has been properly initiated as provided in G.S. 160D-601, to the Clerk of the Town Council at least two (2) business days prior to the proposed vote on such change, the Clerk to the Council shall deliver such written statement to the Council. If the proposed change is the subject of a quasi-judicial proceeding under G.S. section 160D-705 or any other statute, the Clerk shall provide only the names and addresses of the individuals providing written comment, and the provision of such names and addresses to all members of the Council shall not disqualify any member of the Council from voting. Written statements submitted in connection with a quasi-judicial proceeding may be admitted into evidence at such a proceeding if the Council determines that such statements are admissible under the N.C. Rules of Evidence in the proceeding. (Amended 12-6-16; and enacted pursuant to a Resolution in Opposition to the General Assembly's Repeal of Statutory Authority for Qualified Protest Petitions to Trigger a Super Majority Vote for Certain Zoning Map Amendments, dated 12-6-16).

Racial Equity Pocket Questions – Legislative Public Hearings for Amendments

Title & Purpose of this Initiative: Legislative Public Hearings for Map Amendment for a Conditional Rezoning at 1307 West Main Street and Associated Text Amendments.

Department: Planning, Zoning and Inspections

What are the racial impacts?

Lack of representation on elected and appointed boards (advisory boards also provide comments for public hearings) can reduce participation, especially by those who don't learn about these types of processes and/or are unable to participate in meetings. Decisions might be made without considering these points of view.

Who is or will experience burden?

Shift workers and people who have limited time, transportation choices and/or children may have difficulty finding the time to learn about a proposal, attending meetings, understanding how and when to provide input, and to whom. It takes time to learn the development process and to obtain a comfort level to participate. Language may also provide a barrier for some residents.

Who is or will experience benefit?

The public hearing process requires that these types of legislative decisions occur in a public form and that the community can comment before a decision is made. Beneficiaries include those who are able/available to and do participate in these ways and those who support or see no negative effects from the changes.

What are the root causes of inequity?

Structural racism in government decisions, particularly those relating to land use, as well as residents' personal experiences with government, can further alienate those that may find it difficult to attend meetings—like working individuals and families—and contribute to a reticence by historically marginalized people to speak in a public setting. Disparate access to quality education, which in turn affects economic outcomes, as well as historical barriers to government for community members of color can lead to undue burden.

What might be the unintended consequences of this action or strategy?

Changes to land use regulations and rezonings can affect land values and quality of life experiences for surrounding property owners and occupants in ways that can be beneficial and, albeit for some, less desirable. The public hearing process is intended to provide a way for developers and community members to learn about a proposal and provide input in a public setting. Even with published notice and social media releases, some people may not learn of a proposed amendment to the Land Use Ordinance in time to provide input and/or feel that they understand the project and/or approval process enough to fully participate. The Planning Department has completed the analysis for a REAL lens for the amendment process. **Next the completed lens will be submitted to the staff core team and Racial Equity Commission for review.**

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

Suggestions outlined in the REAL lens assessment involves options for better public engagement moving forward. Of note, this would involve efforts to go beyond what is required by state statute and the Land Use Ordinance.



Agenda Item Abstract

File Number: 23-335

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 1

Resolutions Supporting an Application for a 2024 Road to Zero Community Traffic Safety Grant and Advancing a Carrboro Vision Zero Initiative

PURPOSE: The purpose of this agenda item is to request that the Town Council consider resolutions in support of an application for the National Safety Council's 2024 Road to Zero Community Traffic Safety Grant and to commit to a Vision Zero goal.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon, Planning & Transportation Administrator, 919-918-7325, cmoon@carrboronc.gov <<mailto:cmoon@carrboronc.gov>>; Patricia McGuire, Planning Director, 919-918-7327, pmcguire@carrboronc.gov <<mailto:pmcguire@carrboronc.gov>>

COUNCIL DIRECTION:

 X Race/Equity X Climate X Comprehensive Plan X Other

The grant, if awarded, would provide the Town with an opportunity to develop a comprehensive approach to regular traffic collection on town streets to help inform systematic traffic calming and possible modifications to local street standards. The project would support the implementation of Transportation & Mobility strategy 2.2 -E and F in the Comprehensive Plan. Pocket questions are provided as Attachment F.

INFORMATION: In early November, the National Safety Council announced a funding opportunity for the 2024 Road to Zero Coalition's Community Traffic Safety Grants [Community Traffic Safety Grants - National Safety Council \(nsc.org\)](https://www.nsc.org/road/resources/road-to-zero/road-to-zero-grants) <<https://www.nsc.org/road/resources/road-to-zero/road-to-zero-grants>>. The program, funded by the National Highway Traffic Safety Administration, is designed to fund projects, programs, and research to help achieve the goal of zero traffic (*Attachment B*). The Road to Zero program focuses on implementing the three pillars of the Road to Zero strategy: 1) doubling down on what works through proven, evidence-based strategies, 2) advancing life-saving technology in vehicles and infrastructure, and 3) adopting a Safe Systems approach and creating a positive safety culture. The Safe System approach is to design and operate vehicles and infrastructure in a manner that anticipates human error and accommodates human injury tolerances with a goal of reducing fatal and serious injuries (*Attachment C*).

The Town is interested in pursuing funding to engage consultant services to conduct systematic traffic counts on Town streets. Traffic data would include annual average daily traffic counts (AADT), peak counts, and traffic speeds at locations and intersections to complement existing counts collected by the DCHC MPO, as part of the Congestion Management Plan for the mobility report card, and NCDOT's counts, on certain state-maintained streets, to provide a comprehensive understanding of traffic throughout the Town's planning jurisdiction. This data will contribute valuable insights for potential revisions to local street standards and recommendations for systematic traffic calming-recommendations identified during the Town Council's work session on traffic calming on September 12, 2023, and Transportation & Mobility Strategy 2.2 E & F in the Carrboro Comprehensive Plan (*Attachment D*). A map of existing traffic calming measures is also provided (*Attachment E*).

Grant applications are due January 14, 2024. Work is expected to be completed on or before one year after the date of the award. Staff would work with the Town Engineer to develop a preliminary project scope to determine the amount of funding to request. Requested amounts must be between \$50,000 and \$250,000. No match is required but applicants are requested to become Road to Zero Coalition members <https://www.nsc.org/road/resources/road-to-zero/join-the-road-to-zero-coalition>. In addition, a resolution to support a Vision Zero initiative for the Town is provided (*Attachment G*).

FISCAL IMPACT: There is no financial impact associated with receiving this item. If the Town is awarded the grant, staff will bring back a separate agenda relating to the project budget and necessary agreements. Staff time will be associated with further work on a Vision Zero strategy and in relation to this funding request, should it be approved.

RECOMMENDATION: Staff recommends that the Town Council consider:

- 1) the resolution (*Attachment A*) supporting the submittal of an application for the 2024 Road to Zero Community Traffic Safety Grant, and
- 2) the resolution (*Attachment G*) adopting a Resolution to Advance a Vision Zero Initiative.

A RESOLUTION SUPPORTING AN APPLICATION FOR THE 2024
ROAD TO ZERO COMMUNITY TRAFFIC SAFETY GRANT
PROGRAM

WHEREAS, the Road to Zero Coalition launched in 2016 as a partnership between the U.S. Department of Transportation and the National Safety Council with the goal of ending fatalities on our nation's roads by 2050; and

WHEREAS, the Town of Carrboro Town Council values the importance of residents of all abilities to be able to travel safely throughout the Town's planning jurisdiction using all modes; and

WHEREAS, the Town of Carrboro has participated in the North Carolina Vision Zero Leadership Team Institute for the last two years; and

WHEREAS, the Town of Carrboro adopted the Residential Traffic Management Plan in response to community concerns about speeding vehicles in 1996; and

WHEREAS, the Town Council recognizes the need to develop a systematic data-driven approach to evaluating the existing travel speeds on local streets to inform possible changes to street standards to lower speeds and/or provide more complete infrastructure; and

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Town Council that the Town Council endorses the Town's submittal of a 2024 Road to Zero Community Traffic Safety Grant to assist with the development of a comprehensive townwide traffic count program to collect AADT and peak counts, and vehicle speed data that can be used for evaluating Town streets in a systematic way and as the basis for updating local street standards.

This the 29th day of November 2023.

2024 Road to Zero Community Traffic Safety Grants Overview

Application deadline is **January 14, 2024 at 11:55 pm Eastern**

Road to Zero Coalition: Launched in 2016 as a partnership between the U.S. Department of Transportation and the National Safety Council, the Road to Zero Coalition has the goal of ending fatalities on our nation's roads by 2050. Tens of thousands of people die on U.S. roads each year, with historic increases and growing number of deaths for people walking and biking. To address this devastating trend, the Road to Zero Coalition, made up of over 1,800 member organizations, brings together a cross-sector approach to implementing proven techniques, sharing important research and information, and advancing the conversation around transportation safety through its three pillar, multi-modal framework focused on:

- Doubling down on what works through proven, evidence-based strategies
- Advancing life-saving technology in vehicles and infrastructure
- Prioritizing safety by adopting a Safe System approach and creating a positive safety culture

Road to Zero Grant Program: The focus of the Road to Zero Community Traffic Safety Grant Program is focused on supporting innovative and promising approaches for implementing evidence-based countermeasures, supporting a Safe System approach, and performing necessary research to address traffic fatalities, disparities in mobility safety and access, and overall improve traffic safety. [Learn more about the Road to Zero Grant Program](#) and the work of previous grantees.

- Proposals should demonstrate the promising nature of the countermeasure by describing the innovative implementation approach, citing the evidence of effectiveness or identifying how effectiveness will be evaluated, and/or discussing how the project fills a gap or addresses existing disparities in traffic safety.
- Proposed projects should have measurable objectives and generalizable results. That is, projects should demonstrate innovative approaches that could be replicated in other locations or scaled up to a broader level.
- Proposals from past Road to Zero grantees are acceptable. They may be for new projects or for additional innovations on the previous project (i.e. phase #2) but not a continuation of any current or previous project.

Eligibility

- Applicants must be a [Road to Zero Coalition Member](#)
- Applicant must be a non-profit organization or other entity. Individuals cannot apply.
- Government Entities (cities, states, counties, governors' safety offices, etc.) also qualify.
- Proposed programs must operate within the United States.
- Federally-recognized Indian Tribes, Tribal Organizations, and Urban Indian Organizations are also eligible.

Funding

- Organizations may apply for a one-year grant.
- Supplanting is prohibited. "Supplanting" is defined as the "Use of Federal funds to support personnel or an activity that is already supported (paid for) by any other funds".
- Proposals selected will be reimbursed for mutually agreed grant expenses.
- Awarded grants are contingent upon the availability of funds.

Timeline

- **Grant applications are due by January 14, 2024 at 11:55 pm Eastern**
- Grants will be awarded beginning in Spring 2024.
- Grant work will have expected completion date of on or before one year after the date of the award.

Reporting

- Proposals selected will be required to submit monthly reports and documentation showing objectives that have been met.
- Documentation will show objectives that have been met, time spent, and expenses incurred for grant activity.
- Grantees will submit monthly invoices for reimbursement using guidelines set out by Road to Zero and the National Safety Council.
- Grantees will be expected to have quarterly meetings with Road to Zero staff.
- Grantees will be expected to submit a final report detailing the project and lessons learned.
- Grantees will be expected to participate in promotional activities for the grant program and the funded projects including presenting on webinars and other meetings.

- These grants are subject to the Federal funding requirements under CFDA #20.614.

Review Committee

- All submissions will undergo a technical review by National Safety Council staff, and will then be forwarded to an external Review Selection Committee for consideration.
- Committee members will include individuals such as business leaders, safety advocates, researchers, etc.
- Individuals and/or organizations applying for grants will not be eligible to serve on the Review Selection Committee.
- Final evaluation of the grant application will be composed of evaluation and scoring by the Review Selection Committee and National Safety Council staff.

Award Information

- \$750,000 dollars will be disbursed per year (subject to NHTSA funding disbursement), and the requested amounts must be between \$50,000 and \$200,000.

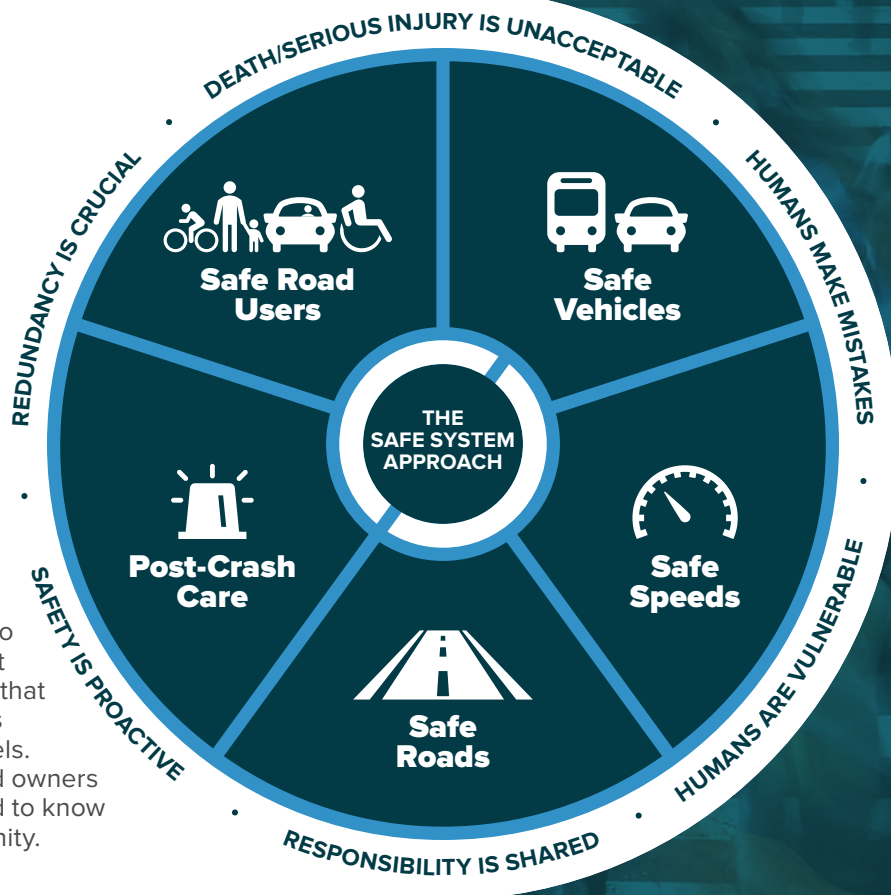
Grant applications are due by 11:55 pm (Eastern time) January 14, 2024 If you have questions email us at roadtozero@nsc.org. National Safety Council and Road to Zero Coalition staff cannot comment or provide guidance on the strength or compatibility of a proposed project.

THE SAFE SYSTEM

APPROACH

Zero is our goal. A Safe System is how we will get there.

Imagine a world where nobody has to die from vehicle crashes. The Safe System approach aims to eliminate fatal & serious injuries for all road users. It does so through a holistic view of the road system that first anticipates human mistakes and second keeps impact energy on the human body at tolerable levels. Safety is an ethical imperative of the designers and owners of the transportation system. Here's what you need to know to bring the Safe System approach to your community.



SAFE SYSTEM PRINCIPLES



Death/Serious Injury is Unacceptable

While no crashes are desirable, the Safe System approach prioritizes crashes that result in death and serious injuries, since no one should experience either when using the transportation system.



Responsibility is Shared

All stakeholders (transportation system users and managers, vehicle manufacturers, etc.) must ensure that crashes don't lead to fatal or serious injuries.



Humans Make Mistakes

People will inevitably make mistakes that can lead to crashes, but the transportation system can be designed and operated to accommodate human mistakes and injury tolerances and avoid death and serious injuries.



Safety is Proactive

Proactive tools should be used to identify and mitigate latent risks in the transportation system, rather than waiting for crashes to occur and reacting afterwards.



Humans Are Vulnerable

People have limits for tolerating crash forces before death and serious injury occurs; therefore, it is critical to design and operate a transportation system that is human-centric and accommodates human vulnerabilities.



Redundancy is Crucial

Reducing risks requires that all parts of the transportation system are strengthened, so that if one part fails, the other parts still protect people.



SAFE SYSTEM ELEMENTS

Making a commitment to zero deaths means addressing every aspect of crash risks through the five elements of a Safe System, shown below. These layers of protection and shared responsibility promote a holistic approach to safety across the entire transportation system. The key focus of the Safe System approach is to reduce death and serious injuries through design that accommodates human mistakes and injury tolerances.



Safe Road Users

The Safe System approach addresses the safety of all road users, including those who walk, bike, drive, ride transit, and travel by other modes.



Safe Vehicles

Vehicles are designed and regulated to minimize the occurrence and severity of collisions using safety measures that incorporate the latest technology.



Safe Speeds

Humans are unlikely to survive high-speed crashes. Reducing speeds can accommodate human injury tolerances in three ways: reducing impact forces, providing additional time for drivers to stop, and improving visibility.



Safe Roads

Designing to accommodate human mistakes and injury tolerances can greatly reduce the severity of crashes that do occur. Examples include physically separating people traveling at different speeds, providing dedicated times for different users to move through a space, and alerting users to hazards and other road users.



Post-Crash Care

When a person is injured in a collision, they rely on emergency first responders to quickly locate them, stabilize their injury, and transport them to medical facilities. Post-crash care also includes forensic analysis at the crash site, traffic incident management, and other activities.

THE SAFE SYSTEM APPROACH VS. TRADITIONAL ROAD SAFETY PRACTICES

Traditional

- Prevent crashes —————> Prevent deaths and serious injuries
- Improve human behavior —————> Design for human mistakes/limitations
- Control speeding —————> Reduce system kinetic energy
- Individuals are responsible —————> Share responsibility
- React based on crash history —————> Proactively identify and address risks

Safe System

Whereas traditional road safety strives to modify human behavior and prevent all crashes, the Safe System approach also refocuses transportation system design and operation on anticipating human mistakes and lessening impact forces to reduce crash severity and save lives.

WHERE ARE
YOU ON THE
SAFE SYSTEM
JOURNEY?

Implementing the Safe System approach is our shared responsibility, and we all have a role. It requires shifting how we think about transportation safety and how we prioritize our transportation investments. Consider applying a Safe System lens to upcoming projects and plans in your community: put safety at the forefront and design to accommodate human mistakes and injury tolerances. Visit safety.fhwa.dot.gov/zerodeaths to learn more.

E Restructure Residential Traffic Management Plan (RTMP) and incorporate a Bike-Ped Safety Assessment Process.

The Town's Residential Traffic Management Plan has been a process by which residents can request traffic calming devices be installed by the Town and includes a petition-based process and data-driven assessment of the traffic conditions on the street. This process is piecemeal, in that it only responds to requests as they arise and does not take a systemic approach to assessing traffic calming and safety issues on Town-maintained, residential streets. The current process also has concerning implications for equity, as an update of the plan is needed to address the following issues:

1. Create a regular, annual timeline with a specific window during which requests and petitions can be submitted OR develop a systemic, town-wide approach to assessing traffic conditions (with associated data collection) and coordinate with neighbors at those locations where there are potential concerns identified.
2. Revise the process to collect data after a request is submitted (and prior to the petition phase).
3. Create processes for Town- and NCDOT-owned streets by which residents can request reducing the posted speed limits on residential streets. If desired, this could be a direct follow-up to a completed traffic calming project. If the follow-up data collection shows the operating speed (85th percentile) is at least 5 MPH below the posted speed, then a reduction in the posted speed limit can be considered.

Explanation of Federal and State Transportation Funding Process (MPO & SPOT Processes)

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is the regional lead planning agency that coordinates federal and state transportation funds for projects within the urbanized areas of Durham, Orange and Chatham counties. The DCHC MPO works to develop long range transportation plans, identify transportation projects to receive federal funding, submit projects for state-administered funding prioritization, and assist with project implementation.

Federal Funds: Multiple sources of federal funding are distributed by NCDOT (North Carolina Department of Transportation) to the DCHC MPO that can be considered for transportation projects in Carrboro. These federal sources typically require a 20% local match of the total project cost (often referred to as an 80/20 split). The MPO works to prioritize projects for federal funding based on a number of different factors including connectivity, transit access, population/employment density, equity, environmental justice, safety, and emissions/VMT reduction. The MPO accepts applications for funds once per year. Due to requirements on minimum project cost, this is generally a better funding source for larger transportation projects. MPO projects approved for federal funding are programed into NCDOT's State Transportation Improvement Program (STIP).

State-Administered Funds: The state administers and distributes both federal and state funds through a competitive process coordinated by NCDOT's Strategic Planning Office of Transportation (SPOT) which occurs every two to three years. A project that scores well enough to receive funding is added to the State Transportation Improvement Program (STIP). The SPOT process involves scoring all roadway, public transportation, bicycle, pedestrian, rail, and aviation projects on a number of criteria. Metropolitan Planning Organizations (MPOs), Rural Planning Organizations (RPOs), and the NCDOT Division offices also contribute by submitting projects for consideration and assigning local priority to projects.

The Strategic Transportation Investments (STI) law sets the distribution of funding between different modes of transportation. Additionally, highway projects (such as roadway capacity or other motor vehicle focused improvements) accepted into the STIP are fully funded by NCDOT but other projects for other modes (such as bicycle or pedestrian) require a local match of 20%.

Due to the competitiveness of this process and the timing of improvements in the STIP, it can be a lengthy process from initial submittal to project completion. Furthermore, it can be difficult to get some projects to score well in the process, so other avenues for implementation should be assessed. In addition to the SPOT process, NCDOT also reserves some funds for other projects/programs, such as safety improvements.

4. Create a process by which BIPOC or other underserved neighborhoods can bypass the labor-intensive petition process. The expectation of this would be that if data collected by Town Staff indicates a location meets the criteria for Stage 2, then staff can reach out to a neighborhood contact directly and gauge interest through a neighborhood meeting rather than the expectation of a formal petition process.
5. Incorporate into this process an assessment of bicycle/pedestrian facilities and sidewalk need. Potential guidance includes the FHWA Small Town and Rural Multimodal networks document (https://www.fhwa.dot.gov/environment/bicycle_pedestrian/publications/small_towns/).
6. Update the list of traffic calming devices under consideration.

F Explore and implement engineering solutions to reduce motor vehicle speeds in downtown.

With respect to the areas identified on the Transportation Strategies Map for ‘safety improvements for speed reduction’, a framework is needed to assess existing conditions, make improvements, and measure progress. Conversations with NCDOT with regards to a downtown slow zone (and associated reduction of posted speed limits) have indicated that the operating speed needs to be reduced prior to considering a reduction of the posted speed limit. To impact the operating speed, engineering changes are needed to modify the roadway environment and encourage slower speeds.

Infrastructure Plans & Improvements

G Identify existing, needed, and poor-quality sidewalks to update the existing sidewalks plan, for the purpose of implementation alongside development projects to increase pedestrian safety and decrease traffic speed.

The Town has been actively adding and improving sidewalks through bond referenda, state transportation prioritization and ADA transition work. The Town should conduct a gap analysis/audit of existing sidewalk infrastructure, access for high priority populations (e.g., non-ambulatory residents, low-to-moderate income households), and existing and projected development patterns, and update its framework for prioritizing sidewalk projects accordingly. The installation of sidewalks can be designed to help increase drivers’ cautiousness around residents. Vehicle speeds can be managed by infrastructure, with most attention paid to arterial roads and the downtown.

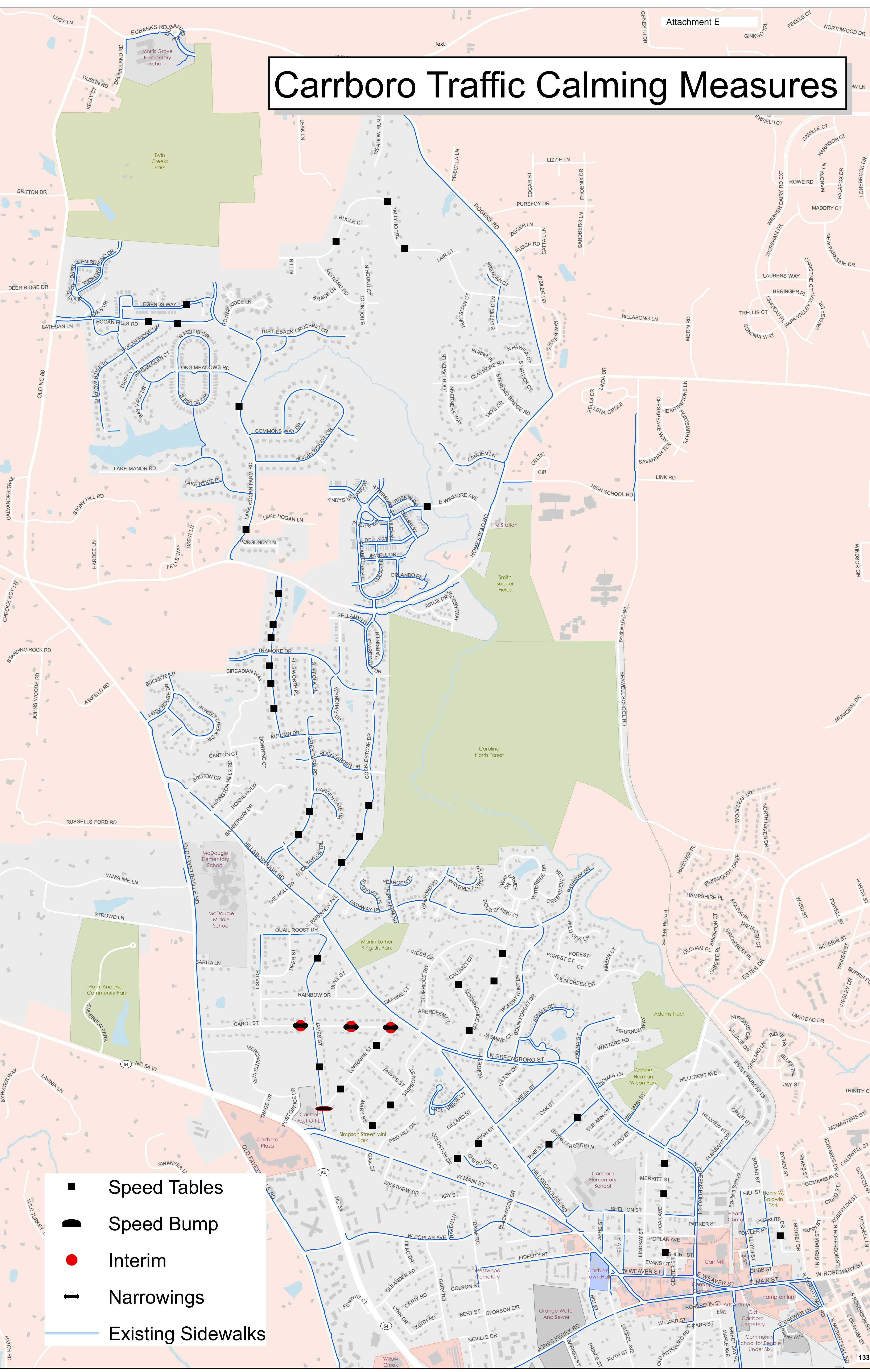
H Continue to implement the Safe Routes to Schools Action (SRTS) plan in coordination with schools.

Implement plans that support safety for all age groups of children, especially those who have less opportunities due to location, ability, and income. Explore and develop partnerships with community organizations seeking to provide healthy and safe transportation options for youth and continue working to establish the SRTS Implementation Committee.



▲ Roberson Street, next to The 203 Project, would be a great opportunity for a shared street that can be used by pedestrians, micro mobility users, and drivers.

Carrboro Traffic Calming Measures



Speed Tables

Speed Bump

Interim

Narrowings

Existing Sidewalks

Race and Equity Pocket Questions

Title & Purpose of this Initiative: The purpose of this agenda item is to request that the Town Council consider a resolution in support of an application for a 2024 Road to Zero Community Traffic Safety Grant.

Department: Planning, Zoning & Inspections

What are the racial and equity impacts?

A 2022 report by the American Journal of Preventive Medicine reported sharp disparities for transportation related fatalities based on race or ethnic origin: 75% higher rate for passenger vehicle fatalities for non-Hispanic Blacks than non-Hispanic whites, 118% higher rate for pedestrian fatality and 384% higher rate for cycling fatality.¹ The Road to Zero Coalition, managed by the National Safety Council, released a report in 2018 outlining “a vision for achieving zero roadway deaths by 2050”.

Who is or will experience community burden?

No community burden is anticipated. The grant does not require a match. The proposal involves traffic data collection for analysis. There is no enforcement component to the project.

Who is or will experience community benefit?

It is anticipated that the Town would seek consultant services to conduct systematic traffic counts on local streets throughout the Town’s planning jurisdiction to provide a more comprehensive understanding of average daily trips, number of trips during the AM/PM peaks and vehicular speeds--data that can help inform current safety concerns, locations where traffic calming measures may be needed and/or possible changes to street design standards.

What are the root causes of inequity?

Lack of representation among decision makers, lack of a seat at the table, lack of information about transportation processes, including the collection of traffic counts. Working individuals, particularly shift workers, families with young children or caregivers may find it difficult to attend public meetings, may be reticent to speak in a public setting and may have an overall distrust in government and governmental processes, based on personal experiences and/or examples of structural racism in government decisions, particularly those relating to departments of transportation.

What might be the unintended consequences of this action or strategy?

Information from the data collection may lead to modifications to the street standards which may affect the location on on-street parking and/or the use of bike lanes. Traffic calming measures such as curb extensions or road narrowing through neck downs may be more challenging for less experienced drivers to negotiate. Changes in traffic patterns, pavement markings, signage, and traffic signals can be confusing, even if the installation is in accordance with state standards. Drivers

¹ [Disparities in Activity and Traffic Fatalities by Race/Ethnicity - American Journal of Preventive Medicine \(ajpmonline.org\)](https://ajpmonline.org/); [Motor Vehicle Fatality Disparities by Race or Ethnic Origin - Injury Facts \(nsc.org\)](https://www.nsc.org/)

of motor vehicles may have to drive more slowly. Additional infrastructure—traffic calming measures—are not always sufficient to slow vehicular speeds and/or reduce traffic volume.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

The Town could provide information prior to the installation of the counting equipment to explain the project and its purpose. Such messaging should be clear that the collection process does not involve enforcement. It would be important to time the messaging well in advance of the beginning of the collection process to ensure that residents do not alter their behavior, leading to inaccurate data. As standards are evaluated and changed, working to ensure access and safety for all users will be a principal interest.

RESOLUTION TO ADVANCE A VISION ZERO INITIATIVE

WHEREAS the Town of Carrboro is responsible for providing reasonable protections for the public health and safety of its residents, including access to reasonably safe streets, sidewalks, and transportation; and

WHEREAS, Town streets should be maintained in a reasonably safe condition for use by the public; and

WHEREAS, each year, more than 40,000 lives are needlessly lost on American streets, and thousands more are injured; and

WHEREAS, the number of people struck and killed by drivers nationwide while walking increased by 45% over the last decade; and

WHEREAS, older adults, children, people of color, people with disabilities, and people walking in low-income communities are disproportionately represented in fatal crashes; even after accounting for population sizes and walking rate differences; and

WHEREAS, bicyclists and pedestrians face a disproportionate risk of traffic injuries with fatalities and between 2019 and 2023, 1 person died, 2 people suffered serious injuries, and 30 people experienced minor injuries while walking or biking in Carrboro; and

WHEREAS, the Vision Zero strategy focuses on uniting stakeholders across disciplines and throughout communities in a data-driven and Safe Systems approach to reduce and eventually eliminate traffic deaths and serious injuries and provide safe, equitable, and healthy mobility for all; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Carrboro that the Town of Carrboro hereby adopts a goal of eliminating traffic deaths and serious injuries by 2030 and endorses Vision Zero as a comprehensive and holistic approach to achieving this goal.

BE IT FURTHER RESOLVED, that the Town's Vision Zero efforts will work to account for historical inequities related to pedestrian and bicyclist safety and to ensure reasonably complete and safe streets for all.

BE IT FURTHER RESOLVED, the Council of the Town of Carrboro hereby requests that the Town Manager organize a Vision Zero staff group to develop a Vision Zero plan and associated implementation strategies as outlined in the Town of Carrboro 2022-2042 Comprehensive Plan, including regulatory and funding mechanisms to reach a goal of zero deaths and serious injuries by 2030 in partnership with community members, institutions, community-based organizations and entities, agencies and our local government neighbors.

BE IT FURTHER RESOLVED, that the Town of Carrboro will establish and monitor interim targets in the reduction of traffic deaths and serious injuries by 2025

BE IT FURTHER RESOLVED, nothing contain herein shall be construed to waive the Town's sovereign immunity, nor shall it be construed to assume duties or obligations pertaining to its rights-of-way beyond those imposed by federal, state, or local law.

ADOPTED, this the 29th day of November in the year 2023.



Agenda Item Abstract

File Number: 23-331

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 1

Supplemental Agreement with NCDOT and Amended Project Ordinance for Homestead Road-Chapel Hill High School Multiuse Path Project

PURPOSE: The purpose of this agenda item is for the Town Council authorize the Town Manager to execute a Supplemental Agreement with the North Carolina Department of Transportation to add \$201,116 of additional funds to the Homestead Road-Chapel Hill High School Multiuse Path (TIP# U-4726-DE) and to amend the project ordinance.

DEPARTMENT: Planning, Zoning, and Inspections; Finance; Public Works

CONTACT INFORMATION: Tina Moon, Planning Administrator, 919-918-7325; Langston Ramseur, Interim Finance Director, 919-918-7345; Ben Schmadeke, Capital Projects Manager, 919-918-7424

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☒ Comprehensive Plan ☐ Other

Completion of the Homestead Road-Chapel Hill High School Multiuse path (Homestead-CHHS-MUP) has been a long-standing goal of the Town. The path has been in use since 2018, connecting the community with a safe route to school. The Town has committed to improving walkability and bikeability through adding greenways as detailed in the Comprehensive Plan. Pocket questions are provided as Attachment B.

INFORMATION: On June 26, 2018, the Carrboro Board of Aldermen authorized staff to submit a TIP amendment to allocate \$194,660 of local discretionary (Federal STBG-DA funds) to the Homestead Road-CHHS MUP; the amount included the required 20-percent local match of \$38,932 ([Town of Carrboro - Meeting of Board of Aldermen on 6/26/2018 at 7:30 PM \(legistar.com\)](#) <<https://carrboro.legistar.com/MeetingDetail.aspx?ID=571564&GUID=7AAC13E3-39A8-4184-8736-76F7A63650B0&Options=&Search=>>>). The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) Board approved the amendment on August 8, 2018. Funding was allocated to TIP# U-4726 which is a group project number but was not allocated specifically to U-4726-DE the project number for the Homestead-CHHS MUP. Staff has been working with MPO and NCDOT staff to provide the necessary documentation to assign the \$194,660 to the Homestead-CHHS MUP. On October 31, 2023, Town staff received a communication from NCDOT that a supplemental agreement was in preparation to allocate \$251,395 of local discretionary (Federal STBG-DA) funds to the project. The increase is likely due to iterative rounding.

As noted above, Federal STBG-DA funds require a 20-percent local match; \$201,116 (federal) / \$50,279 (local match). On June 6, 2023, the Town Council approved a Capital Project Ordinance for the Homestead-CHHS MUP which involved transferring \$237,000 from the General Fund to the Capital Projects Fund to undertake the required tasks to close-out the project ([Town of Carrboro - Meeting of Town Council on 6/6/2023 at 7:00 PM \(legistar.com\)](#) <<https://carrboro.legistar.com/MeetingDetail.aspx?ID=1088374&GUID=E6BA5215-7EB5->

[4A18-9345-5C04B893511C&Options=&Search=>](#)). After consulting with Public Works about the costs associated with the remaining close-out items, staff recommends applying \$50,279 of the \$237,000 of close-out funds for the local discretionary local match. This would add \$201,116 of federal funds to the Homestead-CHHS MUP project increasing the total project budget to \$438,116. The additional STBG-DA funds may be used to as reimbursement for project costs and NCDOT administrative fees.

FISCAL IMPACT: \$201,116 of federal STBG-DA funds would be added to the project. \$50,279 of funds in the existing project budget may be used for the local match, increasing the total project budget from \$237,000 to \$438,116.

RECOMMENDATION: Staff recommends that the Town Council approve the resolution (Attachment A) authorizing the Town Manager to execute Supplemental Agreement #5 with NCDOT for the Homestead Road-Chapel Hill High School Multiuse Path and amending the project ordinance.

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

WHEREAS, the Town Council of Carrboro adopted Project Ordinance No. 13/2022-23 on June 6, 2023, as part of the close-out process for the Homestead Road – Chapel Hill High School Multi-Use Path (previously referred to as the Bolin Creek Greenway Phase 1-B); and,

WHEREAS, funding for this project was comprised of federal, state, and local funding; and,

WHEREAS, NCDOT via a Municipal Agreement oversaw the completion of the project; and,

WHEREAS, the Town must now complete certain tasks to closeout this project in accordance with NCDOT and NCDEQ standards; and,

WHEREAS, on June 6, 2023, the Town Council authorized the Town Manager to transfer \$237,000 from assigned fund balance in the General Fund to the Capital Projects Fund to undertake the required tasks to close this project with the NCDOT; and,

WHEREAS, the Town Council finds it necessary and desirable to amend this Project;

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

1. Revenues for the Homestead Road - Chapel Hill High School Multi-Use Path Capital Project with the NCDOT is hereby by amended as follows:

	<u>Current</u> <u>Appropriation</u>	<u>Increase</u> <u>(Decrease)</u>	<u>Ne</u> <u>Appropriation</u>
Capital Project Fund PL 55003	\$237,000.00		
Federal STBG-DA Funds		<u>\$201,116.00</u>	<u>\$438,116.00</u>
	\$237,000.00	\$201,116.00	\$438,116.00

2. The above appropriation is authorized until all activity is completed.
3. Any funds not expended to close out the project with NCDOT shall be returned to the General Fund.
4. The Town Manager is authorized to enter into and execute contracts and agreements as necessary to complete the required tasks to close out this project with NCDOT.
5. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director and Planning Director.

Racial Equity Pocket Questions – Homestead Road-Chapel Hill High School Multiuse Path

Supplemental Agreement with NCDOT and Amended Project Ordinance for Homestead Road-Chapel Hill High School Multiuse Path Project. The purpose of this agenda item is for the Town Council authorize the Town Manager to execute a Supplemental Agreement with the North Carolina Department of Transportation to add \$201,116 of additional funds to the Homestead Road-Chapel Hill High School Multiuse Path (TIP# U-4726-DE) and to amend the project ordinance.

What are the racial impacts?

The racial impacts include increased accessibility to schools and the greenway network. Completing these close-out items will finish this phase of the greenway and ensure a safe and long-lasting greenway for all users. The greenway provides connectivity to the Claremont neighborhood which includes low-income housing and Chapel Hill High School, Smith Middle School, and Seawell Elementary School. This multi-use path may help in diminishing the transportation barriers experienced by community members in these areas.

Who is or will this experience burden?

There will be a burden to all users of the multi-use path while the bridge repairs are being completed. Town Staff may be burdened due to time involved in managing the project.

Who is or will this experience benefit?

All multi-use path users will experience the benefit of these repairs and closing out of this project. The additional federal funds will free-up Town funds to be used for other initiatives.

What are the root causes of inequity?

Root causes of inequality can include “historical racial segregation, governmental policies, a stagnating minimum wage, outsourcing, globalization, changes in technology, and the waning power of labor unions” (Johnson, 2022).

Communities of color have historically fared poorly in decisions relating to transportation improvements. Dedicated funding sources are used to enhance predominately white neighborhoods while communities of color remain without basic infrastructure and safe streets.

What might be the unintended consequences of this action or strategy?

Unintended consequences of the project may include temporary disruptions to access to the multi-use path. Noise and other disturbances from construction activities may temporarily affect individuals’ daily routines, work schedules or quality of life. There may be opportunity costs associated with funding these repairs instead of using the money to directly invest in racial equity measures.

What might be the unintended consequences of this action or strategy?

Greenways can benefit or harm land values and quality of life experiences for surrounding property owners and occupants. While greenways provide safe travel from vehicles, there may be other hazards associated with their use such as encounters with wildlife and interactions with other users. Local residents without access to off-road facilities may seek to use the school parking lots, particularly Chapel Hill High School and Smith Middle School as a trailhead to access the greenway, the residential streets in Claremont and the potential future connections to Homestead Road and the downtown area.



Agenda Item Abstract

File Number: 23-338

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 1

Resolution Supporting Orange County Contract for Design Services Consultant Services Related to Development of a Master Plan for the Greene Tract

PURPOSE: The purpose of this agenda item is to request that the Town Council adopt a resolution of support for Orange County's Greene Tract Master Plan design consultant services.

DEPARTMENT: Planning

CONTACT INFORMATION: Trish McGuire, Planning Director, pmcguire@carrboronc.gov <<mailto:pmcguire@carrboronc.gov>>, 919-918-7327; Marty Roupe, Development Review Administrator; mroupe@carrboronc.gov <<mailto:mroupe@carrboronc.gov>>

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ Other

The Town's commitment to working with our local government partners to support the Rogers Road community achieve community interests for the Greene Tract is extensive and longstanding. Information related to the Greene Tract, in particular, and the current jointly adopted resolution for its future use may be found at [Greene Tract | Orange County, NC \(orangecountync.gov\)](https://www.orangecountync.gov/3070/Greene-Tract) <<https://www.orangecountync.gov/3070/Greene-Tract>>. Racial Equity Pocket questions are included as *Attachment B*.

INFORMATION:

Orange County released a Request for Proposals (RFP) in July 2023. Proposals were reviewed by staff from Carrboro, Chapel Hill, and Orange County and a preferred consultant team has been identified for contract negotiation. The contract for this work will be between Orange County and the consultant. The cost-share breakdown is 43 percent from Orange County, 43 percent from Chapel Hill, and 14 percent from Carrboro. The Interlocal Agreement, adopted in June 2021, details the future uses of the Greene Tract to include affordable housing, mixed income housing, a future school site, and public recreation spaces.

In recognition of the project's complexity and the need for dedicated expertise, consultant services were identified to provide dedicated, focused resources. Their involvement will be instrumental in advancing this project on a specified timeline, amidst the current staffing challenges faced by the three jurisdictions. The consultant will work closely with staff and the community engagement consultant, Gensler, to develop a Greene Tract Master Plan. The anticipated schedule is projected to conclude in December 2024.

The maximum amount currently proposed for the master plan design services is \$155,000. This maximum amount includes approximately \$5,000 for reimbursable expenses.

Staff from Orange County, Carrboro, and Chapel Hill met with the preferred consultant on November 14 to discuss the project scope towards possible reduction in total costs. Updated information will be provided as it is available and a separate agenda item designating funds for this work will be scheduled for Town Council.

action early in 2024.

The Chapel Hill Town Council is also scheduled to consider approving a resolution of support on November 29, 2023.

FISCAL IMPACT: Carrboro's share of the costs of engagement is estimated to be up to \$21,700. Funds for this work have not been designated in the FY 24 Annual Budget.

RECOMMENDATION: A resolution expressing Town support for Orange County proceeding with the contract for the Green Tract Master Plan Design services is provided for the Council's adoption (*Attachment A*).

ATTACHMENT A

A RESOLUTION SUPPORTING ORANGE COUNTY’S CONTRACT FOR DESIGN
SERVICES RELATED TO DEVELOPMENT OF A MASTER PLAN FOR THE GREENE
TRACT

WHEREAS, The Town of Carrboro has worked with its partners of Orange County and Town of Chapel Hill regarding development of a Master Plan for the Greene Tract; and

WHEREAS, the Town of Carrboro, the Town of Chapel Hill, and Orange County have an Interlocal Agreement (“Agreement”) dated June 21, 2021, regarding current and future use of the jointly owned Greene Tract; and

WHEREAS the Agreement details the priorities and process for consideration of development of the Greene Tract; and

WHEREAS the Agreement details the financial responsibility for all costs associated with implementation of the Agreement for each party; and

NOW, THEREFORE, BE IT RESOLVED that the Carrboro Town Council adopts the resolution providing their support to Orange County entering into a contract for design consultant services to be provided in relation to development of a Master Plan for the Greene Tract.

This the 29th day of November in the year 2023.

Race and Equity Pocket Questions

Title and purpose of this initiative: Supporting Orange County Commissioners Contract with a Master Plan Design Services Consultant for the Greene Tract. The purpose of this initiative is for the Town Council to consider adoption of a resolution supporting the County Commissioners moving forward with contracting for design services that will utilize input from the work of the community engagement consultant.

Department: Planning

What are the racial impacts?

The 164-acre tract is within Chapel Hill's Extraterritorial Jurisdiction (ETJ) and located eastern border of the Historic Rogers Road Neighborhood boundary, a historically Black community at the boundary of Carrboro and Chapel Hill. Roughly 60 acres of the land have been set aside for the Headwaters Preserve, with the layout of the remaining 104 acres to be refined by this upcoming process of community engagement. The request for proposals scores firms against criteria for engagement that collects inclusive, effective, and meaningful input from the community. The strategy shall encompass diversity, race, and equity components to engage historically underserved or disenfranchised communities and communities of color. Input from these engagement efforts will inform the work of the design services team.

Development on the tract could have racial impacts; the 2021 adopted resolution and the 2016 *Mapping Our Community's Future* report identify uses including the creation of new recreative and educational facilities and the provision of mixed-use development (with affordable housing stated as a primary interest). Future changes could also affect the property values in nearby neighborhoods; the engagement and subsequent design processes' purpose is to create a master plan that is compatible with the *Mapping Our Community's Future* report in conjunction with the Rogers Road Community.

Who is or will experience burden?

Nearby community members may long-term face burden if development on the Greene Tract affects their neighborhood landscape and/or their properties. This process of community engagement aims to limit that burden through residents' input and by prioritizing historically marginalized and disenfranchised communities, including the Historic Rogers Road Neighborhood. Community engagement may burden residents and stakeholders in all three jurisdictions in the short-term that require them to attend meetings or workshops and bring attention to the Tract. Similarly, a prolonged community engagement period may delay potentially equitable outcomes of project build out.

Who is or will experience benefit?

This process of community engagement prioritizes historically marginalized and disenfranchised communities, including the Historic Rogers Road Neighborhood. This prioritization will benefit current residents by continuing to identify them as key stakeholders and ensuring they have a

platform with which to shape the future of nearby development, as well as agency in the types of benefits they hope to see from future land uses. These could include resources such as pedestrian access to recreational and educational facilities, open space, and low intensity commercial and maker spaces that supplement the RENA Community Center.

What are the root causes of inequity?

Methods and strategies of public engagement that do not acknowledge known barriers for low-income stakeholders and/or historically marginalized stakeholders including scheduling opportunities to engage that preclude shift workers from participation, do not provide childcare, are too infrequent, or are promoted with resources that are relatively unused by such stakeholders. Lack of representation in government staff, volunteers, and elected officials is also a barrier to participation by historically marginalized community members. Economic inequities such as accumulation of generational wealth, accessibility of affordable housing and of recreative space, can be attributed to historical, discriminate lending practices and exclusionary development patterns at larger geographic scopes than that of the Greene Tract.

What might be the unintended consequences of this action or strategy?

An unintended consequence of the master planning process could be that some interests are not sufficiently captured during the public engagement and other design steps and factors that opportunities to fully realize the potential of this property to serve community interests are missed. Gaps in diversity of engagement events and methods or gaps in neighborhood demographic data or in other types of technical information could occur. An unintended consequence from long-term development might be changes to property values, affordability and/or character of nearby neighborhoods and properties. Another unintended consequence may be new stressors on ecologically sensitive lands like streams and riparian buffers from new development. Additional community engagement could also result in the original intentions of previous planning and engagement being altered.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

The work of the three local government partners, Orange County, Carrboro, and Chapel Hill has proceeded very intentionally to actualize the vision of the 2012 Task Force, which embraced a community first model to address longstanding commitments that had been overlooked in relation to development of the Eubanks Road landfill. Continued attention to these interests has informed the Environmental Assessment completed in 2020 of the Greene Tract identifying road, utility, and land use development layouts and the protection of sensitive ecological areas, including the 60-acre Headwaters Preserve. As with zoning changes Chapel Hill and Carrboro completed to implement the goals of the *Mapping Our Community's Future* community planning, this master planning for the Greene tract will be grounded in use of the tools of One Orange ([Town of Carrboro - File #: 22-37 \(legistar.com\)](#)) and focused on protecting the character of the existing lower-density areas in the Rogers Road community while allowing for new homes and related uses.



Agenda Item Abstract

File Number: 23-342

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 1

Resolution Requesting Reduction of Speed Limits on Old NC 86

PURPOSE: The purpose of this agenda item is to provide the Town Council with an opportunity adopt a resolution requesting NCDOT to consider a speed limit reduction for Old NC 86.

DEPARTMENT: Planning

CONTACT INFORMATION: Trish McGuire, Planning Director, pmcguire@carrboronc.gov
<<mailto:pmcguire@carrboronc.gov>>, 919-918-7327

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☒ Comprehensive Plan ☒ Other

Two strategies in Carrboro Connects, 2022-2042 Comprehensive Plan relate to this agenda item's topic. First, Strategy 1.1 states that "Equitable mobility should be the goal of any transportation planning process in order to repair past processes that have limited mobility of marginalized populations and Strategy 2.2 calls for continued work to "...create safe streets and trail networks for pedestrians, bike riders, and transit riders" in connection with complete streets, Vision Zero efforts, and other actions. Changes to advance these interests are in part implemented with the North Carolina Department of Transportation (NCDOT), as owner of some of the major arterial roads in Town, and the Town itself, through its authority to modify street standards and establish speed limits in the community.

INFORMATION: Most streets within Carrboro's jurisdiction include two travel lanes and have speed limits that are equal to or less than 35 miles per hour. One of the exceptions is Old NC 86 from its intersection at Old Fayetteville and Hillsborough roads to the northern edge of Carrboro's jurisdiction beyond Eubanks Road. Along this stretch the speed limit varies from 30 to 45. The Town has previously requested studies of and adjustments to speed limits along this stretch of roadway, and NCDOT has adjusted and installed signage following these requests and related studies. Concerns about travel behavior, particularly excessive speeds, have persisted and after a recent fatal accident on Old NC 86 in September, members of the Northern Transition Area Advisory Commission discussed the possibility of renewing the request and seeking a lowered speed limit.

Of note, staff have been in communication with NCDOT on several occasions over the past year related to lowering speed limits in Town and a request for changes to several streets is in review. Staff have been working with NCDOT this month to identify dates to seek approval and any needed next steps related to those requested changes.

On November 14th, Town Council members requested that staff prepare a resolution that would request NCDOT's consideration of this lowering speed limits in this location as well. A draft resolution has been prepared (*Attachment A*).

FISCAL IMPACT: Minimal impacts of staff time are anticipated with consideration of this item. If approved, Town Code amendments to establish the speed limits, where subject to Town enforcement and installation of signage would involve some direct costs and staff time.

RECOMMENDATION: Staff recommend that the Town Council consider adoption of the attached resolution

Agenda Date: 11/29/2023
In Control: Town Council
Version: 1

File Type: Agendas

(Attachment A).

RESOLUTION REQUESTING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO
CONSIDER A SPEED LIMIT REDUCTION ON OLD HIGHWAY NC 86 IN CARRBORO NORTH
CAROLINA

WHEREAS the Town Council of the Town of Carrboro, recognizes that the current speed limit on Old Highway NC 86 from SR 1107, Old Fayetteville Road to 2,500 feet north of the intersection of SR 1727, Eubanks Road varies from 35 to 45 miles per hour, and

WHEREAS the Town of Carrboro is a Road to Zero, Vision Zero, and Silver-level Bicycle Friendly Community, long committed to developing and maintaining a system of public rights of way that allow for safe travel and transportation choices for all purposes, and

WHEREAS the Town Council of the Town of Carrboro joins with and appreciates NCDOT in creating complete streets that serve the needs of all North Carolinians to safely travel our public ways, and

WHEREAS the Town Council of the Town of Carrboro has previously requested studies of and adjustments to speed limits along this stretch of roadway, and

WHEREAS the Town Council of the Town of Carrboro recognizes that Carrboro serves as the home base and gateway to southern Orange and northern Chatham County for thousands of road cyclists each year, and

WHEREAS the Town Council of the Town of Carrboro sees demand growing as the Mountains-to-Sea, local and regional biking and walking routes grow in their connectedness, and

WHEREAS the Town Council of the Town of Carrboro receives requests from residents, businesses, and visitors to improve safety along these roadways so that more families can participate in healthful outdoor activities such as walking and bicycling for regular transportation, for improving their health, and for recreation, and

WHEREAS the Town Council of the Town of Carrboro acknowledges the Scenic Byway designation bestowed on this roadway for its cultural significance that dates to the earliest inhabitants of this land, ancestors of the Occoneechee, the Saponi, the Sissipahaw, the Tutelo, and others, its connection to the founding of this nation, the United States of America, for its winding turns, its long, tree-lined vistas, and the important role it has played and continues to play in all aspects of life, and

WHEREAS the Town Council of the Town of Carrboro knows of the risks, evidenced by the recent fatal accident involving a long-time, local resident, and the potential for dangers to pedestrians, bicyclists, and motorists as the properties along Old NC 86 change from fields and forest to new homes and businesses if the speed limits remain as they are.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Carrboro formally request the North Carolina Department of Transportation to consider reducing the speed limit on Old NC 86 to no more than 35 miles per hour from SR 1107, Old Fayetteville Road to 2,500 feet north of the intersection of SR 1727, Eubanks Road.

ADOPTED, this the 29th day of November in the year 2023



Agenda Item Abstract

File Number: 23-341

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 1

Resolution To Award American Recovery Plan Act (ARPA) Funding for Race & Equity initiatives

PURPOSE: The purpose of this agenda item is for the Town Council to approve this Financial Assistance Project to help Carrboro families as recommended by the Racial Equity Commission.

DEPARTMENT: Town Manager's Office

CONTACT INFORMATION: Anita Jones-McNair, Chief Race and Equity Officer, 919.918.7381, amcnair@carrboronc.gov <<mailto:amcnair@carrboronc.gov>>

COUNCIL DIRECTION:

☒ Race/Equity ☐ Climate ☐ Comprehensive Plan ☐ Other

The Town Council approved ARPA funding for race and equity initiatives on October 11, 2022 - Grant Ordinance #4 Fiscal Year 2022-2023

INFORMATION: The REC recommends providing up to \$1,000 of financial assistance per household based on project criteria. Upon consultation with diverse community members and service providers, it has become evident that numerous families continue to face challenges resulting from the ongoing pandemic. These challenges primarily pertain to securing basic necessities such as food, housing, transportation, and childcare, reflecting a persistent struggle within our community. If the resolution is approved, staff will determine best practice for identifying families and a procedure for dispensing funding to help address food, housing, transportation, and/or childcare needs. This assistance can help lessen the burden. The intent is to have funding dispensed by February 2024. See Attachment C - Draft Racial Equity Commission minutes. The REC is scheduled to meet on November 22, 2023, to approve the minutes.

FISCAL IMPACT: \$75,000 was approved through Grant Ordinance # 4 for race and equity initiatives. See Attachment B. Staff impact will be determined based on project implementation.

RECOMMENDATION: Staff recommends approval of the resolution.

RESOLUTION AWARDING AMERICAN RECOVERY PLAN ACT (ARPA) FUNDING FOR RACE AND EQUITY INITIATIVES

WHEREAS, On October 11, 2022, the Carrboro Town Council allocated \$75,000 of funding from the American Recovery Plan Act to support race and equity initiatives; and

WHEREAS, The Racial Equity Commission is recommending the Town Council approve the Financial Assistance Project helping Carrboro families up to \$1,000 because of the pandemic with recurring needs such as food, housing, transportation, and childcare; and

WHEREAS, Staff will determine best practice for identifying families and dispensing funding; and

WHEREAS, Funding will be dispensed by February 2024.

NOW THEREFORE, BE IT RESOLVED by the Carrboro Town Council that:

Section 1. Funding be granted to households in accordance with the process determined.

Section 2. This resolution is effective immediately and a copy of this resolution shall be forwarded to the Town's Finance Officer.

A motion was made by Council Member Posada, seconded by Council Member Romaine that the following ordinance be approved:

**GRANT PROJECT ORDINANCE FOR THE TOWN OF CARRBORO
AMERICAN RESCUE PLAN ACT OF 2021:
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS**

Ordinance No: 4 / FY 22-23

BE IT ORDAINED by the Town Council of the Town of Carrboro, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for a project(s) to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Carrboro (Town) has received a total allocation is \$6,753,198.84.

These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The Town has elected to take the standard allowance to replace lost public sector revenue (Revenue Replacement), as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

Section 3: The following amounts are appropriated for the project(s) and authorized for government services expenditure:

Project Description	Appropriation of ARP/CSLFRF Funds	Total by Department	% of Total
Economic Development		\$976,522	14%
Small Business Grants	\$326,522		
Disparity Study	\$300,000		
Small Business Grants - Part II	\$150,000		
Minority Business Training	\$200,000		
Recreation, Parks & Cultural		\$496,650	7%
Recreation Facilities Maintenance & Repair	\$100,000		
Horse Shoe Pits - Anderson Park	\$114,400		
Baldwin Park Renovation	\$227,000		
Artist Support - 2 Murals	\$24,000		
Music Festival Performer Honoraria FY 2023-24	\$31,250		
Public Safety - Fire & Rescue		\$131,298	2%
Cardiac Monitor	\$50,000		
Defibrillators	\$3,000		
LUCAS Chest Compression System	\$40,000		
Medical Bags and Supplies	\$7,100		
Radio Update Services	\$31,198		
Public Safety - Police		\$231,450	3%
Deescalation Training System and Equipment	\$40,000		
Mental Health Crisis Counselor Pilot Program	\$70,000		
Community Safety Task Force Recommendations	\$75,000		
Radio Update Services	\$46,450		
Information Technology		\$800,000	12%
Fiber Optic Network - S. Merritt Mill Rd	\$300,000		
Broadband Consultant for Internet Access to Affordable Housing	\$350,000		
Council Room Broadcasting for Hybrid Meetings	\$150,000		
Public Works		\$525,000	8%
Relocation of Underground Fuel Tanks	\$475,000		
Pave Fitch Lumber Parking Lot	\$40,000		
Pave Butler Parking Lot	\$10,000		

Planning, Zoning and Inspections		\$778,178	12%
ROW acquisition for S. Greensboro Street Sidewalk (QCT)	\$50,000		
Barnes Street Bus Shelter and amenities (QCT)	\$100,000		
Carrboro Bike and Pedestrian Plan Implementation	\$200,178		
Bike Fix-It Stations (2)	\$15,000		
Design and construct 10-foot side path to connect South Greensboro sidewalk (Old Pittsboro to Carr Street) to 203 Project (QCT)	\$200,000		
Homestead Road Crossing - Bike Plan Priority 1 (partial)	\$113,000		
Design and install Rectangle Rapid Flashing Beacon on Hillsborough Street to improve access to McDougal Elementary School (Bike Plan)	\$100,000		38%
Housing and Community Services		\$2,554,100	
Human Services (Non-Profits)	\$503,500		
LMI Home Energy Efficiency Renovations	\$500,000		
Emergency Housing Assistance	\$500,000		
OWASA Water Bill Debt	\$50,600		
Affordable Housing Units	\$1,000,000		4%
General Administration		\$260,000	
Grants Manager	\$75,000		
Orange County Veteran Memorial Phase III	\$10,000		
Racial Equity Commission Recommendations	\$75,000		
Community Engagement - Digital Signage	\$100,000		
Unassigned			
TOTAL	\$6,753,199	\$6,753,199	100%

Section 4: The following revenues are anticipated to be available to complete the project:

ARP/CSLFRF Funds:	\$6,753,198.84
General Fund Transfer:	\$ 0
Total:	\$6,753,198.84

Section 5: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town's Uniform Guidance Allowable Costs and Cost Principles Policy.

Section 6: The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section 7: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

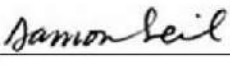
Section 8: This grant project ordinance expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

This the 11th day of October in the year 2022.


The motion carried unanimously by the following vote:

Ayes: Mayor Damon Seils, Council Member Susan Romaine, Council Member Barbara Foushee, Council Member Randee Haven-O'Donnell, Council Member Danny Nowell, Council Member Eliazar Posada, and Council Member Sammy Slade.




Damon Seils, Mayor

ATTEST:


Wesley M. Barker, Town Clerk



Racial Equity Commission Meeting Agenda

October 25, 2023

6:00 p.m. Century Center, Room 4

Call the Meeting to Order

The meeting was called to order at 6:08p by Chair Hawkins

In attendance – Hawkins, Curry, Carter, and McWilliams – members, Councilman Foushee – council liaison and Jones-McNair – staff liaison

Approval September 27, 2023, Meeting Minutes

Curry motioned to approve the minutes; McWilliams seconded the motion. The vote was unanimous.

Racial Equity Action Plan Update

Jones-McNair provided an update. The racial equity action plan has been delayed and will go before the Council in 2024. The REC expressed surprise, disappointment and felt like it was a slap in the face. They would like the interim town manager to come and introduce herself during an upcoming meeting.

Before moving to the ARPA funding discussion, several REC members asked about the status of commission and board stipend program. Jones-McNair will check on the status.

ARPA funding Update

The REC discussed preliminary applicant criteria and recommendations -

Distribute funds to as many families as possible.

Determine best practice for identifying and dispensing funds. Work with County or third-party vendors.

Create family application and selection process if necessary.

Households requesting funds should be in Carrboro town limits and have at least three family members.

Families can request financial assistance up to \$1,000.

Funding should not interfere with current family allocation or services.

Families can request financial assistance for food, housing, transportation, or childcare.

When dispensing funds, allocate directly to business, vendor, organization or as a gift card.

Market program assistance if necessary and make selection on first come/first serve basis.

Curry motioned to approve the applicant criteria and recommendations, Hawkins seconded, and the vote was unanimous.

Unfinished items

REC expressed concerns about vacant commission seats and discussed how to recruitment members.

Agenda items for the next meeting

Member recruitment and develop 2024 calendar. The REC discussed when to have their next meeting. Carter motioned to schedule next meeting in January 2024, Curry seconded, and the vote was unanimous.

Adjourn

Carter motioned to adjourn, McWilliams seconded, and the vote was unanimous at 8:05p.

Race and Equity Pocket Questions

Title and purpose of this initiative: ARPA Funding (REC)

Department: Race and Equity

What are the racial and equity impacts?

Families continue to struggle in the United States grappling with housing, food and housing insecurity, transportation, and childcare. Food and housing insecurity, transportation, and childcare needs disproportionately affect people from racial and ethnic minority and socioeconomically disadvantaged populations. Black/African American households and Hispanic/Latino households are more likely to be food insecure than White households. [Food Accessibility, Insecurity and Health Outcomes \(nih.gov\)](#). In the United States, the struggle to find affordable housing is a pervasive crisis, with millions of low-income individuals and families feeling the weight of rising rent prices. Nearly 20 million Americans who rent—[almost half of all renters](#)—are now [burdened by housing costs](#), many for the [first time ever](#). [An American Nightmare: The Urgent Need for Low-Income Housing - THE INTEL DROP](#). The struggle to find affordable housing is a pervasive crisis, with millions of low-income individuals and families feeling the weight of rising rent prices. Nearly 20 million Americans who rent—[almost half of all renters](#)—are now [burdened by housing costs](#), many for the [first time ever](#). Carrboro is home to a substantial population of renters, a significant portion of whom belong to BIPOC and socioeconomically disadvantaged communities.

Additional information that substantiates the need in our community -

ASSESSING THE IMPACT OF COVID-19 ON LOW-INCOME HOUSEHOLDS AND COMMUNITIES IN NORTH CAROLINA - [Assessing-the-Impact-of-COVID-19-V5.pdf \(unc.edu\)](#)

Who is or will experience community burden?

Those who may not qualify for the program may feel burdened. Also, those families who need funding however the resources are depleted.

Who is or will experience community benefit?

The intended outcome focuses on “chipping away” at closing the gap of disparities in the lives of some Carrboro families who qualify for the assistance. Those families most in need are often BIPOC and socioeconomically disadvantaged populations.

What are the root causes of inequity?

Food and housing insecurity, transportation and childcare needs disproportionately affect people from racial and ethnic minority and socioeconomically disadvantaged populations. Black/African American households and Hispanic/Latino households are more likely to be food insecure than White households. This is due to red lining, gentrification, and the core issue of the lack of potential in building and sustaining generational wealth.

What might be the unintended consequences of this action or strategy?

Unintended consequences include not enough funding available to help all community members in need. The dollar amount allocated helps however more is essential for families to achieve stability. Hopefully the administrative requirements and process will not create barriers.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

By considering additional funding or methods to lessen the burden of families in need. This will help reach further community members and address financial unintentional consequences. This program will also serve as a pilot project for future community initiatives.



Agenda Item Abstract

File Number: 23-333

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 1

Quasi-Judicial Hearing on a Reasonable Accommodation Request for 504 Davie Road

PURPOSE: The purpose of this agenda item is for the Town Council to hold a quasi-judicial hearing and consider granting a reasonable accommodation for construction of an access ramp property at 504 Davie Road

DEPARTMENT: Planning Department

CONTACT INFORMATION: Marty Roupe, Development Review Administrator, Phone: 919-918-7333
Email: mrroupe@carrboronc.gov; Nick Herman, Town Attorney, Phone: 919-919-3905, Email: herman@broughlawfirm.com

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ Other*

*Reasonable accommodation requests are decided through a quasi-judicial hearing, and a decision must be made in accordance with related State of North Carolina and Federal laws.

INFORMATION: Property owner Pamela Williams has submitted information requesting approval of a reasonable accommodation by the Town Council to allow for construction of an access ramp at 504 Davie Road. Ms. Williams has medical issues necessitating the construction of an access ramp on her property to reasonably be able to get to and from the inside of her home.

Reasonable accommodation requests are processed in accordance with Land Use Ordinance Section 15-97, attached as *Attachment A* for reference. Town Council must hold a quasi-judicial hearing on the proposal and decide on the request based on a majority vote of Council Members. Subsection (f) of 15-97 describes the manner in which Council should make their decision, based on the proposed accommodation being both reasonable and necessary.

Christian Molina and Ms. Williams have submitted information explaining the requested reasonable accommodation, see *Attachments B and C*. Specifically, the information submitted explains why it is both reasonable and necessary to construct an access ramp that would otherwise encroach on the regulatory setbacks of Land Use Ordinance Section 15-184. Attachment C shows where the ramp would be located in relation to where Ms. Williams needs to enter and exit the home. A letter from Ms. Williams's doctor is also included as part of *Attachment B*. The letter explains the medical reasons necessitating the reasonable accommodation.

Of note, the reasonable accommodation, if approved, is only valid for the current resident / property owner and will be considered void if the current resident is no longer living at the property for whatever reason. Any subsequent resident requiring a similar accommodation would need to apply separately and that application would come back before Town Council for consideration.

Lastly, the applicant is requesting that Town Council consider voting on this matter on the same night it is received, November 29, 2023, because of the pending receipt of a Certification of Compliance allowing her to move into and reside in a newly constructed portion of the home. A draft decision document granting the request has been provided as *Attachment D* for Council's consideration.

FISCAL IMPACT: No fees may be charged by the Town for a reasonable accommodation request. Staff impacts include time to prepare and present the application to Town Council.

RECOMMENDATION: Town staff recommends that the Town Council hold a quasi-judicial hearing and consider granting the requested reasonable accommodation.

Land Use Ordinance excerpt:

Section 15-97 Reasonable Accommodations. (Amended 6/26/19)

(a) The Town is authorized to grant reasonable accommodations under the Federal Fair Housing Act and Americans with Disabilities Act under the circumstances set forth in this section.

(b) An application for a reasonable accommodation may be filed only by the owner of the land affected by the reasonable accommodation; an agent, lessee, or contract purchaser specifically authorized by the owner to file such application; or any unit of government that is not the owner of the lot but proposes to acquire the lot by purchase, gift or condemnation.

(c) An application for a reasonable accommodation shall be filed with the Administrator and contain: (1) the applicant's contact information (name, mailing address, telephone number, fax number, and email address); (2) the contact information for the owner(s) of the property (if different from the applicant); (3) the address of the property at which the reasonable accommodation is requested; (4) a description of the reasonable accommodation requested; (5) a statement explaining how and why the request meets the standards for a reasonable accommodation (see subsection (f) below); and (6) the notarized signature of the applicant and property owner(s) (if different from the applicant). No filing fee shall be required for the application.

(d) The Council shall hold a quasi-judicial hearing on the proposed reasonable accommodation and shall decide the request upon a majority vote of the members.

(e) The quasi-judicial hearing shall be noticed in accordance with Section 15-102(1) and conducted in accordance with Sections 15-103 through 15-106 to the extent not inconsistent with this Section.

(f) The Council shall grant a reasonable accommodation to any provision of the Land Use Ordinance if the Council finds by the greater weight of the evidence that the proposed reasonable accommodation is both reasonable and necessary, in accordance with the following:

- (1) Reasonable: An accommodation will be determined to be reasonable if it would not undermine the legitimate purposes and effects of existing zoning regulations, and if it will not impose significant financial and administrative burdens upon the Town and/or constitute a substantial or fundamental alteration of the Town's Land Use Ordinance provisions; and
- (2) Necessary: An accommodation will be determined to be necessary if it would provide direct or meaningful therapeutic amelioration of the effects of the particular disability or handicap, and would afford persons with disabilities equal opportunity to enjoy and use housing in residential districts in the Town.

(g) After the Council approves a reasonable accommodation, the applicant shall follow all applicable Land Use Ordinance procedures for the approval of any permits, certificates, or other approvals required in order to proceed with development or use of the property. All orders, decisions, determinations, and interpretations made by administrative officers under those procedures shall be consistent with the reasonable accommodation granted by the Council.

Pamela Williams
504 Davie Road,
Carrboro Nc 27510
wpamela10@aol.com
(919) 623-6214

11.01.2023

To whom it may concern,

My name is Pamela Williams. I am the owner of 504 Davie Road , in Carrboro, NC.

I would like to request reasonable accommodations, as instructed by Martin Roupe, for the existing approved building permit 005536.

I am in my late 70's and have been diagnosed with osteoarthritis among other age given factors described by my health care provider, which letter I am attaching.

My request for reasonable accommodations is to provide me with an easy and safe access to my addition. The project design by Christian Molina is considering an extension of the existing driveway, a ADA compliant deck-ramp with an awning to meet the entrance and egress requirement for accessibility from my home to the car, and from my home to the garden.

The existing Carport entrance to the existing house, is sitting 4' in the setback. This obligated the design to push the entrance deck access and awning out into to setback, as pictured in the presentation attached.

The granting of this petition will allow me an easier and safer access to my addition without facing any hardship. Please review this with this in mind, thank you.

Best regards.


Pamela Williams



UNC GERIATRICS CLINIC

100 EASTOWNE DR
6TH FLOOR
CHAPEL HILL, NC 27514

Attachment B

T 984-974-6599
F 984-974-2680

March 17, 2023

Regarding: Pamela Williams
154 Heatherwood Dr
Chapel Hill NC 27516
919-623-6214
wpamela10@aol.com

To Whom It May Concern:

I am the primary care provider for this patient. Ms. Williams has diagnoses including primary osteoarthritis involving multiple joints, chronic midline thoracic back pain, nuclear sclerosis, polymyalgia rheumatica, macular degeneration, and neuropathic pain of the lower extremity. As such, I am recommending that access to Ms. Williams's new home addition be modified to include installation of ramps to the side door and removal of all steps where permissible for increased stability and falls prevention measures. Please see that the contractor requests of zoning a reasonable accommodation for current health and mobility.

Sincerely,

A handwritten signature in cursive script that reads "Rosanne Tiller MD".

Rosanne Tiller, MD



xerrajeros.com
architectmolina@gmail.com
9194288538

115 South Peak Dr.
Carrboro, NC 27510

Designer:

Christian Molina

Client:

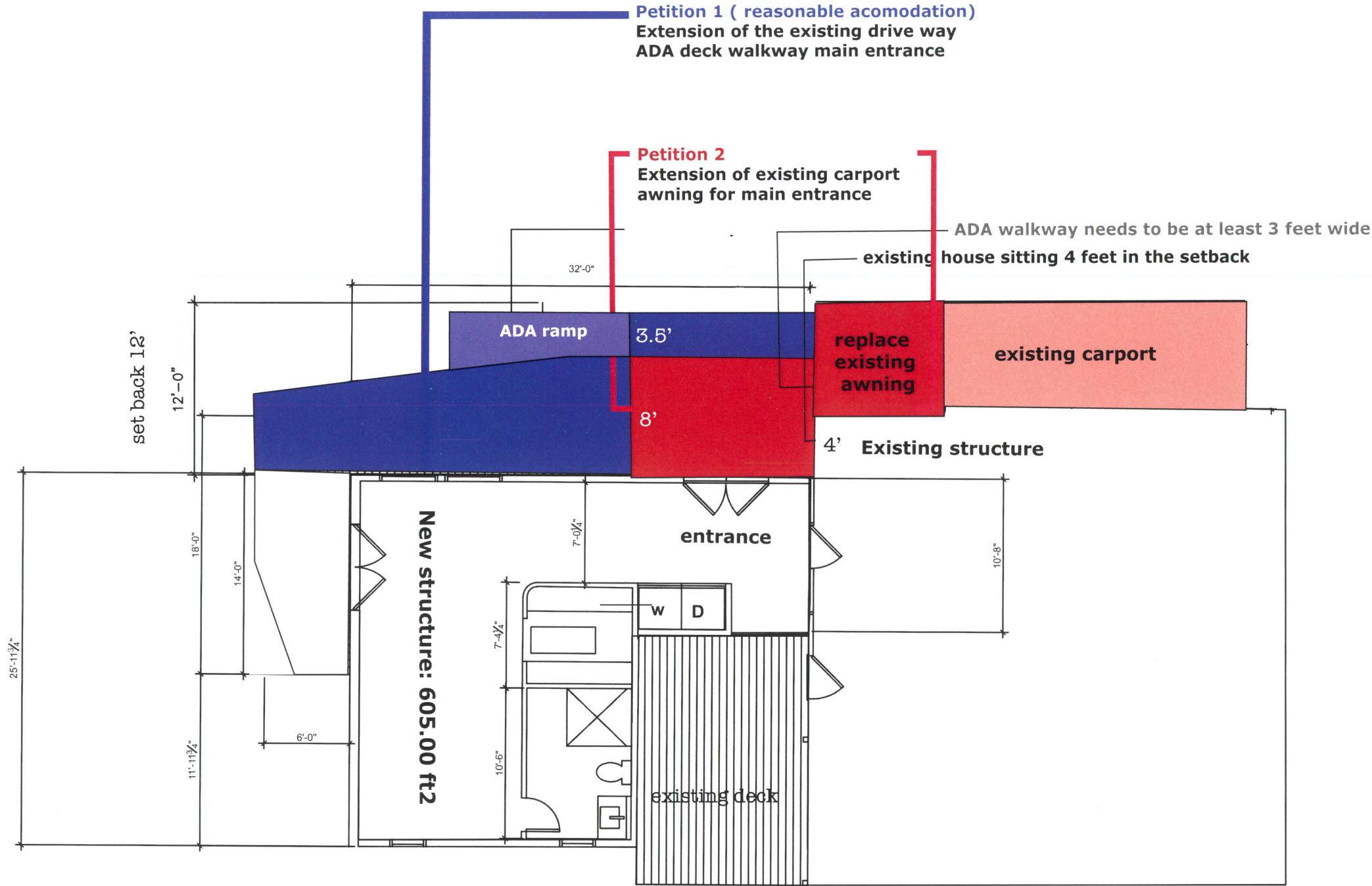
Pamela Williams

Drawings:

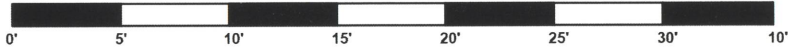
reasonable acomodation

Date Issued:

08.30.2023



scale





xerrajeros.com
architectmolina@gmail.com
9194288538

115 South Peak Dr.
Carrboro, NC 27510

Designer:

Christian Molina

Client:

Pamela Williams

Drawings:

reasonable acomodation

Date Issued:

08.30.2023



xerrajeros.com
architectmolina@gmail.com
9194288538

115 South Peak Dr.
Carrboro, NC 27510

Designer:

Christian Molina

Client:

Pamela Williams

Drawings:

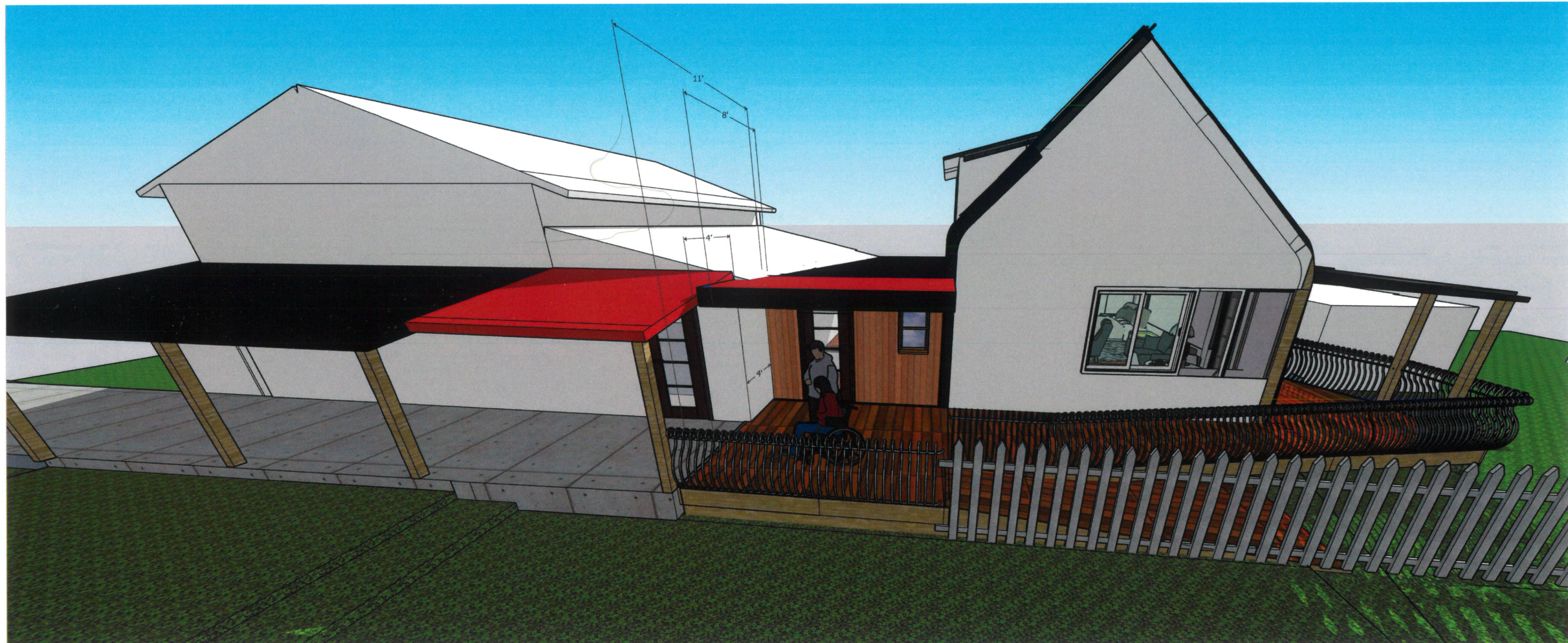
reasonable acomodation

Date Issued:

08.30.2023



Pamela Williams Suite
504 Davis Road Residence
Carrboro, NC





xerrajeros.com
 architectmolina@gmail.com
 9194288538

115 South Peak Dr.
 Carrboro, NC 27510

Designer:

Christian Molina

Client:

Pamela Williams

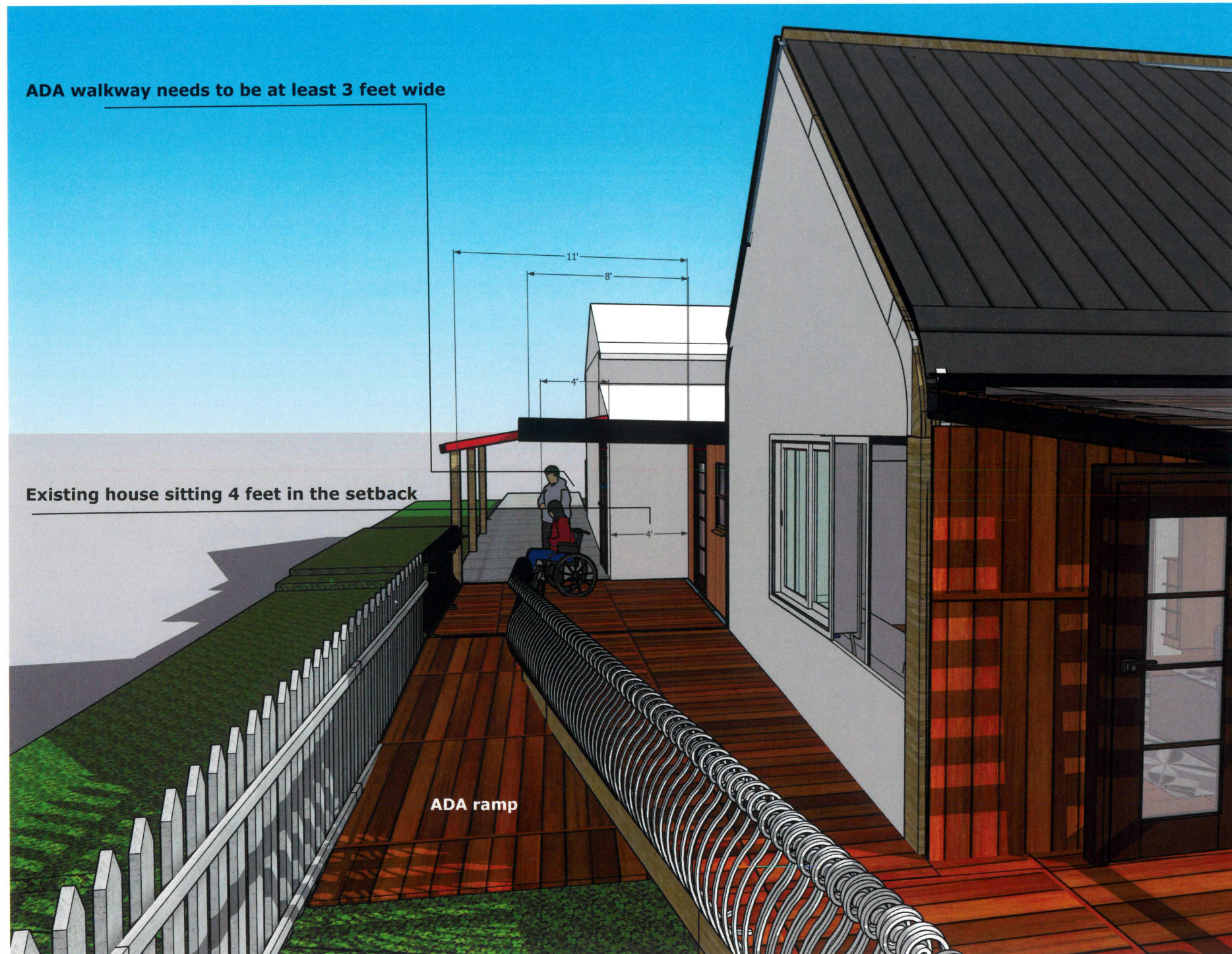
Drawings:

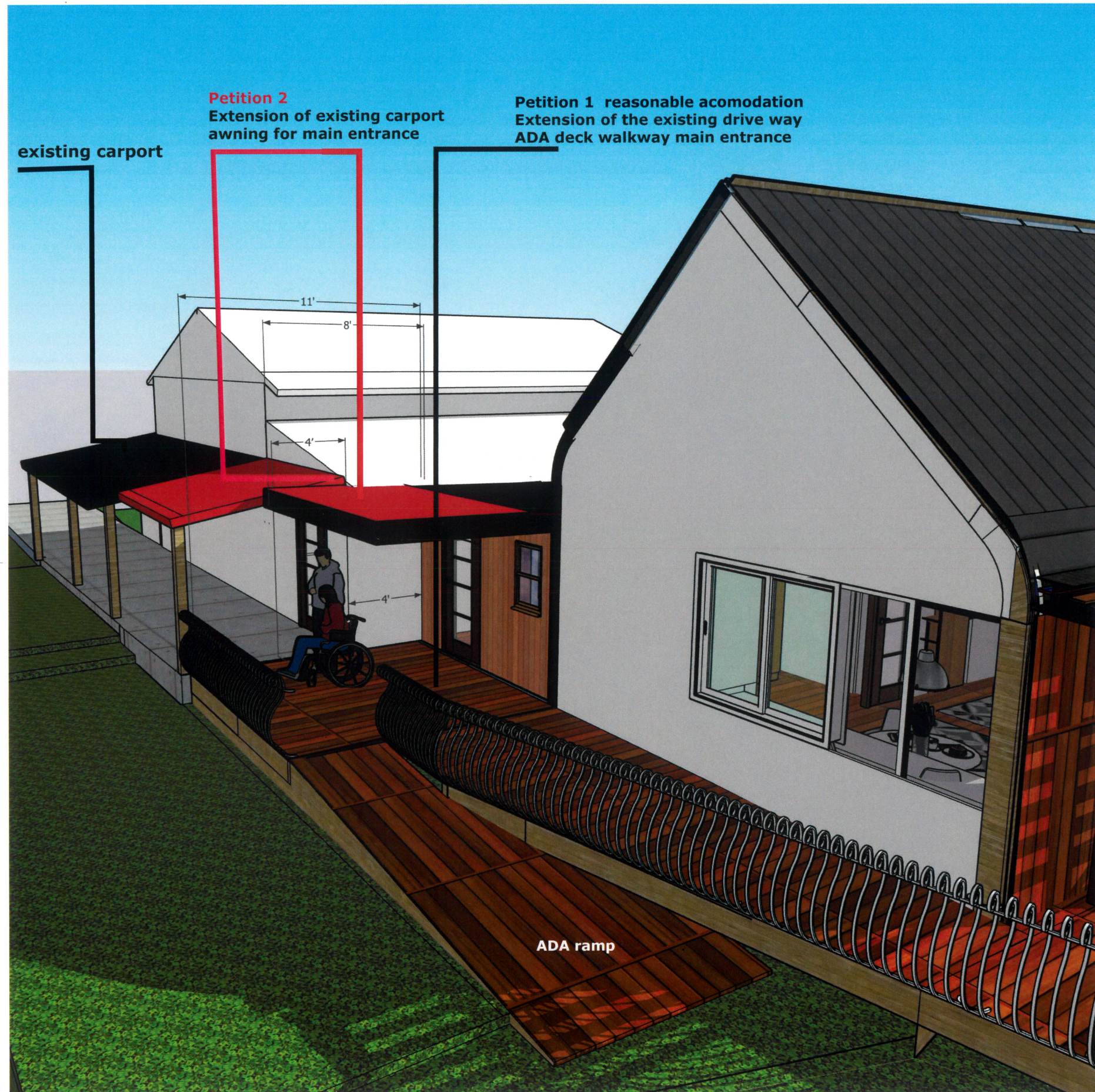
**reasonable acomodation
 special exemption**

Date Issued:

08.30.2023

Engineer:





xerrajeros.com
architectmolina@gmail.com
9194288538

115 South Peak Dr.
Carrboro, NC 27510

Designer:

Christian Molina

Client:

Pamela Williams

Drawings:

reasonable acomodation

Date Issued:

08.30.2023

**DECISION ON REASONABLE ACCOMMODATION REQUEST
OF PAMELA WILLIAMS FOR 504 DAVIE ROAD
CARRBORO NORTH CAROLINA**

On November 29, 2023, pursuant to Section 15-97 of the Land Use Ordinance, the Town Council held a quasi-judicial hearing on the application of Pamela Williams for a reasonable accommodation under the Federal Fair Housing Act and Americans with Disabilities Act to construct a disability ramp for her use at her residence at 504 Davie Road in Carrboro, North Carolina. Based on the evidence submitted at the hearing, the Council makes the following Findings of Fact, Conclusion, and Decision:

Findings of Fact

1. Pamela Williams is in here late 70s, owns the home at 504 Davie Road in Carrboro, has been diagnosed and treated for osteoarthritis and other ailments, and needs a disability ramp at her home for ingress to and egress from her home to ameliorate the effects of her disability or handicap as stated by her health care provider at UNC Health, Geriatrics Clinic.
2. The location, dimensions, and other details for the construction of the proposed disability ramp are set forth in the attached Plan.
3. The construction and use of the proposed ramp for Ms. Williams would not undermine the Town's existing land-use regulations and will not impose any significant financial and administrative burdens upon the Town or constitute a substantial or fundamental alteration of the Town's Land Use Ordinance.

Conclusion

1. The construction and use of the proposed ramp for Ms. Williams is both reasonable and necessary under Section 15-97 of the Land Use Ordinance.

Decision

Based on the foregoing findings of fact and conclusion, the Council grants the requested reasonable accommodation as follows:

The disability ramp shall be constructed and maintained as set forth in the attached Plan for the use of Ms. Williams, and the ramp shall be removed from the premises with 90 days after Ms. Williams no longer uses the ramp.

The Town's Zoning Administrator and Building Inspector shall ensure that the ramp is constructed and maintained in accordance with the attached Plan.

All other applicable provisions of the Land Use Ordinance that are not inconsistent with this Decision shall apply to the ramp and the premises.

Signed, this the ____ day of November 2023.

Damon Seils,
Mayor, Town of Carrboro



Agenda Item Abstract

File Number: 23-336

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 1

Consideration of Transportation Projects for Regional Flexible Funding, Continued

PURPOSE: The purpose of this agenda item is to provide the Town Council with additional information about the call for projects for Regional Flexible Funding and an opportunity for further discussion regarding the selection of projects to be submitted for consideration for funding.

DEPARTMENT: Planning

CONTACT INFORMATION: Christina Moon, Planning Administrator, 919-918-7325, cmoon@carrboronc.gov <<mailto:cmoon@carrboronc.gov>>; Patricia McGuire, Planning Director, 919-918-7327, pmcguire@carrboronc.gov <<mailto:pmcguire@carrboronc.gov>>

COUNCIL DIRECTION:

☐ Race/Equity ☒ Climate ☒ Comprehensive Plan ☒ Other

The Regional Flexible Funding (RFF) Call for Projects is an opportunity to seek federal funds for transportation infrastructure projects thereby advancing the implementation of the 2021 Bicycle Plan Update and Transportation and Mobility chapter of the Comprehensive Plan. All transportation infrastructure projects advance the Town's interests toward Climate Action. Pocket Questions are provided (*Attachment B*).

INFORMATION: On November 14, 2023, the Town Council considered a selection of recommended transportation projects for the DCHC MPO's FY25 Call for Projects for Regional Flexible Funding (<https://carrboro.legistar.com/LegislationDetail.aspx?ID=6414497&GUID=4A4C6F83-38EE-4DF9-8FFD-1A5B0EB6F120&Options=&Search=>>). This is a competitive-based opportunity to seek funding for new projects or additional funding for existing projects from the following federal programs: Congestion Mitigation Air Quality Improvement (CMAQ), Transportation Block Grant Direct Attributable (STBGDA), and Transportation Alternatives program Direct Attributable (TAPDA).

Subsequent to the Council's discussion on November 14th, staff received additional information from the DCHC MPO staff regarding the Call for Projects. The important takeaways include:

- The call for project includes funding for the next three fiscal years: FY25, FY26 and FY27. The Call for Projects next year will be for FY28 funds.
- As noted above, this is a competitive call for projects, projects will be evaluated using a scoring rubric by the MPO staff.
- Partner organizations can only receive funding for a certain number of projects at one time, based on population.
- Carrboro is eligible to receive funding for two new projects.
- The Town can submit more than two projects and allow the MPO staff to use the rubric to identify the two highest scoring projects.
- There is no guarantee that any of the Town's project will be selected for funding.

- The deadline for project submittal has been extended to December 8th.

The Council had previously discussed three possible submittals:

- Preliminary design for Phase 2 of the Bolin Creek Greenway.
- One to three projects in the 2021 Bicycle Plan Update that involve minimum design work and public engagement; possible projects include the Shelton Street contraflow and/or cycle track, the East Poplar pedestrian lane, Maple Avenue contraflow.
- Replacement for the Federal Coronavirus Relief (BGDA CV) funding for the South Greensboro Street sidewalk project that was reallocated to NCDOT to prevent rescission.

Projects must be included in a locally adopted plan and/or the 2050 MTP to be considered for funding. If there is interest in submitting phase 2 or phases 3/4 of the Bolin Creek Greenway, the 2021 Bicycle Plan Update may need to be amended. The bike plan currently references the adopted greenway conceptual master plan but does not include any maps/alignments.

Staff is working with the Town Engineer to develop preliminary cost estimates for the suggested projects: design for the Bolin Creek Greenway Phase 2 (approximately \$400,000), design for the Bolin Creek Greenway Phases 3 & 4 (approximately \$1,325,000) and construction for one to three projects from the 2021 Bicycle Plan Update (approximately \$1,112,000). Selected projects would require a 20-percent local match and staff time to administer the project funds and to manage the design and construction of the projects. Staff is seeking Orange County Transit funds to cover the 20-percent match for the \$206,343 of BGDA CV funding, (approximately \$41,269). Staff would bring back a request to enter into a municipal agreement with NCDOT should projects be selected for funding.

FISCAL IMPACT: There is no fiscal impact associated with the discussion of this item. Should the projects be selected for funding, matching funds would need to be identified for all of the projects except for the Coronavirus Relief funding.

RECOMMENDATION: Staff recommends that the Town Council consider adoption of the resolution (*Attachment A*) directing staff to submit one of the three lists of projects (Options 1 through 3) to the DCHC MPO by the December deadline.

A RESOLUTION TO IDENTIFY PROJECTS FOR SUBMITTAL FOR REGIONAL
FLEXIBLE FUNDS FOR FY25

WHEREAS, the DCHC MPO has announced a call for projects for Regional Flexible Funds for FY25 to be submitted by December 8, 2023; and

WHEREAS, the Town has identified several bike and pedestrian infrastructure projects in the Safe Routes to Schools Action Plan, the Carrboro Comprehensive Bicycle Transportation Plan and 2021 Update to the Bike Plan, the Carrboro Comprehensive Plan, Carrboro Connects; and

WHEREAS, the following projects, identified as priorities in one or more that above documents appear to be good candidates for Regional Flexible Funds.

- Design Services for Bolin Creek Greenway Phase 2
- Design Services for Bolin Creek Greenway Phases 3 & 4
- Bike Plan Implementation Projects
 - Shelton Street - contraflow lane and/or cycle track improvements (Hillsborough Road to Ashe Street)
 - East Poplar Street pedestrian lane
 - Maple Avenue – contraflow lane (100 block)
- South Greensboro Street Sidewalk – replacement for Federal STBG-DA Coronavirus Relief Funds

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the Council receives the updated information on the call for projects and directs staff to submit one of following final list of projects(s) to the DCHC MPO by the December deadline:

Option (1)

- Design Services for Bolin Creek Greenway Phase 2
- Bike Plan Implementation Projects
- South Greensboro Street Sidewalk – replacement for Federal STBG-DA Coronavirus Relief Funds

OR

Option (2)

- Design Services for Bolin Creek Greenway Phases 3 & 4
- Bike Plan Implementation Projects
- South Greensboro Street Sidewalk – replacement for Federal STBG-DA Coronavirus Relief Funds

OR

Option (3)

- All of the projects described above. The DCHC MPO staff would determine the two highest scoring new projects using the RFF scoring rubric for formal consideration in the Call for Projects.

This is the 29th day of November in the year 2023.

Racial Equity Pocket Questions

Title & Purpose of this Initiative: Consideration of Transportation Projects for Regional Flexible Funding, Continued. The purpose of this agenda item is to provide the Town Council with additional information about the call for projects for Regional Flexible Funding and an opportunity for further discussion regarding the selection of projects to be submitted for consideration for funding.

Department: Planning, Zoning and Inspections

What are the racial impacts?

Bicycle and pedestrian transportation projects provide residents with improved infrastructure and are important components of complete streets and the development of a multimodal network. These are improvements that will positively affect everyday life for those without regular access to a car. BIPOC populations are more likely to face barriers to accessing reliable transportation and live in communities with limited access to bicycle and pedestrian facilities. South Greensboro Street is located along a qualified census tract (QCT) and will have direct access to some of these facilities.

Who is or will experience burden?

Transportation improvements typically involve some inconvenience to surrounding residents, businesses and visitors during construction. Residents with property along Bolin Creek and Jones Creek (Bolin Creek Greenway Phase 2 and Bolin Creek Greenway phases 3 & 4) are most likely to be disturbed with noise and dust during construction. During this initial step of design, burdens may involve surveyors and members of the design firm walking the alignment and boundaries of the study area. With regard to the bike plan facilities, similar impacts could be expected for residents along the different corridors, with the most impact anticipated for the 500 & 600 blocks of Shelton Street. Residents along that segment of Shelton may have limited access to driveways during certain periods and potentially lose some vegetation, screening their properties. Construction along Shelton Street could also affect direct access to the Carrboro Elementary School and Carrboro United Methodist Church; a construction management plan combined with early and continued engagement with the school and church would be essential.

As with all transportation projects there are certain community-wide burdens relating to costs. Even with projects involving 80-percent federal funds, the 20-percent of local funds allocated to transportation projects are not available for use for other town initiatives. Once completed, there are no burdens anticipated except for some ongoing costs for maintenance as there are for sidewalks or other forms of public infrastructure.

Who is or will experience benefit?

All of the projects identified as possible candidates for Regional Flexible Funding (RFF) would provide important segments to the existing network. Phase 2 of the Bolin Creek Greenway provides a direct connection to the Jones Creek Greenway, currently under design, and extends the off-road system from Eubanks Road to Homestead Road and on to Chapel Hill High School and neighboring campuses for Smith Middle School and Seawell Elementary School. Phases 3 & 4 have the potential to connect from Estes Drive Extension or Wilson Park to Homestead Road and

Seawell Road as well as the three schools, and the surrounding residential neighborhoods. The bike plan infrastructure would improve bike-ped access to Carrboro Elementary School, connect the Shetley Bikepath and North Greensboro Street to Hillsborough Road. The improvements to the 100 block of Maple Avenue would work in concert with the one-way conversion of Maple Avenue as part of the 203 Project furthering the connections from Libba Cotten to the PTA bikepaths, from East Main to Jones Ferry Road/West Main Street and to Old Pittsboro Road.

All of these projects would benefit the community overall, as well as residents living along the specific corridors. In addition to the Shelton Street project, the Bolin Creek Greenway segments provide opportunities for a greater number of families to walk/bike to school, a Town and community interest. If selected, the 80-percent of federal funds would substantially reduce costs that would be otherwise be passed on to local residents. Once completed the projects would be public facilities—available for all community members to use. Off-road and designated bicycle facilities can encourage less confident cyclists to integrate cycling into their everyday lives.

What are the root causes of inequity?

Working individuals and families may find it difficult to attend public meetings when transportation projects are discussed. Structural racism in government decisions, particularly those relating to transportation and land use, as well as residents' personal experiences with government, can further contribute to a reticence by historically marginalized people to speak in a public setting, and/or may be reticent to speak in a public setting, particularly if there is a concern that personal property may be taken/condemned.

What might be the unintended consequences of this action or strategy?

Transportation infrastructure projects can benefit or harm land values and quality of life experiences for surrounding property owners and occupants. As noted above, some property owners along the Bolin Creek corridor may experience a loss of privacy during the surveying phase, and from increased bicycle and pedestrian traffic as part of public input and/or once the project is constructed from regular use. The bike plan projects should have less impact to residents, however, residents along the 500 & 600 blocks of Shelton Street, students/teachers and faculty at Carrboro Elementary School and staff and parishioners at Carrboro United Methodist Church will experience some inconvenience during construction. The use of local funds toward these projects may take away funding for other Town initiatives, including those with more direct benefit to specific groups/individuals such as affordable housing. The completion of these projects will provide benefit to Town residents overall and provide a much safer way to walk or roll to school and to other Carrboro destinations.



Agenda Item Abstract

File Number: 23-332

Agenda Date: 11/29/2023
In Control: Town Council
Version: 1

File Type: Agendas

Street Naming/Renaming

PURPOSE: The purpose of this agenda item is to provide the Town Council with information on renaming streets following recent requests to rename a street in recognition of Braxton Foushee

DEPARTMENT: Planning

CONTACT INFORMATION: Trish McGuire, Planning Director, 919-918-7327, pmcguire@carrboronc.gov

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ Other

Land Use Ordinance Section 15-223 and Town Code Section 7-32 notes that street names are assigned by developers subject to permit issuing authority approval and describe requirements pertaining to the names of street types (i.e. suffixes), such as “Street,” “Circle,” and “Alley” and assignment of house and building numbers (*Attachment A*). Racial Equity pocket questions have been completed (*Attachment B*).

INFORMATION: On October 17, 2023, three speakers from the floor, Dave Mason, President of the Lincoln High School Alumni Association, Pat Mason, and Herman Murrell Foushee, presented requests to the Town Council to rename an existing street “Braxton Foushee Street” in recognition of current Planning Board member and past Board of Aldermen member (1969-1976) Braxton Foushee’s long-standing commitment to advancing civil rights and other community interests. Both N. Greensboro and Carr Streets were mentioned by the speakers as streets to consider for renaming. Council Members expressed support for Mayor Damon Seils to discuss this topic with the Town Manager. An overview of the renaming of streets is presented below.

Due to the burdens on individuals to change personal identification, accounts, and other materials when an address change occurs, street renaming is uncommon, occurring in the following circumstances:

1. 911 identifies a street name issue that presents a life-safety problem that needs to be rectified. This occurs when existing naming/numbering demonstrably impacts the accuracy of dispatching emergency responders causing delays in service. Staff initiate the renaming and communicate to all property owners the need to change and work with them to come up with a name they are in agreement with.
2. Property owners request a street renaming and work with staff to identify a street name that is not a duplicate in the Orange County 911 emergency dispatch service area. Once all property owners indicate agreement to the change, the change can go forward.
3. Town Council/formerly Board of Aldermen requests exploration of a change. Staff evaluates for conflicts/duplicates and a change can be made if it does not duplicate an existing name.

The council has requested the exploration of a change to the name of Carr Street to Braxton Foushee Street.

Braxton Foushee is not a duplicate with any names in the 911 system. There are 45 addresses on Carr Street, 7 on E. Carr, and 38 on W. Carr. No contact has been made with residents or property owners of these streets.

Considerations. Addressing of infill lots and units is an ongoing aspect of land use and development management. In most cases, older areas of Town have not involved the reservation of addresses to accommodate subdivisions, let alone increases in density.

Staff are examining options for addressing as part of the Carrboro Connects' goals and strategies regarding increases in residential density and other changes to land use. The Town has also recently received direction from the United States Postal Service regarding the naming and designation of streets, buildings, and units to use numbering only. Going forward, we will not be using letters to designate lots, buildings, apartment units, office suites, et cetera. Amendments related to addressing and the naming of neighborhood and developments will be included with other Comprehensive Plan implementation amendments in 2024.

If the Town considers renaming streets, particular attention could be given to certain ones that could significantly benefit from this, notably Estes Drive and NC Highway 54. These streets have multiple segments, diverse designations, and face issues with inconsistent address ranges and positioning across various zip code areas. Despite different physical addresses and locations on opposite sides of NC Highway 54, the consolidation of two apartment communities in recent years coupled with decision of the new owners to rename the communities as Berkshire Manor East and Berkshire Manor West has presented challenges to emergency service dispatching. These neighborhoods are separated by the median section. Staff requests to the owners to make the names distinct have to date been unsuccessful. Should other policy interests be identified, an assessment of existing street names could be completed in relation to the specified interest.

end

FISCAL IMPACT: Minimal with discussion of this topic. Varying staff time and other costs are related with making changes to street names depending on the number of street segments and addresses involved and with further assessing or changing street names. Related costs involve staff time, mailing costs, updating maps and data layers, and replacement signs among them.

RECOMMENDATION: The staff recommendation is that direction be provided related to this matter.

Excerpt of Town Code Chapters 7 and 15 – Street Naming/Numbering Provisions

Section 7-32 House and Building Numbers

(a) The owner of every house and every principal building shall display or cause to be displayed on the front thereof, or on the grounds in a position easily observed from the street, the number assigned to the owner's house or building by the administrator. The owner shall comply with this section within thirty (30) days after receiving a written notice from the administrator requesting the owner to do so and specifying the house or building number assigned.

(b) No person may display or cause to be displayed on any house or building any number other than the number assigned by the administrator.

(c) No person may remove, obliterate or destroy any number displayed in accordance with subsection (a).

(d) The administrator shall assign house and building numbers in accordance with a house and building numbering system that adheres as closely as possible to the principles set forth in this section. However, matters of interpretation regarding the following principles shall rest within the sound discretion of the administrator.

(1) The Town shall be divided by two axes. The north-south axis shall be Greensboro Street and Hillsborough Road, and the east-west axis shall be Main Street through Jones Ferry Road.

(2) Numbers shall run in an ascending order from east to west on streets to the west of the north-south axis. Numbers shall run in an ascending order from west to east on streets to the east of the north-south axis. Numbers shall run in ascending order from south to north on streets to the north of the east-west axis. Numbers shall run in ascending order from north to south on streets to the south of the east-west axis. 7-21

(3) All dead-end streets shall begin numbering at the open end no matter which compass direction they follow.

(4) Streets with both ends opening from the same direction shall begin numbering on the end closest to the axis. (

5) Streets which do not run north-south or east-west shall begin numbering at the end closest to the axis.

(6) Streets which connect to both axes shall begin numbering on the end coming off the east-west axis.

(7) Each block shall begin a new number series, for examples, 101, 201, or 301.

(8) Numbers shall remain unassigned in order to accommodate future development and block numbering that anticipates additional development shall be reserved in undeveloped areas

Section 15-223 Street Names and House Numbers.

(a) Street names shall be assigned by the developer subject to the approval of the permit issuing authority. Proposed streets that are obviously in alignment with existing streets shall be given the same name. Newly created streets shall be given names that neither duplicate nor are phonetically similar to existing streets within the town's planning jurisdiction, regardless of the use of different suffixes [such as those set forth in subsection (b)].

(b) Street names shall include a suffix such as the following:

- (1) Circle: A short street that returns to itself.
- (2) Court or Place: A cul-de-sac or dead-end street.
- (3) Loop: A street that begins at the intersection with one street and circles back to end at another intersection with the same street.
- (4) Street: All public streets not designated by another suffix.

(c) Building numbers shall be assigned by the town as provided in Section 7-32 of the Town Code.

Racial Equity Pocket Questions

Title and Purpose of this Initiative: Street Naming/Renaming is the agenda item title. The purpose is to provide the Council with information about street naming and renaming following recent requests for streets to be renamed in recognition of Braxton Foushee.

Department: Planning

What are the racial impacts?

Names of streets are important. They identify the location of our homes and businesses and become a part of our identities on our drivers' licenses, college applications, and bank accounts, to name just a few. The naming of streets for individuals or events often reflects a recognition of contributions that have been celebrated or appreciated at a point in time. Some names are known to be associated with events or individuals who acted demonstrably in ways that segregated or negatively impacted people based on their race, gender, gender identity, ability, or ethnicity. With greater awareness of and interest in understanding how structures of racism are detrimental to society, delving into history sometimes reveals others, not as well known, who acted similarly. Individuals, families, communities, institutions, and nations explore when and whether to change the names of streets to cease to recognize and or celebrate those individuals and events.

Who is or will experience burden?

The burden of renaming falls primarily on those who must change their addresses and all associated identifying information. There are costs associated with these changes, both actual fees, as well as time to communicate about, make appointments about and travel to make changes. There can be significant challenges to updating drivers' licenses - appointments to get in the DMV (for those not using technology to update their address, those who need assistance to attend appointments or have difficulty adjusting their work schedules to take care of personal business during DMV working hours) can take months and to be seen often takes hours. Businesses or home-based businesses may have additional financial burdens for costs to reprint marketing materials, letterhead, invoices, et cetera. Another burden will occur during the period of transition when address changes cascade through address databases and require adjustments in the practice of those who deliver goods and services directly to homes and businesses, slowing or preventing deliveries, making it difficult for properties to be located. Family members of the individuals named or associated with events may be burdened by the focus on these aspects of history. Where there are inconsistencies or problems associated with existing names, maintaining an existing street name/numbering system can present a burden to emergency service providers and all those who access properties directly to make deliveries or provide services – due to delays. To date, changes have been made when 75 to 100 percent of the property owners have agreed to changes.

Who is or will experience benefit?

Those who are or have been harmed by the perception of or direct actions of those named individuals or events. The community when given the opportunity to learn about the historical and societal impacts of name choices as well as the expansion of community members or events of historical significance. Family and community members of the newly named/recognized individuals who appreciate the greater awareness and recognition of those contributions. New addresses may result in a greater sense of uniqueness or autonomy.

What are the root causes of inequity?

Structural racism in the United States has affected recognition for contributions of individuals and groups to important historical events, discoveries, and acts of bravery among others, has affected access to leadership roles in government, to and funding/financing for property ownership, educational and health care access, infrastructure, public services, and wealth generation for BIPOC families.

What might be the unintended consequences of this action or strategy?

The noted burdens may be larger than anticipated. Research into new names may not reveal conditions which are later found to convey negative connotations and may be found harmful.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

The department plans to evaluate renaming processes before, during and after they are implemented. The department will continue to use the REAL and pocket questions in relation to consideration and implementation of policies in the town's comprehensive plan, *Carrboro Connects*. Should the Town proceed with directing street renaming, a subsidy for low- and moderate-income residents could be considered to offset those monetary and time cost burdens that accrue when making address changes.



Agenda Item Abstract

File Number: 23-293

Agenda Date: 11/29/2023
In Control: Town Council
Version: 1

File Type: Agendas

Request for Minor Modification of a Special Use Permit-A for a Mixed-Use Building at 1001 Homestead Road

PURPOSE: The purpose of this item is for Town Council to consider approving a resolution authorizing increased residential density within a previously approved mixed-use building at 1001 Homestead Road.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Marty Roupe, Development Review Administrator, 919-918-7333,
mroupe@carrboronc.gov <<mailto:mroupe@carrboronc.gov>>

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☒ Comprehensive Plan ☒ Other

Other is indicated as this item relates to the town's Land Use Ordinance. Racial Equity pocket questions have been answered in Attachment C..

INFORMATION: Parker Louis, LLC has submitted an application for a Minor Modification to the previously approved Special Use Permit-A allowing for construction of a mixed-use building within the B-3 zoned portion of the Planned Unit Development (PUD) for Claremont South AIS Phase 4, located at 1001 Homestead Road. The subject property is 1.23 acres (53,418 sf) and is further identified by Property Identification Number 9779-37-0476)

The original PUD was approved in April 2012 and the Special Use Permit-A was granted in February 2018. As approved, the permit allows for 6,797 square feet of office space on the first floor and 4,879 square feet of residential space on the second floor, comprising four residential dwelling units. A minor modification granted by the Town Council in 2019, allowed for residential use on the first floor and a total of eleven dwelling units in the building.

The current minor modification application consists of a request to increase the total number of permissible dwelling units in the building to 14, between the first and second floors. The building size has been slightly reduced to 6,659 square feet for the first floor and 4,760 square feet for the second floor, and the internal layout of individual spaces will be modified to allow a total of 14 dwelling units (11 one bedroom units & 3 two bedroom units), in accordance with a transfer of residential density from the R-10, Residential portion of the PUD to the B-3 portion of the PUD. This transfer of density recently became permissible when Town Council adopted a LUO text amendment allow for such density transfers on October 24, 2023. The request is consistent with the text amendment. The request also still allows for office space on the first floor of the building as well.

FISCAL IMPACT: Plan review fees are paid by the applicant. There may be tax implications related to the ongoing and future use of the first floor of the building as residential versus office space, but no other fiscal

impacts are noted.

RECOMMENDATION: Town staff requests that the Town Council consider adopting the attached resolution, Attachment A, approving the minor modification to the SUP-A.

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE SUP-A FOR THE CLAREMONT SOUTH MIXED USE BUILDING LOCATED ON HOMESTEAD ROAD ALLOWING THE DEVELOPER TO PLACE UP TO 14 RESIDENTIAL DWELLING UNITS WITHIN THE BUILDING AND TO USE THE FIRST FLOOR OF THE BUILDING FOR EITHER RESIDENTIAL OR OFFICE USES.

WHEREAS, the Carrboro Town Council approved a Special Use Permit-A for the Claremont South Mixed Use Building in February 2018; and

WHEREAS, the Carrboro Town Council approved a Minor Modification to the Special Use Permit-A for the Claremont South Mixed Use Building in 2019, allowing for up to eleven residential units in the building; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that any modification of an existing Special Use Permit-A that does not substantially impact neighboring properties, the general public, or the intended occupants of the project, constitutes a minor modification to the original Special Use Permit-A; and

WHEREAS, the Town Council finds that the applicant has satisfied the requirements related to minor modifications contained in the Land Use Ordinance.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the minor modification to the Claremont South Mixed Use Building SUP-A is hereby approved, allowing the developer to include up to fourteen total residential units in the building, and to use the first floor of the building for either residential or office uses.

This the 29th day of November 2023.

MINIMUM BUILDING SETBACKS

Per Town of Carrboro Zoning Ordinance
 Town of Carrboro Zoning: R10B3PUD
 Boundary Setback - 12' (R10) or 15' (B3)
 Right of Way Setback - 25' (R10) or 15' (B3)
 Road Centerline Setback - 55' (R10) or 45' (B3)

Setback Note:

(Per Town of Carrboro Ordinance, Article XII Section 15-1.04)
 If the street right-of-way line is readily determinable (by reference to a recorded map, set irons, or other means), the setback shall be measured from such right-of-way line. If the right-of-way line is not so determinable, the setback shall be measured from the street centerline.

PARCEL DATA

Orange County Tax Information (Per Orange County GIS)
 Parcels included in this Project:

Parcel 1:

PIN: 977937047G

Property Address: 1001 Homestead Road, Chapel Hill, North Carolina
 Township: Chapel Hill Township
 Watershed: Jordan Lake
 River Basin: Cape Fear
 Deed Reference: DB 4140, Pg 15G
 Town of Carrboro Zoning: R10B3PUD
 Owner: Parker Louis, LLC
 301 Montclair Way
 Chapel Hill, North Carolina 27516
 Contact: Adam Zinn at 919-422-6477

SITE SUMMARY INFORMATION:

Existing Use: Single Family Residential (1.111)
 Proposed Use: Multi-Family Residence (1.320)
 Number of Residential Units Proposed = 14
 Number of Bedrooms Proposed in each Unit:
 1 @ 1 bedroom
 3 @ 2 bedroom (all upstairs)
 4 Units are upstairs and 10 units are downstairs

Total Property Area: 1.23 Acres \pm (53,415 sf \pm)

Existing Impervious Surface Area: 5,327 sf. (0.12 acres) = 10.0% of site
 Total Proposed Impervious Surface Area: 23,024 sf. (0.53 acres) = 42.9% of site

Disturbed Area Proposed: 34,655 sf. (0.80 acres)

Existing Building Footprint Area: 1,685 sf.
 Proposed Building Footprint Area: 6,659 sf.
 Proposed Building Floor Areas: 6,659sf. 1st Floor
 4,760 sf. 2nd floor
 11,419 sf. Total

Proposed Building Height: Less than 30 ft. (2 stories)

This project will be a single-phase development.

Impervious / Stormwater Controls previously addressed and accounted for in Overall Neighborhood Master Plan.
 Proposed site total impervious surface hereon is less than or equal to that which was allocated in the Master Plan approvals.

Vehicular Parking Requirements (Per Section 15-29.1):

Rate: For Residential Use 1.320 - 1 space for each bedroom in each unit plus 1 additional space for every 4 units in the development
 Number of Residential Units Proposed = 14
 Number of Bedrooms Proposed = 17

Parking Required: 17 + 4 = 21 residential spaces required
 Existing Parking: 0 spaces
 Proposed Total Parking: 26 spaces
 (Including 2 Accessible Spaces)

which includes Total Van HC Parking Proposed: 1 space

Bicycle Parking Requirements (Per Section 15-29.1):

Rate: For Residential Use 1.300 - 1.5 spaces per unit
 Bicycle Spaces Required (Residential Use) = 1.5 spaces per unit x 14 units = 21 spaces required for residential use
 Bicycle Spaces Provided = 21 spaces
 (15 covered spaces, 6 open spaces)

BELLAMY PLACE

SPECIAL USE PERMIT

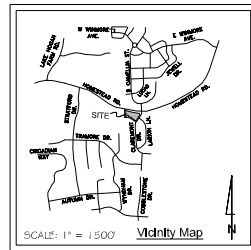
110 Bellamy Lane, Chapel Hill,
 North Carolina

Town of Carrboro

SHEET INDEX:

- Cover Sheet
- 1) Existing Conditions Plan
- 2) Site and Utility Plan
- 2A) Truck Turning Analysis Plan
- 3) Grading and Stormwater Plan
- 4) Landscaping Plan
- 4A) Site Lighting Plan
- 4B) Site Lighting Details
- 5) Erosion Control Plan
- 5A) Erosion Control Details
- 6) Construction Details
- 7) Construction Details
-) Building Plans (as attached or under separate cover)

BELLAMY PLACE Planned Unit Development / Conditional Use Permit
 PIN: 977937047G
 PLS: 1-17-1006



Property Identification Number (PIN) for property:
 Parcel Address: 110 Bellamy Lane
 Chapel Hill, North Carolina
 Property ID No.: 977937047G

COVER

6-27-2017

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ORANGE COUNTY SOLID WASTE CONSTRUCTION NOTES:**Construction Waste:**

- All existing structures 500 square feet and larger shall be assessed prior to the issuance of a demolition permit to ensure compliance with the County's Regulated Recyclable Materials Ordinance (RRMO) and to assess the potential for deconstruction and/or the reuse of salvageable materials.
- Pursuant to the County's RRMO, clean wood waste, scrap metal, and commingled cardboard present in construction or demolition waste must be recycled.
- Pursuant to the County's RRMO, all haulers of mixed construction and demolition waste which includes any regulated recyclable materials shall be licensed by Orange County.
- Prior to any demolition or construction activity on the site, the applicant shall hold a pre-demolition/pre-construction conference with Solid Waste staff. This may be the same pre-construction meeting held with other development/enforcement officials.
- The presence of any asbestos-containing materials (ACM) and/or other hazardous materials shall be handled in accordance with any and all local, state, and federal regulations and guidelines.

CONTRACTOR'S NOTES:

- The contractor shall verify the location of all existing utilities prior to beginning construction. Locations of existing utilities shown on the plan are based on the best available information, but can only be considered approximate.
- The Town of Carrboro shall review and approve construction drawings prior to construction. Any conflicts should be reported to the project engineer immediately for review prior to beginning construction. It shall be the owner's responsibility to obtain all required approvals and permits from agencies governing this work prior to any construction.
- Construction and location of sidewalk, slopes, landings, approaches, ramps, and accessible routes shall be in accordance with the ANSI 2009 Handicap Code or latest Accessibility Code revision or applicable PROWAG standards.
- Contractor shall contact project engineer to observe formwork for site curb, concrete sidewalks, and other items as well as string lines or other controls prior to the placement of concrete, setting base course stone, or the placement of asphalt.

CALL BEFORE YOU DIG! IT'S THE LAW
 ULOCO North Carolina One Call Center
 1-800-632-4949

General Notes:

- All construction methods and materials shall conform to the Town of Carrboro Standard Specifications & Details and the NC Plumbing Code.
- Boundary, topographic, and existing feature information provided by a survey prepared by Freehold Land Surveys, Inc., Chapel Hill, North Carolina (Job Number: J2165310PO).
- Water service is proposed via a 2" tie to existing water main as shown on plan.
- Sanitary sewer service is proposed via a 4" tie to existing sanitary sewer cleanout as shown on plan.
- Exact size and location of all applicable utilities and easements to be field verified prior to construction.
- Contact the project engineer immediately with any conflicts regarding the design or construction of the project. All field adjustments shall be verified by the project engineer prior to construction.
- Construction and location of sidewalk, slopes, landings, approaches, ramps, and accessible routes shall be in accordance with the ANSI 2009 Handicap code or latest Accessibility Code revision or applicable PROWAG standards.
- Contractor shall contact project engineer to observe formwork for site curb, concrete sidewalks, and other items as well as string lines or other controls prior to the placement of concrete, setting base course stone, or the placement of asphalt.
- Compaction of fill materials, approval of residual subgrade, soil proof rolls, stone placement, and/or other materials testing functions shall be in accordance with the project geotechnical engineer's guidance, specifications, recommendations, and testing standards.

Plan Prepared for:

Parker Louis, LLC
 301 Montclair Way
 Chapel Hill, North Carolina 27516
 Contact: Adam Zinn at 919-422-6477

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MINIMUM BUILDING SETBACKS

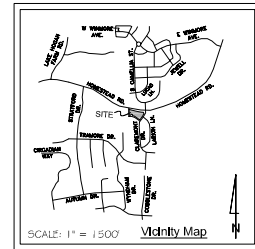
Per Town of Carboro Zoning Ordinance
Town of Carboro Zoning: R10B3PUD
Boundary Setback - 12' (R10) or 15' (B3)
Right of Way Setback - 25' (R10) or 15' (B3)
Road Centerline Setback - 55' (R10) or 45' (B3)

Setback Note:
(Per Town of Carboro Ordinance, Article XII Section 15-1.84)
If the street right-of-way line is readily determinable by reference to a recorded map, set irons, or other means, the setback shall be measured from such right-of-way line. If the right-of-way line is not so determinable, the setback shall be measured from the street centerline.

STORM DRAINAGE EASEMENT CALLS					
Curve	Radius	Length	Bearing	Chord	Chord Bear.
C1	22.96'	42.50'	106°03'40"	36.65'	S 32°14'25" E
C2	202.30'	21.70'	6°06'45"	10.20'	S 26°14'10" E
C3	202.30'	12.42'	93°11'03"	12.42'	S 27°22'57" W
C4	202.30'	12.42'	93°11'03"	12.42'	S 27°22'57" W
C5	10.00'	14.58'	83°30'14"	13.31'	N 31°56'33" W
C6	10.00'	14.58'	83°30'14"	13.31'	N 31°56'33" W
C7	261.00'	35.53'	74°7'59"	35.50'	S 89°27'52" W

TIES TO SSMA's	Distance
T1 S 32°03'08" E	41.65'
T2 S 11°39'58" W	123.30'

Claremont South Planned Unit Development/Special Use Permit
PIN: 9779/0476
FNU: 1-17-1006



Property Identification Number (PIN) for property:
Parcel Address: 1201 Commercial Road
Chapel Hill, North Carolina
Property ID No.: 9779/0476

SURVYOR'S LEGEND

- RR EXISTING RAIL PIPE
- OH OVERHEAD (UTILITY)
- PH FIRE HYDRANT
- PC FIRE HYDRANT
- RCP REINFORCED CONCRETE PIPE
- C/S CLEAN-OUT
- UTILITY POLE
- SMW SANITARY SEWER MANHOLE
- DU DUCTILE IRON PIPE
- TIES
- CRITICAL ROOT ZONE
- UNDERGROUND ELECTRIC
- UNDERGROUND GAS
- UNDERGROUND WATER

ORANGE COUNTY SOLID WASTE CONSTRUCTION NOTES:

Construction Wastes:

- All existing structures 500 square feet and larger shall be assessed prior to the issuance of a demolition permit to ensure compliance with the County's Regulated Recyclable Materials Ordinance (RRMO) and to assess the potential for deconstruction and/or the reuse of salvageable materials.
- Pursuant to the County's RRMO, clean wood waste, scrap metal, and corrugated cardboard present in construction or demolition waste must be recycled.
- Pursuant to the County's RRMO, all haulers of most construction and demolition waste which includes any regulated recyclable materials shall be licensed by Orange County.
- Prior to any demolition or construction activity on the site, the applicant shall hold a pre-demolition/pre-construction conference with Solid Waste staff. This may be the same pre-construction meeting held with other development permit officials.
- The presence of any asbestos containing materials (ACM) and/or other hazardous materials shall be handled in accordance with any and all local, state, and federal regulations and guidelines.

General Notes:

- All construction methods and materials shall conform to the Town of Carboro Standard Specifications & Details and the NC Planning Code.
- Boundary, topographic, and existing feature information provided by a survey prepared by Freehold Land Surveys, Inc. Chapel Hill, North Carolina (Job Number: 1216331TOPD).
- Water service is proposed via a 2" tie to existing water main as shown on the plan. A 4" Fire service is proposed.
- Sanitary sewer service is proposed via a 4" tie to existing sanitary sewer cleanout as shown on the plan.
- Exact size and location of all applicable utilities and easements to be field verified prior to construction.
- Contact the project engineer immediately with any conflicts regarding the design or construction of the project. All field adjustments shall be verified by the project engineer prior to construction.
- Construction and location of sidewalk, slopes, landings, approaches, ramps, and accessible routes shall be in accordance with the ANSI 2009 Handicap Code or latest Accessibility Code revision or applicable PROWAG standards.
- Contractor shall contact project engineer to observe formwork for site comp, concrete sidewalks, and other items as well as string lines or other controls prior to the placement of concrete, setting base course stone, or the placement of asphalt.
- Compaction of fill materials, approval of residual subgrade, soil proof rolls, stone placement, and/or other materials testing functions shall be in accordance with the project geotechnical engineer's guidance, specifications, recommendations, and testing standards.

Plan Prepared for:
Parker Louis, LLC
301 Montclair Way
Chapel Hill, North Carolina 27516
Contact: Adam Zim at 919-422-6477

CONTRACTOR'S NOTES:

- The contractor shall verify the location of all existing utilities prior to beginning construction. Locations of existing utilities shown on the plan are based on the best available information, but can only be considered approximate.
- The Town of Carboro shall review and approve construction drawings prior to construction. Any conflicts should be reported to the project engineer immediately for review prior to beginning construction. It shall be the owner's responsibility to obtain all required approvals and permits from agencies governing this work prior to any construction.
- Construction and location of sidewalk, slopes, landings, approaches, ramps, and accessible routes shall be in accordance with the ANSI 2009 Handicap Code or latest Accessibility Code revision or applicable PROWAG standards.
- Contractor shall contact project engineer to observe formwork for site cuts, concrete sidewalks, and other items as well as string lines or other controls prior to the placement of concrete, setting base course stone, or the placement of asphalt.

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U/OCO North Carolina One Call Center
1-800-632-4949

0' 40' 80'
Graphic Scale
Scale: 1" = 20'

1-17-1006
PROPOSED

EXISTING
CONDITIONS
PLAN

6-29-2023
CLAREMONT SOUTH PLANNED UNIT
DEVELOPMENT / CONSTRUCTION
PLANS
Charles R. Hefner
C-1939

THE L.E.A.D.S. GROUP, P.A.
10 EAST CANTYWAY
SUITE 200
CLAREMONT, NC 27520
PH: 919-422-6477
FAX: 919-422-6478
www.leadsgroup.com
Land Engineering, And Development Services



LANDSCAPE CALCULATIONS:

Shade Trees in Parkway Area (Section 15-31.6)

Vehicle Accommodation Area (VAA) = 5,390 sf.

35% Area to be Shaded = $0.35 \times 5,390 \text{ sf.} = 1,887 \text{ sf.}$ Required

Area shaded by existing 5" oak tree = 860 sf. overage the VAA

Area shaded by proposed screening trees = 2 small perimeter trees = 157 sf. = 31.4 sf.

Area shaded by VAA shade trees = 2 trees $\times 354 \text{ sf.} = 708 \text{ sf.}$ = 1 trees $\times 234 \text{ sf.} = 234 \text{ sf.}$ = 1 trees $\times 122 \text{ sf.} = 122 \text{ sf.}$ Total Area shaded = $860 + 314 + 1,062 + 708 + 234 + 122 = 3,300 \text{ sf.} = 35.1\%$ of VAA

(Area shaded is greater than the 35% shaded area requirement shown above,

therefore the shading requirement has been met)

Minimum Tree Canopy Coverage Standards (Section 15-31.6)

Minimum Canopy Coverage = 30% of parcel area excluding easements

= $0.30 \times 35,114 \text{ sf.} = 11,434 \text{ sf.}$ min. required

Exist. Canopy Coverage = 4,232 sf. (exist. oak coverage of parcels excluding easements)

Exist. Coverage Deficit = $11,434 \text{ sf.} - 4,232 \text{ sf.} = 7,202 \text{ sf.}$ deficit

Replacement rate: One replacement tree per 500 sf. of tree canopy deficit

Replacement Trees Required = $7,202 \text{ sf.} / 500 \text{ sf.} = 14.4$ trees required

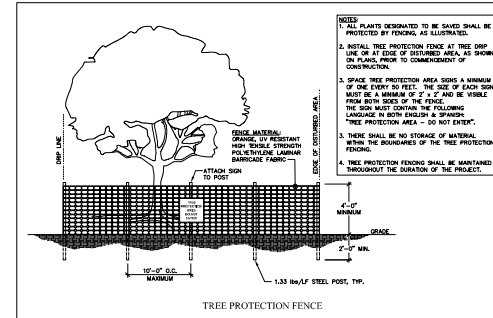
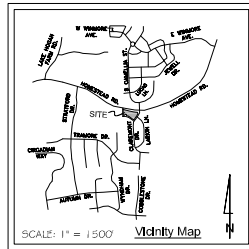
Replacement Trees Provided = 24 trees provided

Therefore, tree canopy coverage requirement is met.

STORM DRAINAGE EASEMENT CALLS					
Curve	Radius	Length	Delta	Chord	Chord Bear.
C1	22,987	42.50'	108°03'45"	36.88'	S 32°14'25" E
C2	202.30'	36.62'	107°25'42"	36.77'	S 28°00'15" W
C3	202.30'	25.00'	14.06'	88°52'33"	S 19°50'57" W
C4	202.30'	26.10'	90.35'	19°50'00"	N 87°47'39" W
C5	19,000'	14.06'	83°56'14"	13.32'	N 51°46'53" W
C6	10,000'	14.58'	83°56'14"	13.32'	S 51°35'44" W
C7	261.00'	35.53'	7°47'59"	35.50'	S 89°27'50" W

Course	Bearing	Distance
L1	S 85°16'15" E	11.11'
L2	S 20°47'25" E	8.50'
L3	N 09°49'31" E	17.22'
L4	N 82°10'23" E	41.00'
L5	S 09°49'31" W	17.22'

TIES TO SSM's		
Course	Bearing	Distance
T1	S 320°03'04" E	60'
T2	S 11°39'58" W	123.30'

Claremont South Planned Unit Development/Special Use Permit
PUE 87793/0476
PUE 1-17-1006Property Identification Number (PID) for property:
Parcel Address: 1201 Commercial Road
Chapel Hill, North Carolina
Property ID No.: 87793/0476

SURVEYOR'S LEGEND

- EX EXISTING IRON PIPE
 OH OVERHEAD (UTILITY)
 FH FIRE HYDRANT
 FV FIRE HYDRANT
 RCP REINFORCED CONCRETE PIPE
 C/C CLEAN-OUT
 U/P UTILITY POLE
 S/S SANITARY SEWER MANHOLE
 D/D DUCTILE IRON PIPE
 EX EXIST. TREE
 CR CRITICAL ROOT ZONE
 --- UNDERGROUND ELECTRIC
 --- UNDERGROUND GAS
 --- UNDERGROUND WATER

PLANTING TABLE

Symbol	Tree Name (Qty.)
(P)	Flowering Dogwood (10)
(A)	American Hornbeam (7)
(W)	Willow Oak (7)
(S)	Shrub Name (Qty.)
(S)	English Laurel (50)

Note: Type 'W' Screen: Tree Spacing = 30 ft., Type Shrub Spacing = 4 ft.
 Type 'C' Screen: Tree Spacing = 30 ft.

General Notes:

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- Boundary, topographic, and existing feature information provided by a survey prepared by Freehold Land Surveys, Inc. Chapel Hill, North Carolina (Job Number: 1216331/OPD).
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Plan Prepared for:
Parker Louis, LLC
301 Montclair Way
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Contact: Adam Zim at 919-422-6477

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- Construction and location of sidewalk, slopes, landings, approaches, ramps, and accessible routes shall be in accordance with the ANSI 2009 Handicap Code or latest Accessibility Code revision or applicable FROWAG standards.
- Contractor shall contact project engineer to observe formwork for site curb, concrete sidewalks, and other items as well as string lines or other controls prior to the placement of concrete, setting base course stone, or the placement of asphalt.

Utilities Notes:
All proposed utilities will be placed underground.

CALL BEFORE YOU DIG! IT'S THE LAW
ULOCO North Carolina One Call Center
1-800-632-4949

0' 40' 80'
Graphic Scale
Scale: 1" = 20'

4/7

6-27-2017

1" = 20'

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NOTES

1. All construction methods and materials shall conform to the North Carolina Sediment Control Practice Standards and Specifications, and Orange County Erosion Control Standard Specifications.
2. All erosion control practices shall be placed in the best location based on field conditions.
3. Existing Conditions are shown based on field surveys and best available record. Any discrepancies shall be reported to the engineer immediately.

NARRATIVE






This project is located in the Town of Camhoro, Orange County, North Carolina. A single family dwelling currently exists on the subject property. The site is open, with slopes ranging from 3 to 8%. Construction of a new mixed use office and residential building is proposed. The site is being graded to provide buildable area for the proposed mixed use building and the associated parking areas. Drainage on the subject parcel ultimately flows to the north and east, as shown by the existing topography. Adjacent property is owned by various individuals, shown as adjacent owners on the map. Clearing and grading operations beginning upon permitting. Near surface soils are composed of USCS type CL and ML. Anticipated rough grading completion date: Not Known. Management Practices to remain in place until all contributing disturbed areas have been stabilized or structures can be replaced with permanent structures.

MAINTENANCE PLAN

1. All erosion and sediment control practices shall be checked at the end of each run-off producing rainfall event but no less than once per week. Any needed repairs shall be made to maintain practices as designed.
2. Sediment shall be removed from traps when storage capacity has been reduced to approximately 50% design capacity.
3. All seeded areas shall be fertilized, reseeded, and mulched according to specifications in the vegetative plan to maintain a vigorous, dense vegetative cover.

RESPONSIBILITY

1. All installation & maintenance of erosion and sediment control practices is the responsibility of the owner.
2. Contractor grading site shall be responsible for maintenance of erosion control measures unless otherwise directed by the owner.
3. Vegetative stabilization on all exposed areas during construction shall be implemented in accordance with the NEW STABILIZATION TIMEPHASES as shown in the table below.
4. Permanent vegetative cover shall be installed within 1-66 working days or (90) calendar days (whichever is shorter) following completion of construction or development.

NEW STABILIZATION TIMEPHASES		
SITE AREA DESCRIPTION	STABILIZATION	TIMEFRAME EXCEPTIONS
 PERIMETER AREAS, CREEKS, DITCHES & BAYS	1-30 DAYS	NONE
 HIGH QUALITY WATERSHEDS	1-30 DAYS	NONE
 SLOPES & EROSION PRONE	1-30 DAYS	IF CLOSURE AND RE-ENTRY PERMITTED BY LOCAL AGENCIES, RE-ENTRY PERMITTED
 SLOPES & EROSION PRONE	1-30 DAYS	1-66 WORKING DAYS OR (90) CALENDAR DAYS (WHICHEVER IS SHORTER) FOLLOWING COMPLETION OF CONSTRUCTION OR DEVELOPMENT
 ALL OTHER AREAS	1-30 DAYS	NONE

Exception of Erosion Control Unusable Area
Perimeter measures in A-1 Areas with existing construction entrance, driveway, berm, and/or access to any existing building structure. Completed concrete exposure work for driveway or access structure / representative prior to additional grading operations.

SEEDING SCHEDULE (SEASONAL)

AREA	VEGETATION	SEASON	SEED TYPE / SOURCE	SEEDING METHOD	MULCH	MAINTENANCE	NOTES
1. Slope Slope Area	Rye	10-20 to 1-31	100lb/bag 100lb/bag 100lb/bag 100lb/bag	SP-1	SM-1	MA-1	
2. Low Moist. Area	Rye	10-20 to 1-31	100lb/bag 100lb/bag 100lb/bag 100lb/bag	SP-4	SM-2	MA-2	
1. Slope Slope Area	Rye	10-20 to 1-31	100lb/bag 100lb/bag 100lb/bag 100lb/bag	SP-1	SM-1	MA-1	
2. Low Moist. Area	Rye	10-20 to 1-31	100lb/bag 100lb/bag 100lb/bag 100lb/bag	SP-4	SM-2	MA-2	
1. Slope Slope Area	Rye	10-20 to 1-31	100lb/bag 100lb/bag 100lb/bag 100lb/bag	SP-1	SM-1	MA-1	
2. Low Moist. Area	Rye	10-20 to 1-31	100lb/bag 100lb/bag 100lb/bag 100lb/bag	SP-4	SM-2	MA-2	
1. Slope Slope Area	Rye	10-20 to 1-31	100lb/bag 100lb/bag 100lb/bag 100lb/bag	SP-1	SM-1	MA-1	
2. Low Moist. Area	Rye	10-20 to 1-31	100lb/bag 100lb/bag 100lb/bag 100lb/bag	SP-4	SM-2	MA-2	

VEGETATIVE PLAN

Seeded Preparation (DP):

1. Fill slopes 3:1 or steeper to be seeded with a hydraulic seeder (permanent seedings)
1. Leave Last 4-6 inches of fill loose and uncompacted, allowing rocks, roots, large clods and other debris to remain on the slope.
2. Roughen slope faces by making grooves of 2 to 3 inches deep, perpendicular to the slope.
3. Spread lime evenly over slopes at rates recommended by soil tests.

SP-4 Gentle or flat slopes where topsoil is not used.

1. Remove rocks and debris.
2. Apply lime and fertilizer at rates recommended by soil test; spread evenly and incorporate into the top 6" with a disk, chisel plow, or rotary tiller.
3. Break up large clods and rake into a loose, uniform seedbed.
4. Rake to loosen surface just prior to applying seed.

Seeding Methods (SM):

- SM-1 All slopes 3:1 or steeper (permanent seedings)
- SM-2 Gentle or flat slopes or temporary seedings.

1. Broadcast seed at the recommended rate with cyclone seeder, drop spreader, or cultipacker seeder.
2. Rake seed into the soil and lightly rack to establish good contact.

Mulch (MU):

- MU-1 Slopes 3:1 or steeper
- MU-2 Temporary Seedings
- MU-3 Permanent Seedings
- MU-4 Permanent Seedings

MU-1 Reference in late winter or early spring and now as desired.

MA-5 Topdress with 50lb/acre nitrogen in March. If cover is needed through the following summer, overseed with 50lb/acre Kibbe lespedeza.

Yearly Temporary Seeding Schedule

Winter and Early Spring (December 1 to February 28):
Fertilizer: 10-10-10 at 700-1,000 lb/acre
Seed: Ryegrass (1,200 lb/acre and Annual lespedeza 30 lb/acre
Mach: 4,000 lb/acre straw

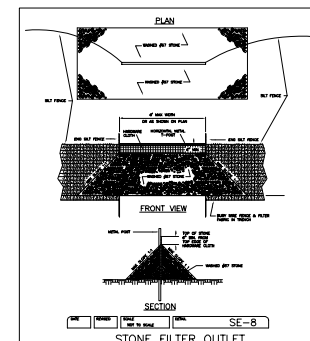
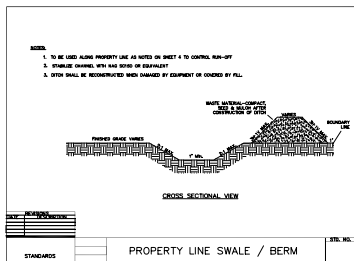
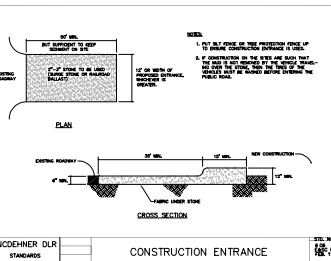
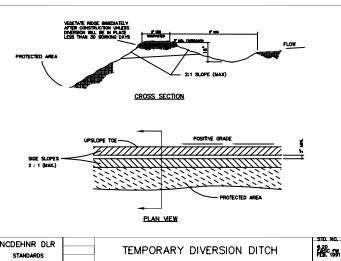
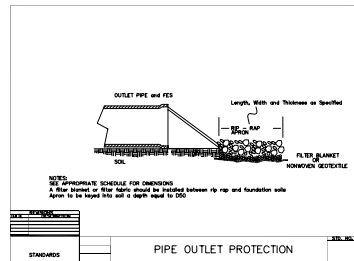
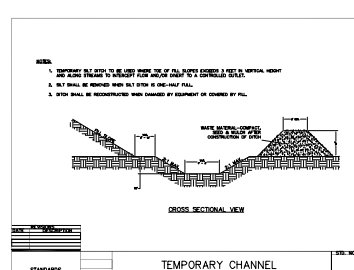
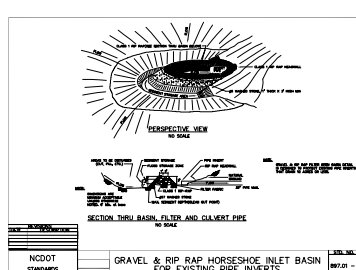
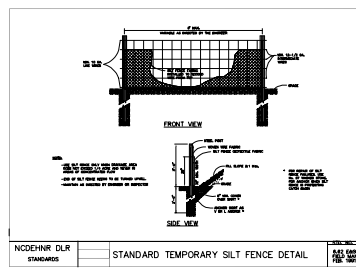
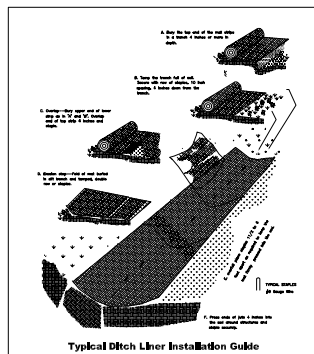
Summer (March 1 to September 30):
Fertilizer: same and add 2,000 lb/acre
Agr. cultural practices:
Seed: German Millet 40 lb/acre
Mach: same

Fall (October 1 to November 30):
Seed: Ryegrass (1,200 lb/acre
Fertilizer: same
Mach: same

CONSTRUCTION SCHEDULE

1. Obtain plan approval and other applicable permits.
2. Flag clearing limits, limits of disturbance, and designate tree save areas (if any as needed).
3. Hold pre-construction meeting one week prior to initiation of any work.
4. Install construction entrance as shown.
5. Clear only the areas needed to install all fencing as shown prior to the initiation of clearing, grubbing, and grading activities. Install all fence and site fence outlets as shown on the approved erosion control plan.
6. Install remaining temporary diversions, ditches, and temporary sediment storage measures as shown on the approved erosion control plans and vegetate the erosion control structures.
7. Contact the Erosion Control Inspector for perimeter measures inspection before continuing with remainder of site clearing.
8. Construction and operation of temporary sediment control measures shall be maintained throughout all phases of construction.
9. Complete site clearing and grubbing activities, and strip topsoil only in current phase or as directed by engineer.
10. Rough grade, construct drives, and maintain all slopes.
11. Leave surface slightly roughened and vegetate and mulch immediately, or stabilize with erosion control materials per slope protection schedule.
12. Complete final grading and construct paving lot per minimum pavement sections as specified by project's geotechnical engineer.
13. Install landscape berm, etc., permanently vegetate, mulch, and landscape all disturbed areas. Call for inspection as needed to complete each phase or section.
14. Remove all temporary sediment control measures, repair disturbed areas, and permanently vegetate, or rep, rap, and place permanent structures.
15. Call project engineer for inspection.

EROSION CONTROL MEASURES DETAILS (NTS.)



6-29-2023



Charles D. Haffner

CLAREMONT SOUTH PLANNED UNIT DEVELOPMENT / CONSTRUCTION PLANS

THE L.E.A.D.S. GROUP, P.A.

NO. 100 SOUTH MAIN STREET, SUITE 100, CLAREMONT, NC 27002

Phone: 704.281.1111 Fax: 704.281.1112

Email: info@leadsgroup.com Website: www.leadsgroup.com

Lead Engineering, And Development Services

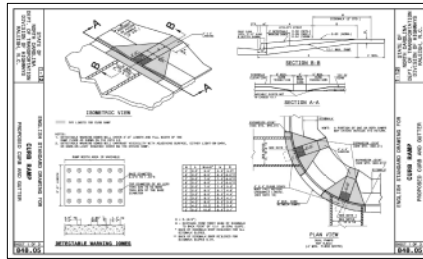


Figure 1: Tree Planting Detail

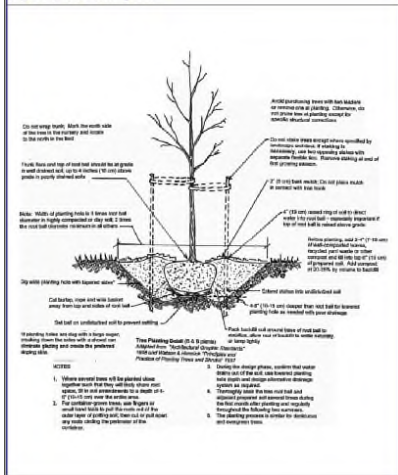
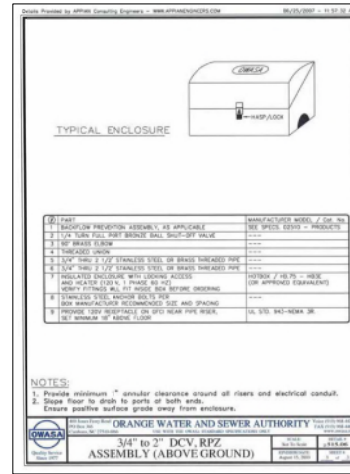
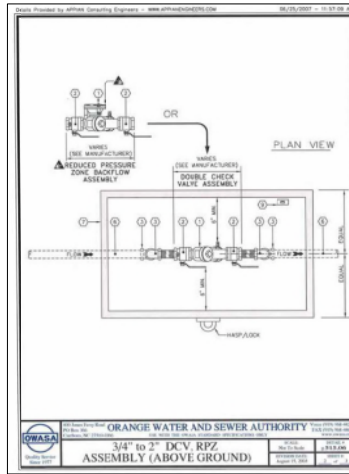
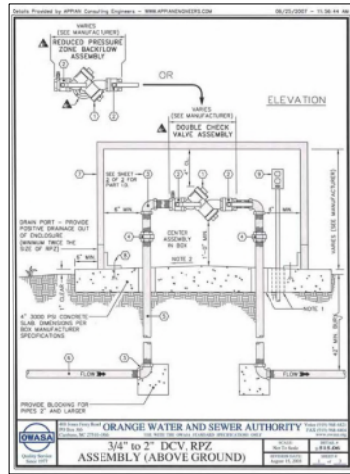
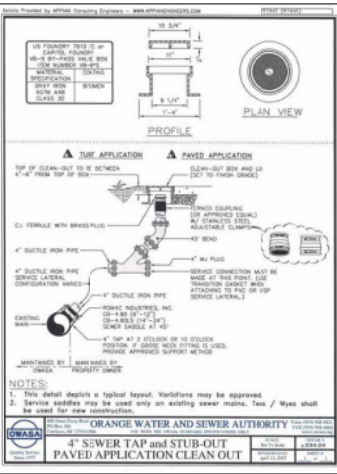
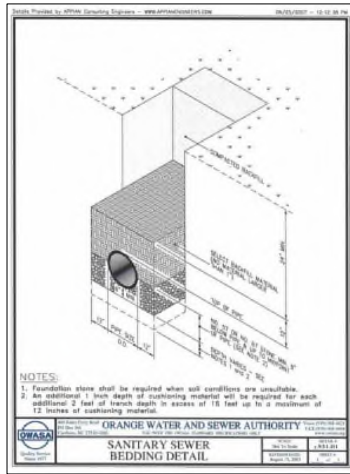
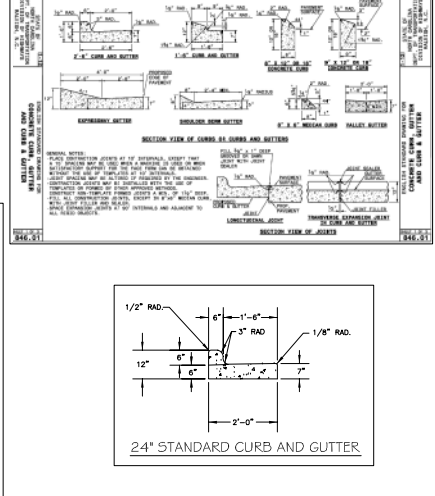
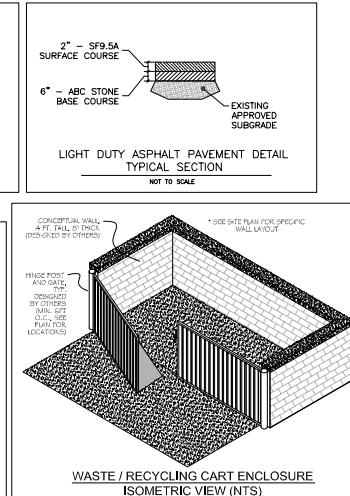
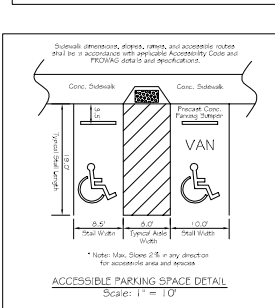
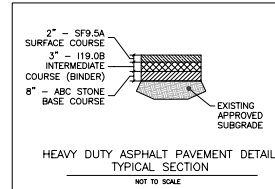
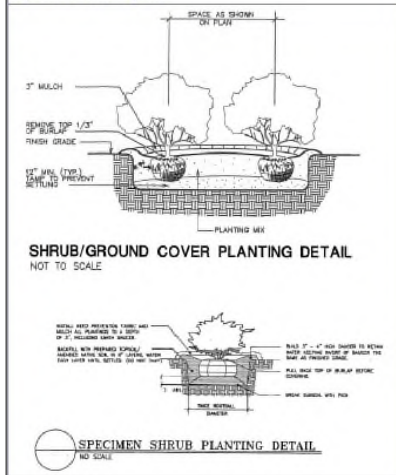
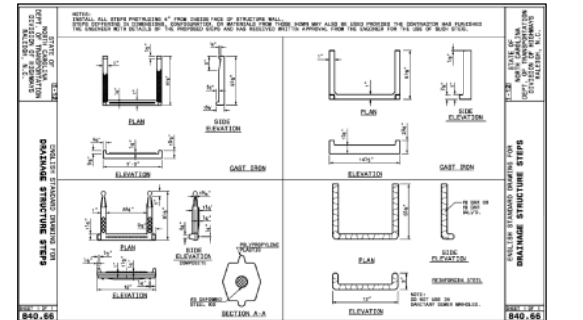
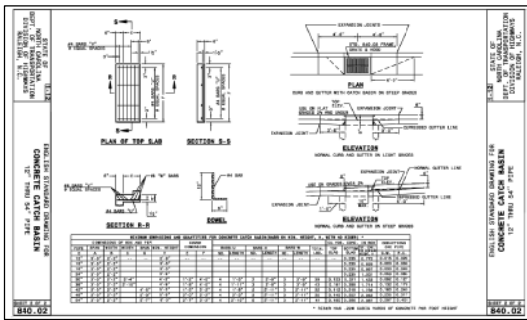
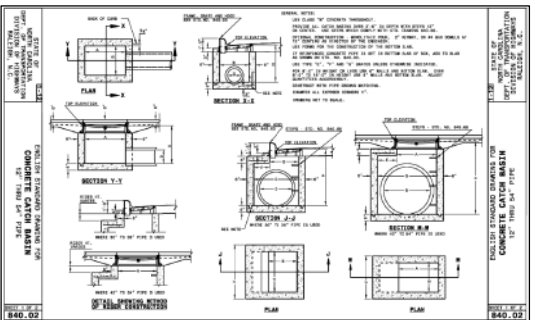
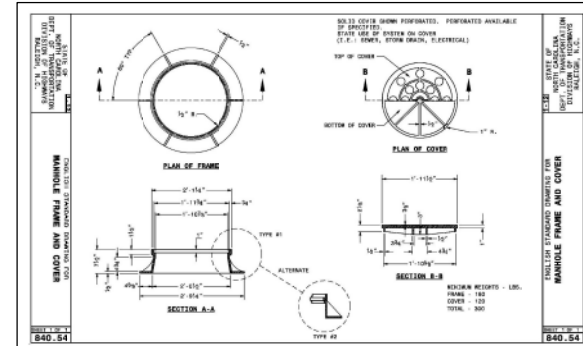
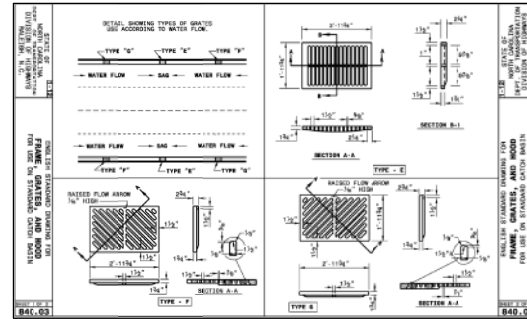
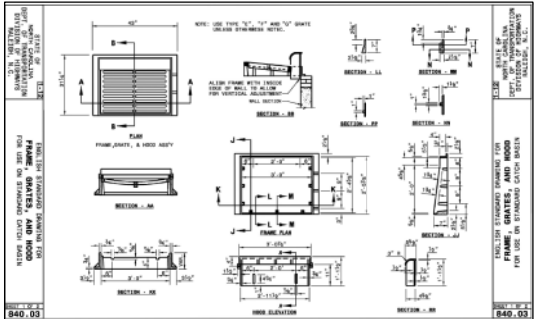
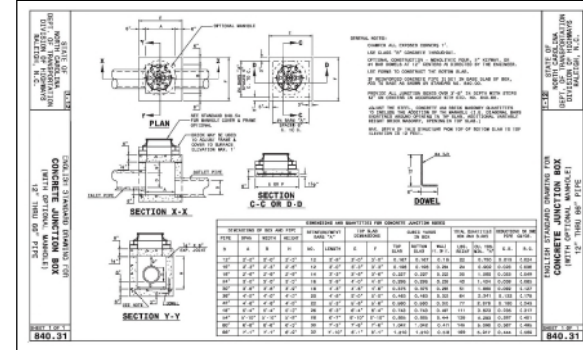
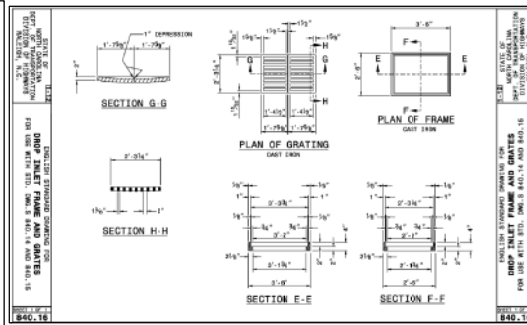
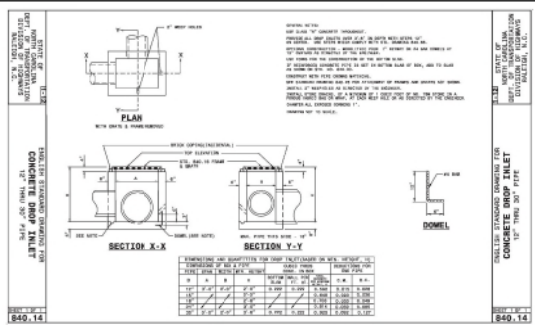
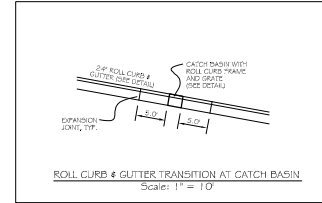
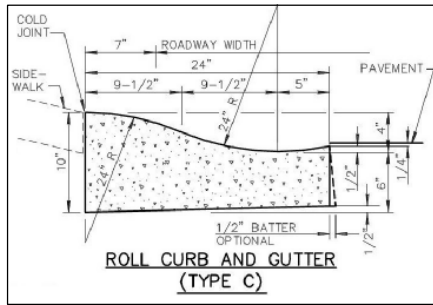
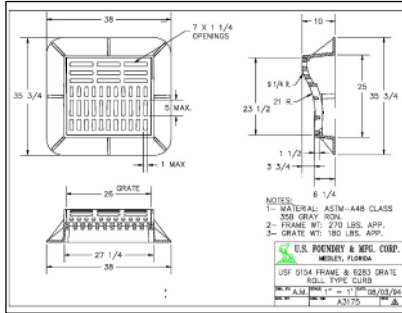


Figure 3: Shrub Planting Detail





Racial Equity Pocket Questions – Special Use Permit-A Minor Modifications

Title & Purpose of this Initiative: Special Use Permit-A Minor Modification for Claremont South AIS

Department: Planning, Zoning and Inspections

What are the racial impacts?

This minor modification request relates to a Special Use Permit-A (SUP-A) granted by Town Council to allow development of mixed use building within the Claremont South subdivision. If approved, it will allow up to fourteen dwelling units and/or office uses within a two-story building off Homestead Road. Racial impacts associated with an increase to the building's approved density include potential expanded office use and living-wage job opportunities in proximity to neighborhoods, and the provision of multi-family homes that offer more density and more relative affordability to residents of moderate income. Other impacts include the additional tax value and associated increase in the tax base and revenue for use by local governments in providing services.

Who is or will experience burden?

During construction, Claremont South residents will experience burdens such as noise, traffic, dust, and other changes related to the development of this property. After construction, the community will experience some changes in traffic patterns and noise associated with the uses in the development and changes in exposure to noise generated on nearby roads. Nearby property owners may experience an increase in the value of their properties due to proximity to the retail uses and, if so, would see associated increases in property taxes. Also burdened are those who will not be able to live in the new homes because they are not affordable, and that live in less economically diverse neighborhoods as a result.

Who is or will experience benefit?

The community will benefit from additional office use opportunities being available in the community, which has the potential to produce additional job opportunities at some point in the future. The community will benefit from additional multi-family housing providing homes that may be more accessible to a higher proportion of people of moderate and lower incomes and people of color. Additional people will benefit from the opportunity to live in the new homes.

What are the root causes of inequity?

Structural racism in the United States has affected access to and funding/financing for property ownership, educational and health care access, infrastructure, public services, and wealth generation for BIPOC families.

What might be the unintended consequences of this action or strategy?

The noted burdens may be larger than anticipated and development standards may not offset these burdens in relation to project benefits. The number of and/or salary for, the new jobs and/or the price to own or rent within new housing may not reach the level of living wage. combined with local housing costs, may mean workers have to travel some distance and generate additional trips to access jobs in the development. Property value increases associated with the development itself may be lower than expected with tax

revenue increases also lower. Property value increases on adjoining properties could also be higher than expected and could further exacerbate challenges associated with the affordability of housing.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

The department plans to evaluate construction process and monitor impacts before, during and after development, including stormwater and traffic. The department will continue to use the REAL and pocket questions in relation to consideration and implementation of policies in the town's comprehensive plan, *Carrboro Connects*.



Agenda Item Abstract

File Number: 23-273

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 2

Race & Equity Action Plan (REAP), Weaving Equity in Carrboro Town Governance

PURPOSE: The purpose of this agenda item is to request that the Town Council adopt the Race and Equity Action Plan (REAP), Weaving Equity in Carrboro Town Governance.

DEPARTMENT: Town Manager's Office

CONTACT INFORMATION: Anita Jones-McNair, Chief Race and Equity Officer, 919.918.7381, amcnair@carrboronc.gov <<mailto:amcnair@carrboronc.gov>>

COUNCIL DIRECTION:

☒ Race/Equity ☒ Climate ☐ Comprehensive Plan ☐ Other

Race and equity initiatives is the first of 13 Council strategic priorities.

In October 2018, to further the Town's work towards equity and social justice, the Board of Aldermen, (Currently Town Council) voted unanimously to lead with race and become a member of the Government Alliance on Race & Equity (GARE). The Town used the GARE Model of Change to lay the foundation and sustain the work. The Race & Equity Action Plan being considered is a blueprint that connects the town's race and equity journey, from 2018-2025. Why do we do this work? The work focuses on inequities that exist in our community, it builds bridges of meaningful connectivity and resources and not walls of separation, involves impacted communities to help solve issues, creates a sense of belonging, turns transactional partnerships into transformational partnerships and more. See Attachment B. Draft Race and Equity Action Plan.

FISCAL IMPACT: There is no financial impact currently associated with this item. Staff impact is centered around the action plan's guidance in advancing race and equity.

..end

RECOMMENDATION: Staff recommends that the Town Council adopt the Race and Equity Action Plan (REAP), Weaving Equity in Carrboro Town Governance.

RESOLUTION ADOPTING THE CARRBORO RACE & EQUITY ACTION PLAN (REAP), WEAVING EQUITY IN TOWN GOVERNANCE

WHEREAS, the Town of Carrboro is dedicated to advancing race and equity initiatives; and

WHEREAS, the Town Council adopted the One Orange Racial Equity Framework on February 1, 2022; and

WHEREAS, the Town Council continues to support the race and equity vision statement: “The Town of Carrboro envisions being a community where race does not determine outcomes, and all have equitable opportunities and resources. We envision a time when participation in community events, programs and advisory boards represent community demographics. All will feel safe, secure, and know their voice is valued. We strive to be an inclusive and open-minded organization that has a culture created by its diverse staff, which serves the public through a social (racial) justice lens”, presented on February 4, 2020; and

WHEREAS, the Town Council directs the town manager to ensure that all departments identify and dismantle all structural biases and inequities in town policies, practices, procedures, services and projects by using the REAL tool and other resources; and

WHEREAS, the action plan is a blueprint that connects the town’s race and equity journey, from 2018-2025 encompassing the completed work to date, providing guidance and shaping what is to come; and

WHEREAS, the Town Council acknowledges the intersectionality of the core values of Race and Equity and Climate Action as key to Carrboro’s resiliency and sustainability; and

WHEREAS, the race and equity action plan (REAP) is being considered for adoption.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF CARRBORO

RESOLVES:

Section 1. The action plan is hereby adopted.

Section 2. This resolution shall become effective upon adoption.

This the 29th day of November, 2023.



TOWN OF CARRBORO • NC FACING RACE, EMBRACING EQUITY

Race & Equity Action Plan (REAP) Weaving Equity in Carrboro Town Governance

Carrboro Race and Equity Vision Statement

The Town of Carrboro envisions being a community where race does not determine outcomes, and all have equitable opportunities and resources. We envision a time when participation in community events, programs and advisory boards represent community demographics. All will feel safe, secure, and know their voice is valued. We strive to be an inclusive and open-minded organization that has a culture created by its diverse staff, which serves the public through a social (racial) justice lens.

Introduction

This document provides an overview of the Town of Carrboro’s Race and Equity Journey and a blueprint for advancing the work through 2025. The Town officially began this work when the Town Council unanimously voted to lead with race. Carrboro is focused on addressing equity, systemic racism, and injustice and making efforts to center, elevate and honor equity and engaging voices and experiences of People of Color, inside and outside the organization. By continuing to work on race and equity efforts the community should experience a decrease in disparities.

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History of Carrboro – Snapshots in Time

Why is history important to this work? Understanding from whence we've come and how government played a role is important to advancing the pursuit of equity.

The Town of Carrboro is a small local government entity overseen by a Mayor and six Council Members, and professionally managed by a Town Manager under the Council-Manager form of government. The Town is located within Orange County in the north central portion of North Carolina. The area's topography is characterized by rolling hills. The Town is situated next to the Town of Chapel Hill, home to the University of North Carolina, is near the Research Triangle Park and part of the greater Triangle region.

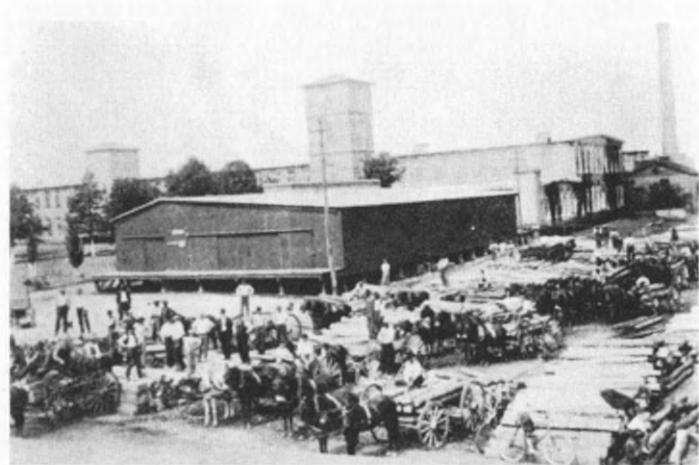
Carrboro was first settled in 1882 around a University of North Carolina railroad spur. It was originally known as West End, due to its geographic location directly west of Chapel Hill. In 1911, the town was incorporated under the name Venable, for chemistry professor and University of North Carolina president Francis Preston Venable. Two years later, the state legislature renamed the town Carrboro at request of Julian S. Carr, a post-Civil War business leader. Carr expanded the mill and agreed to provide electricity to the community in exchange for naming the town after himself. He was also an active and influential participant in Jim Crow era efforts to create a system of racial segregation. Although the town continues to bear his name, the values and actions of Carr do not represent Carrboro today.

One of the families living in the area that would become Carrboro was that of Toney and Nellie Atwater Strayhorn, both of whom had been enslaved from birth until they were made free by the Emancipation Proclamation. Dolores Hogan Clark and Lorie Clark, great- and great-great granddaughters of Mr. and Mrs. Strayhorn, represent the 7th generation in their family to own and reside in the home Toney built after purchasing land in what is now downtown Carrboro following his marriage to Nellie in the 1870s. The Strayhorns were well known for their industry and hospitality and for Mr. Strayhorn's skills as a farmer and brick mason. Many descendants of formerly enslaved people, including those of Toney and Nellie Strayhorn, still reside in Carrboro and Chapel Hill. The work of their ancestors is reflected in the history and continues to shape the legacy of the community today. A marker erected in June 1995 on West Main Street honors formerly enslaved members of the Carrboro community and their descendants. The unveiling of the Strayhorn House Truth Plaque occurred on September 1, 2023, honoring the first black family in Carrboro.

For the first fifty years after its incorporation, Carrboro remained a small mill town with a low, steady pace of growth. During the late 1960s, Carrboro began to become more progressive in its thinking and inclusive. In the 1970s, that way of thinking continued and shifting politics has been somewhat attributed an increase in the student population. Ruth West served as Carrboro's first woman Mayor elected in 1975.

Today the town has a reputation as one of the most progressive communities in the South. Carrboro honors its working-class roots while reaching toward the goals of social equity, environmental harmony, and fiscal responsibility.

As Carrboro's population and demographics have shifted over time, there have been many groups and individuals that have played significant roles in Carrboro's economic, cultural,



Circa 1920 view of the cross tie market on East Main Street, in front of Durham Hosiery Mill No. 4. The frame cotton warehouse and the upper stories of the brick towers have been removed, and the east end of the mill has been extended with a brick addition. From copy in North Carolina Collection, UNC Library, Chapel Hill.

and political development. Black leaders in Carrboro have included several elected officials, including Alderman Braxton Foushee, Carrboro's first Black elected official, who served from 1969 to 1981; Robert Drakeford, who served as Alderman from 1975 to 1977 and as Mayor from 1977 to 1983; Alderman Hilliard Caldwell, who served from 1981 to 1997; Alderman Henry "Hank" Anderson III, who served from 1993 to 1998; Alderman Joal Hall Broun, the first Black woman elected official, served from 1999 to 2011 and currently serves as a district court judge for Orange and Chatham Counties; Alderman Michelle Johnson, who served from 2011 to 2017; and Council Member Barbara Foushee, who has served from 2017 to 2023 and is now Carrboro's first Black Woman Mayor- Elect. The Swearing-In Ceremony is scheduled for December 5, 2023. Carrboro has had two black people serve in the role of Town Manager. Richard Knight, Jr, who was the first Black person to serve as Town Manager from 1976 to 1980 and later became the first Black City Manager of the City of Dallas, Texas; and Richard J. White, III, who served as Town Manager from 2021 to 2023. The Henry Anderson III Park was named in honor of the late Alderman Hank Anderson; Baldwin Park was named for Henry W. Baldwin, a local Black community member who gifted land in the historic Lloyd/Broad neighborhood to the Town for a park; and Dr. Martin Luther King, Jr Park, which opened in 2020, named after one of the most prominent leaders in the civil rights movement, features murals and plaques that honors his life and legacy.

The Town of Carrboro has a proud history of advancing the rights of LGBTQ people, including adding sexual orientation to the list of protected categories in the Town's equal employment opportunity policy in 1990; being the first municipality in the state to create a domestic partner registry in 1994; being among the first to support civil marriage for same-sex couples and inclusion of LGBTQ families in comprehensive immigration reform; being one of several local governments to oppose the North Carolina General Assembly's discriminatory Senate Bill 2 in 2015; being the first to call for repeal of the discriminatory House Bill 2 in 2016; and being among the first with the Towns of Hillsborough and Chapel Hill and Orange County to adopt a local ordinance prohibiting discrimination in public accommodations and employment in 2021.

Carrboro was the first municipality in North Carolina to elect a gay mayor, Mike Nelson, in 1995 and later, the first to elect a lesbian mayor, Lydia Lavelle in 2013; the first to elect a second gay mayor, Damon Seils in 2021; and the first to elect an openly gay Latino council member, Eliazar Posada, in 2022.

John Herrera, elected as a Carrboro Board of Alderman in 2001 and re-elected in 2005, was the first-generation Latino immigrant to be elected to municipal office in North Carolina. Herrera co-founded La Fiesta del Pueblo, the Triangle's largest Latinx cultural festival, which started in Carrboro but has since moved to Raleigh to accommodate the 20,000 annual participants. The Latino and Hispanic economic power strengthened in 2009 with the opening of the Latino Credit Union in Carrboro. According to census figures by 2010, people of Latino and Hispanic decent make up 13.8 percent of Carrboro. Eliazar Posada became the first openly gay Latino to serve in public office in North Carolina after winning a special election on May 17, 2022. On November 7, 2023, he was elected to his first full term on the council. His Swearing-In Ceremony is also scheduled for December 5, 2023.

The Town of Carrboro has long shown support for immigrants and immigrant communities by calling for comprehensive reform of immigration law and policy, working to defeat wage theft, and supporting training and outreach programs for immigrant workers, supporting the federal Uniting American Families Act. The Town Council has declared Carrboro to be a welcoming community for people seeking refuge from violence in their home countries and urging the federal government to ensure that those seeking safety in the United States receive due process and legal representation; providing funds to local organizations to assist Carrboro residents with costs related to the rescission of the Deferred Action for Childhood Arrivals (DACA) program and to support community building and resilience during the COVID-19 public health emergency; calling for extension of the Temporary Protected Status program and urging the US Department of Homeland Security to support refugees and other immigrants fleeing war, violence, and natural disasters. Carrboro is home to nonprofit organizations like El Centro Hispano, the Refugee Community Partnership, and the Refugee Support Center that support immigrants, migrants, and refugees through community building and organizing, language access, legal assistance, after-school programs, job training, distribution of food and essential goods, and more. The first Myanmar refugees came to the area in the early 2000's to take up housekeeping jobs at the University of North Carolina, which required no English and provided good benefits. Since then, the presence of community and family networks has attracted more arrivals. The U.S. had resettled refugees from Burma around 2006, fleeing them from the world's longest civil war.

About 1,000 of them now call Orange County home. Missing the open spaces of their native land, a few of these refugees were growing vegetables at a community garden in Carrboro, told their friends, and, soon thereafter, Transplanting Traditions was born. In 2011, Transplanting Traditions moved to its current location off Jones Ferry Road, part of Triangle Land Conservancy's Irvin Nature Preserve.



Downtown Carrboro 11/2022

For more information see the Reference page.



Background of Race and Equity Work

The Town used the GARE Model of Change to start the journey, lay the foundation and sustain the work.

Why do we focus on race? Here is an excerpt from OneOrange Racial Equity Framework acknowledging and describing systemic racism. “In the United States, while race, income, and wealth are closely connected, racial inequity is not just about income. Even when income is the controlling factor, there still exist many inequities across multiple indicators of success, including education, jobs, housing, health, and incarceration. It is important to talk about race to advance racial equity. To advance racial equity, we must normalize the conversation about race and operationalize strategies for advancing racial equity. In advancing racial equity, we will also be building systems that allow us to address income and wealth inequity and recognize the bias that exists based on gender, sexual orientation, ability, age, and religion. Focusing on race allows us to develop a framework, tools, and resources that apply to other areas of marginalization, recognizing that different strategies will be necessary to achieve equity in other areas.

Why Race and Equity Work Benefits Carrboro

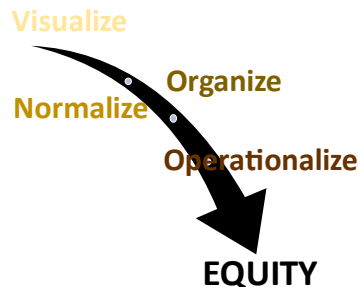
- Focuses on inequities that exist in our community.
- Builds bridges of meaningful connectivity and resources and not walls of separation.
- Works to close disparity gaps between individuals and groups.
- Involves impacted communities to help solve issues.
- Improves community resilience.
- Creates a sense of belonging.
- Fosters collaboration between stakeholders.
- Removes barriers to opportunities and resources.
- Eliminates failing systems and creates services that benefit all.
- Turning transactional partnerships into transformational partnerships.
- Achieving equity by addressing historical and ongoing disparities, advancing inclusion, belonging, and confronting biased attitudes and practices.

Climate Action Commitment

The second Carrboro core value is Climate Action. The Community Climate Action Updated Plan (CCAP) was adopted in 2020. [Community Climate Action Plan](#). The effects on environment can disproportionately impact certain populations and neighborhoods. The intersectionality of some areas amplifies inequities. For example, unemployment, existing health disparities and pollution. The Carrboro Connects Plan adopted in 2022 identifies a long-range vision for Carrboro and strategies for achieving that vision centered around Race and Equity and Climate Action. These core values are foundational to Town goals and work.

GARE Collaboration

GARE Model of Change Approach Carrboro's Outcome Equity



The Town of Carrboro joined the Government Alliance on Race and Equity (GARE) in 2018. The Government Alliance on Race and Equity is a national network of governments working to achieve racial equity and advance opportunities for all. Across the country, governmental jurisdictions are:

- Making a commitment to achieving racial equity
- Focusing on the power and influence of their own institutions, and
- Working in partnership with others

When this occurs, significant leverage and expansion opportunities emerge, setting the stage for the achievement of racial equity in our communities.

One Orange Collaboration

The Town is also an active member of OneOrange, a county-wide initiative. More and more communities in the USA are committing to advancing racial equity. Orange County jurisdictions are also committed to this work. That commitment is one of the main reasons Carrboro is a member of the Government Alliance on Race & Equity (GARE). The Town and its partners adopted the OneOrange Racial Equity Framework: Catalyst for Moving Forward in 2022. It is designed with a commitment of identifying and addressing implicit biases to ensure that race no longer can be used to predict life outcomes in the Orange County Community. The framework uses five pillars – 1. training, 2. community engagement, 3. racial equity index, 4. racial equity assessment lens and 5. evaluation/accountability. Each jurisdiction will use the framework as guidance at a jurisdictional and county level.

[One-Orange-Countywide-Racial-Equity-Framework \(orangecountync.gov\).](https://www.orangecountync.gov/oneorange)

Town Goals

- Continue leading this initiative using the GARE Model of Change Approach – visualize, normalize, organize, and operationalize.
- Educate Carrboro Town employees and residents to provide understanding of and the ability to advance equity. (Infrastructure, Tools, and Transformational Partnerships)
- Serve as a change agent and a resource to identifying and removing structural bias and inequities in Town policies, practices, procedures, programs, and services.
- Reduce racial disparities within Town government.
- Work to ensure Carrboro is a model employer and service provider by embedding racial equity in daily and long-term operations.
- Work with community and partners on safety, sense of belonging and everyone is valued.
- Help all residents live in a more just and equitable community.
- Update council agenda template to provide additional background information centering race and equity.
- Work to ensure that all department's intent equals equitable impacts.

Internal Work

Staff Training and Continuing the Conversation opportunities.

All employees complete “Advancing Racial Equity, The Role of Government” training, which is designed to serve as a foundational and strategic resource to onboard colleagues to racial equity core concepts and create shared understanding of key concepts. Other trainings and opportunities are provided for employees to normalize and operationalize the work. Continuing the Conversation opportunities allow for conversations, brainstorming and embedding the work in daily operations. These sessions are considered safe and brave spaces for employee to discuss relevant topics and build teamwork.

Race and Equity CORE Team

The purpose of the Race and Equity CORE team is to serve as the primary team of employees from all departments and levels of the organization working with the Race and Equity staff to incorporate equity in every aspect of town governance. The focus themes include committing to equitable systems of change, training and orientating staff and other stakeholders, facilitating normalizing activities for employees and the community, and helping to coordinate and review plans, tools, and other resources. This team meets monthly.

Departmental Work

Employees strive to collaborate, support and advance equity to better serve and uplift Carrboro. Currently departments are focusing on completing REAL evaluations, training, engaging the community, and completing pocket questions for agenda items and other projects. Departmental work is highlighted throughout this document.

Racial Equity Assessment Lens (REAL) and Policies, Practices and Procedures (PPP) Document

In 2023, town departments completed the PPP document. This living document is a list of policies, practices, procedures, services, and new projects (including Carrboro Connects projects) that encompasses scope of town work, connecting departments and work teams. When the themes were bundled, the REAL needs emerged and were placed in priority order based on community impact or the comprehensive plan timeframe. The needs will undergo an equity evaluation using the REAL tool. Departmental REAL evaluations are listed below in priority order:

Department	Racial Equity Assessment Lens (REAL)
Communication & Engagement	Engagement Process Lens Internal and External Communications Lens Information Network Lens
Economic Development	Revolving Loan Program Lens Parking Lease Plan Lens Economic Sustainability Goals and Strategies Lens Program to Support New Businesses and Living Wage Employers Lens Tourism Opportunities and Program Lens
Finance	Annual Operating Budget Lens Capital Improvement Plan Lens Customer Service Lens Grants Management Lens Purchasing Procurement Lens Accounts Payable Lens
Fire-Rescue	Public Educational Programming Lens Fire and Life Safety Engineering and Enforcement Lens Training Lens Emergency Management Lens Emergency Operations and Response Lens
Housing - Community Services	Affordable Housing Special Revenue Fund Lens Joint Outside Agency Award Program Lens Land Use Ordinance Provisions for Affordable Housing Lens Building Partnerships with Property Managers and Business Owners Lens Resident Service – Connecting to Resources Lens Council and Community Updates, Engagement and Outreach Lens Building and Maintaining Partnerships with Local Governments and Non-Profit Organizations Lens
Human Resources	Job Recruitment and Application Process Lens Internal Recruitment Lens Employee FY23-24 Proposed Benefit Policy Change Lens Flexible Work Policy Lens Compensation Philosophy and Administrative Policies Lens Formal (External) and Informal (Internal) Compensation and Class Analyses Lens Onboarding / Training/ Organizational Development Lens Career Progression Planning / Succession Planning Lens Employee Relations & Recognition Lens Employee Health Insurance: Structural Contribution Strategy Lens

	Wellness Program / EAP Lens Retirement Planning and Counseling Lens Safety Programs Lens
IT - Information	External Townwide Services Lens Administrative Directive #5 - Use of Technology Lens Internal Customer Service Lens Internal Replacement and Upgrades of Technological Devices Lens Storage, Security and Collection of Data Lens
Planning, Zoning, Inspections, Climate Action, & Transportation	Text and Map Amendment Process Lens RTMP Lens Land Use and Permitting Process Lens Building Permitting Process Lens Small Area Planning Lens Transportation Lens Code Enforcement and Changes Lens Customer Service (Internal/External) Lens
Police	Traffic Stop Policy Lens Suspicious Activity Policy Lens Customer Service Lens Personnel Training Lens Community Services - Outreach and Education Lens Patrol Responsiveness and Decision-Making Lens Criminal Investigations - Prioritization and Resource Allocation Lens
Public Works	Public Works Community Engagement and Outreach Lens Stormwater Operations and Projects Lens Stormwater Revenue Lens Marketing and Selling of Plots in Cemeteries Lens Garbage, Yard Waste, Bulky Waste and Leaf Collection Lens Maintenance of Town Fleet Lens Engineering Services, Monitoring Construction Projects, Private Projects, and Inspection of Town Right-of-Ways (include Planning) Lens Maintenance, Repair and Inspection of Streets, Sidewalks, Multi-Use Pathways, Facilities, Parks, Cemeteries and Bus Shelters Lens
Recreation, Parks, and Cultural Resources	Existing Park Facilities in Town, Addendum Related to Greenway Lens Inventory of Programs, Activities and Special Events Lens Internal and External Customer Service Lens Public Art Program Lens Land Acquisition, Design and Development of Town Parks and Facilities Lens Registration and Reservation Process Lens Fees and Charges Structure Lens Marketing, Distribution, Outreach and Recruitment Lens Building Community Partnerships Lens Maintenance and Replacement Facility and Infrastructure Lens
Town Clerk	Advisory Board and Commission Recruitment and Appointment Policy Lens Rules of Procedures for Town Boards and Commissions Lens Administrative Support Lens Council, Employee and Community Support Lens

Town Manager	Town Council Support, Policies and Strategic Direction Lens Communication Process within Town Managers Officer Lens (Residents, Town Council and Staff) Equitable Outcomes of Town Services - Guidance and Support Lens Administrative Directives Lens Equity of Taxes Lens
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Race and Equity Pocket Questions

Pockets Questions are used in place of a completed REAL when evaluating existing and new initiatives (process, practice, procedure, service, and new project) and completing Council Agenda Items that are not quasi-judicial. If what is being considered within an agenda item is outside the scope of a completed REAL, Pocket Questions will be provided. The answers to the questions offer a deeper awareness of other factors that should be considered in decision making. See chart below for more guidance.

TOOL	PURPOSE	USERS	APPLICATION
Pocket Questions	Preliminary equity analysis in the absence of a racial equity assessment lens (REAL).	Decision Makers	When evaluating initiatives and making decisions. 3/7/2023 – Updated agenda cover page and pocket questions accompany items that are not quasi-judicial in the absence of the REAL.
The DRE (Decision Making for Racial Equity tool)	Help guide inward/ outward facing decision making centering race and equity.	Staff	1/2023 – Use as needed to make decisions
The REAL (Racial Equity Assessment Lens)	Evaluate existing and new initiatives centering race and equity	Decision Makers	4/2022 – Completion based on the date/priority of comprehensive plan projects/strategies or community impact.

External Work

Community Involvement

Advancing equity is also a community priority. True progress and success will require the entire Carrboro community. Successfully advancing equity and creating a sense of belonging involves a commitment from all of us. It includes community engagement, listening sessions, building a culture of allyship, collaborative opportunities, strengthening and creating new partnerships, events, special projects, data collection, and changes in “business as usual”. We can also learn about, acknowledge, and celebrate differences by leading, supporting, and participating in holidays and special cause events. Below are some of the holiday and special cause events that Carrboro recognizes:

- National Day of Racial Healing
- Martin Luther King Day
- Black History Month
- Celebrating Black People of America - “Black resistance”
- Women’s History Month
- Immigrant Heritage Month
- Juneteenth
- Pride Month
- Latin American Festival
- Hispanic Heritage Month
- Transgender Day of Remembrance
- Major local faith community holidays and event - Judaism, Islam, Christianity, Buddhism and Hinduism
- Indigenous Peoples Day
- Veteran’s Day

Data

Data is also important to race and equity work and yet not always readily available. The Town needs to collect, track, and disseminate data regarding town and county-wide disparities and demographics to inform decision making. Carrboro continues to work with One Orange, Carolina Demography and foster other relationships that contribute to tracking and analyzing data. The Town of Carrboro has also developed data resources to assist with monitoring and evaluation impact.

For more information see the Reference page.

Racial Equity Commission (REC)

Created on January 19, 2021, the Racial Equity Commission advises the Town Council and works with the Chief Race and Equity Officer, and Town staff to educate, provide leadership, and facilitate on-going equitable engagement within the immediate and greater Carrboro community toward the goal of creating a community of inclusiveness in which political, economic, social, and cultural institutions are no longer predicated and influenced by race. For more information regarding the REC visit [Racial Equity Commission | Carrboro, NC - Official Website \(carrboronc.gov\)](https://carrboronc.gov/racial-equity-commission)

Community Safety Task Force (CSTF)

Created on June 18, 2020, the Community Safety Task Force reviewed best practices and considered a range of issues related to the safety and well-being of Carrboro residents, including but not limited to racial disparities in law enforcement and the criminal legal system; law enforcement and court diversion and deflection programs; alternatives to relying on the Town's public safety professionals for human service and wellness needs; and coordination with the County and other jurisdictions to enhance programs and services that keep communities safe. On November 14, 2023, the CSTF presented a recommendation report to the Town Council encompassing alternative policing strategies. The report is scheduled for an upcoming Council Work session. For more information regarding the CSTF visit [Community Safety Task Force | Carrboro, NC - Official Website \(carrboronc.gov\)](https://carrboronc.gov/community-safety-task-force)

Reparations

On October 20th, 2022 the Town Council adopted [Supporting Reparations for Black Carrboro Resolution](#). Elected Officials acknowledged systemic racism was created centuries ago and will take time to dismantle. This resolution is a first step in that process and the Town of Carrboro is committed and began steps toward eliminating racial bias and racial disparity, build trust in government and other institutions, and create a more just and equitable world.

The Town has taken some action in addressing the racial disparity -

- Establishment of the Community Safety Task Force
- Establishment of the Racial Equity Commission
- Funding, resources, training, consulting services, meetings, and co-working opportunities for BIPOC businesses
- Voter education and registration offered at co-sponsored events
- Installing three truth plaques acknowledging history and Black resilience
- ARPA funding for race and equity initiatives
- Provide staff and community with training and opportunities to learn more about reparations and possibilities
- Creation of data dashboard



2023 Annual Objectives	Responsibility	Timeline
Presentation and adoption of the first race and equity action plan.	Race and Equity Town Council	Scheduled for 11/29/23
Unveiling of Manley McCauley, lynching marker. Partnership with Orange County Remembrance Coalition and Equity Justice Institute.	Race and Equity Partnership - EJI OCCRC	Awaiting new unveiling ceremony date

2024 Objectives	Responsibility	Timeline
Continue annual training for all employees and foundational training for new employees.	All Employees Departments Race and Equity	Ongoing
Reach 65% completion rate of Town wide REAL evaluations - policies, practices, procedures, and services.	All Departments	End of 2024
Begin to conduct monthly departmental meetings to normalize town efforts of advancing equity and creating a sense of belonging.	All	February 2024
Develop annual race and equity goals and performance measures with departments centering internal and external impact.	All	2024-2025 Budget document
Research and advocate for Bill H.R. 40 - (117 th - Establish a Commission to Study and Develop Reparation Proposals for African Americans Act).	Race and Equity	By Spring 2024
Incorporate race and equity expectations in employee job descriptions.	Human Resources	By Spring 2024
Make policies, practices, procedures and service delivery updates based on findings from the REAL.	All Departments	Ongoing

Work with local historians and engage BIPOC communities in discussions on how reparations can impact lives.	Race and Equity Racial Equity Commission	By Spring 2024
Research reparations initiatives in other municipalities and the federal level.	Race and Equity	By Summer 2024
Conduct second Town Council Work session on reparations in Carrboro to provide guidance to staff.	Race and Equity Town Council	By Fall 2024
Complete the OneOrange Racialized History Project with County partners.	OneOrange Team Leads	End 2024
Present race and equity updates and accomplishments to the Town Council.	Race and Equity	End 2024

2025 Objectives	Responsibility	Timeline
Continue annual training for all employees and foundational training to new employees.	All Employees Departments Race and Equity	Ongoing
Reach 100% completion rate of Town wide REAL evaluations - policies, practices, procedures, and services.	Departments	By Summer 2025
Identify action items. Presentation and adoption of updated action plan based ongoing work, data, and REAL findings for 2026 and beyond.	Race and Equity Departments	End of 2025

**Note: Legend of colors – White – All departments, Orange – Human Resources
Beige – Race and Equity**

Annual Reporting

The Race and Equity team will work in collaboration with departments to report race and equity initiatives each year. Some performance measures were identified and based on prioritizing the work. (Excerpt from current budget document.)

Current Performance Measures	FY 2022-2023 actual
% of employees that completed foundational equity training	95%
Percentage of completed policies, procedures evaluated by the racial equity assessment lens	23%
% of BIPOC employees hired	27%
% of BIPOC advisory board/commission members	33%
% increase in affordable homeownership units	0%
% increase of known BIPOC businesses	4.7%

Chronology of the Work

2019

- Race and Equity Officer duties assigned to Recreation Parks and Cultural Resources Director position.
- Creation of internal CORE Team.
- Established vision/partnership with county jurisdictions to form – OneOrange.
- Unveiling of “truth plaque” at Town Hall. The truth plaque includes the early history of Carrboro around the turn of the 20th century and talks about the town’s namesake, Julian S. Carr. The goal of this truth plaque and other is to recognize Carrboro’s history, uplift the truth and acknowledge an unjust past.
- Conducted first Employee Racial Equity Survey. The survey responses will help guide and shape the next steps of our inward and outward facing equity work.
- CORE Team participated in a yearlong learning cohort with eight other jurisdictions in North Carolina.

2020

- Town’s race & equity vision statement and logo developed.
- Town Council prioritized needs in the community because of the disproportionately effects of COVID on Blacks, Latinos and other underserved and marginalized communities focusing on housing, public health, outreach, education and engagement, efforts of county recovery plan, non-profit partnerships, and emergency loans for minority businesses.
- Offered Advancing Racial Equity the Role of Government training to all employees. Some CORE team members trained with GARE staff and served as training facilitators.
- Hosted BIPOC business roundtables, consulting, and other resources.
- Town Council adopts Supporting Reparations for Black Carrboro Resolution.
- Town Council adopts [Inclusive Carrboro Communication & Engagement Plan](#).
- [Black Lives Matter Murals | Carrboro, NC - Official Website \(townofcarrboro.org\)](#)

2021

- The Carrboro Town Council unanimously approved an ordinance to expand anti-discrimination protections for members of the LGBTQ community.
- Continuation of staff training and offered to Advisory Board and Commission members.
- Creation of Racial Equity Commission.
- Creation of Community Safety Task Force.
- Conducted second Racial Equity Employee Survey.
- Continued to normalize this work by providing Continuing the Conversation sessions, resources and materials for employees.
- Unveiling of the second truth plaque, the site of the former Freedmen’s School on East Main Street which served as a local school created for the areas black community that opened following the Civil War and stood from 1866 to 1917.
- Launched online BIPOC Business Resource Center and Business listing.

2022

- Ongoing training of staff.
- Mayor Damon Seils proclaims [National Day of Racial Healing in Carrboro](#).
- Town Council adopts [One Orange Racial Equity Framework](#).
- Planning Department creates a [web map](#) with demographic information used for the REAL (Racial Equity Assessment Lens) evaluation process.
- Town departments began use of the Racial Equity Assessment Lens, (the REAL) to evaluate policies, practices, procedures, and services.
- Carrboro Town Council adopts [Carrboro Connects 2022-2042 Comprehensive Plan](#).
- Communication & Engagement partnered with Public Works to expand the non-digital outreach. Constructed new Town Information Centers (kiosks).
- The Town of Carrboro hosts local history scholars and community leaders to view Fred Morsell's 1994 re-enactment of one of the last great speeches by Frederick Douglass entitled "The Lessons of the Hour" as part of its Black History Month program series.
- Recreation, Parks, and Cultural Resources expanded the Summer Fun on Wheels Program to utilize the recreational mobile play unit to integrate family activities into neighborhoods.
- Town Manager's appointment of Carrboro's first Chief Race and Equity Officer.
- Racial equity analysis was placed within the budget process and the ARPA funding program.
- Recreation, Parks, and Cultural Resources worked with registration/reservation software vendor to incorporate ethnicity fields to begin tracking and evaluating participation data.
- Planning Department incorporated equity when planning and implementing transportation demand management and climate action outreach events such as Lighten Up and Solarize Outreach.
- The Town of Carrboro partnered with the Business Accelerator Group (BAG) and the Durham Tech Small Business Center to host a business accelerator program over five Saturdays. The training for local entrepreneurs concludes with a celebration for 13 graduates, of which, seven were BIPOC businesses.
- The Town of Carrboro conducted extensive surveys, including statistically valid surveying with the ETC Institute, to receive input on ARPA funding priorities. Town staff also worked with the Refugee Community Partnership to increase survey responses from immigrants and refugees in Carrboro. To reach underserved areas of our community, the Town reached out to 1,800 residents within Carrboro's Qualified Census Tract with a postcard invitation to participate.
- Offered the foundational training, Advancing Racial Equity, The Role of Government to jurisdictional Elected Officials in Orange County, NC.
- Carrboro In Motion/Comunidad en [Movimiento](#) launched to increase neighbor-to-neighbor participation and engagement with a focus on underserved neighbors.
<https://www.townofcarrboro.org/CivicAlerts.aspx?AID=2306>
- Recreation, Parks, and Cultural Resources created departmental resource file including equity related videos and documents to help inform the work.
- Housing and Community Services worked collaboratively with Orange County to translate Emergency housing assistance flyer and other resources in multiply languages.
- The Financial Assistance Membership process for RPCR programs was streamlined for applicants who reside in public housing.
- Foster relationships with BIPOC owned vendors to provide services during Town events.

- Began partnering with the Orange County Community Remembrance Coalition in hosting Black History Month programming.
- The Town of Carrboro received a score of 100 in the 2022 Municipal Equality Index (MEI). The index examines how inclusive municipal laws, policies, and services are of LGBTQ+ people who live and work there. Cities are rated based on non-discrimination laws, the municipality as an employer, municipal services, law enforcement and leadership on LGBTQ+ equality.
- Carrboro Town Council approved a \$6.7 million spending plan for American Rescue Plan Act funds including affordable housing, infrastructure, and bike-ped and parks projects, grants to local small businesses and training for minority businesses and entrepreneurs, and investments to create new units of affordable housing and home energy efficiency renovations.

2023

- All staff completed Decision Making for Racial Equity (DRE) training offered by RACE FORWARD/GARE.
- Incorporated Race and Equity orientation in the onboarding process of new staff.
- Town Council adopts updated Racial Equity Commission charge to reflect specific goals and objectives identified by members.
- Town Council adopted BLACK HISTORY MONTH PROCLAMATION 2023.
- Town Council adopted RESOLUTION IN SOLIDARITY WITH CARRBORO'S LGBTQ+ COMMUNITY.
- Hiring of Carrboro's first Race and Equity Manager.
- The REAL or Equity Pocket Questions accompany Council Agenda Items to help provide a deeper aware guidance in decision making and centering equity.
- Town Council adopts the use of three tools in town governance - REAL evaluation, Equity Pocket Questions and Decision Making for Racial Equity.
- The Town of Carrboro hosted "The Black Resistance" history lecture by Dr. Freddie Parker of NCCU. The focus of the lecture was the Freedmen's Conventions of 1865 and 1866, the first of their kind in North Carolina. The lecture was part of the Town's Black History Month program series.
- Updated the [Town Brand Guidelines](#) to include Town Values Logos and marketing logos in various languages to connect with multilingual audiences.
- Town partnered with UNC-Chapel Hill's [Building Integrated Communities Initiative](#) to strengthen communication and interpretation services for all residents.
- Town Council adopted PRIDE MONTH PROCLAMATION 2023.
- The Town Council renewed its support for the Temporary Protected Status program for Guatemala and urged the Department of Homeland Security to designate Guatemala as a Temporary Protected Status country.
- [One Orange Racial Equity Framework includes updated Racial Equity Assessment Lens.](#)
- The Towns of Carrboro and Chapel Hill co-hosted "Small Town Pride," a series of celebrations that include, in Carrboro, Orgulla Latinx Pride and culminating in a Pride Food Truck Rodeo & Dance Party.
- Conducted third Racial Equity Employee Survey.
- Unveiling of 3rd truth plaque - Strayhorn House - 109 Jones Ferry Road – 1879 Past and Present, first Black family in Carrboro.
- Incorporated equity competencies in updated Employee Performance Evaluation tool.

- The Town of Carrboro's Community Safety Task Force partnered with IFC on conducting phone banking conversations, community canvassing and a listening Sessions at the Jackson Center to receive community input on feeling safe and policing.
- Town Council adopted HISPANIC MONTH PROCLAMATION 2023.
- OneOrange created a [Racial Equity Index](#) dashboard that shows at-a-glance views of racial data within Orange County. Orange County and the Towns of Carrboro, Chapel Hill, and Hillsborough will use the dashboard to increase equity in their communities, provide awareness and track disparity. It will also inform strategies, grant applications, or service provision.
- Reached 25% completion rate of Town wide REAL evaluations – policies, practices, procedures, and services.
- Incorporated additional community engagement elements in the Town's Engagement Plan.
- Began working with the consultant on the disparity study that will inform changes to the Town's procurement policies.
- The Community Safety Task Force presented a recommendation report to the Town Council about Carrboro safety and alternatives to policing.

List of Key Terms

Belonging – the sense of connection to our community. An individual's participation and belief in our community.

BIPOC - Acronym that refers to Black, Indigenous, and other People of Color.

Equity – Fair and just treatment for all based on assessing disparities in policies, practices, services, resources, and representation. Outcomes for all groups improve. Informed by data, expertise, community engagement, lived experiences, stories, and connections.

GARE – A national network of governments working to achieve racial equity and advance opportunities for all. The Town of Carrboro joined GARE along with many municipalities across the country to help guide us through the process of dismantling structural racial inequity and creating equitable outcomes for all.

Inclusion – Bringing together historically excluded individuals and/or groups into processes, practices, services, decisions, and policy making.

Pocket questions – a set of questions that are used in place of a completed racial equity assessment lens. The name is derived from being compact and handy to use.

Racial Equity – Race cannot be used to predict individual or group treatment and outcomes.

Reparations – Making significant progress toward repairing the damage caused by public and private systemic racism, boosting economic mobility and opportunity, and creating generational wealth in the Black community.

Transactional partnership – Focus on the transaction. A methodical exchange of resources within existing structure or system based on mutual benefit and need.

Transformational partnership – Focus on developing an understanding and meaningful connection while exchanging resources. Restructuring of a system within an existing structure can take place. The ability to focus and develop a bond beyond the transaction which focuses on trust, transparency, communication, decision-making and accountability.

References

Excerpts and more history from the following:

[History of Carrboro | Carrboro, NC - Official Website \(townofcarrboro.org\)](https://www.townofcarrboro.org/history)

[Black History in Carrboro | Carrboro, NC - Official Website \(townofcarrboro.org\)](https://www.townofcarrboro.org/black-history)

[Black History Month Proclamation](#)

[Resolution in Solidarity with The Carrboro LGBTQ Community 2023](#)

[Pride Month Proclamation](#)

[Hispanic Heritage Month Proclamation \(carrboronc.gov\)](https://www.carrboronc.gov/hispanic-heritage)

[Carrboro Connects Comprehensive Plan](#) (pages 18-23)

Town Resources for Data:

Carrboro Demographics Page

[Racial Equity Index for Orange County](#)

<https://toggis.ci.carrboro.nc.us/Carrboro/Demographics/>

Here are other resources that can be used to access data –

[American Community Survey \(ACS\) \(census.gov\)](https://www.census.gov)

[Census.gov](https://www.census.gov)

[2020 Census: Racial and Ethnic Diversity Index by State](#)

Race and Equity Pocket Questions

Title and purpose of this initiative: Request that the Town Council adopt the Carrboro Race and Equity Action Plan

Department: Town Manager's Office - Race and Equity

What are the racial and equity impacts? The action plan will center and align Carrboro's ongoing race and equity work. This plan should positively affect communities, partnerships, and employees by providing awareness, guidance, sustainability, and a path to educate and mitigate disparities. This is a collaborative effort of community and local government.

Who is or will experience community burden? Burden may exist for those most impacted in the absence of a race and equity action plan or if a community need is overlooked. Burden can exist in the amount of time it takes to address issues and/or update policies, practices, procedures, or services. Burden may also exist for those most impacted when resources are not available to address issues.

Who is or will experience community benefit? The adoption of this action plan will improve race and equity work, provide background, and lay a foundation for the work to further benefit the community and town employees. Everyone in the community should benefit from the initiative being acknowledged, organized, adopted, and shared. People that are directly affected by the disparities will receive the most benefit as well as those who are gaining an understanding of the work and how Carrboro plans to address disparities.

What are the root causes of inequity? Overall actions of the past and the role government played. Protesting the death of George Floyd led to an awakening, the increase of DEIA (Diversity, Equity, Inclusion and Accessibility) programs across the nation. The public and private sectors as well as government have begun implementing DEIA programs to mitigate and alleviate burden and harm caused to BIPOC communities.

What might be the unintended consequences of this action or strategy? 1. Belief this plan is the panacea for institutional and structural change. Commitment, resources, and sustained effort is also required. 2. Belief equality and equity are the same. Equality means giving everyone the same services, opportunities, and resources. Equity means giving everyone services, opportunities, and resources they need to achieve the same outcomes, recognizing barriers. 3. Leave out an important element of this plan and the effect that it will have on community. As progress is made, a perception of priority is set. Inadvertently leaving out an element could have an adverse outcome.

How is your department planning to mitigate any burdens, inequities, and unintended consequences? A commitment to prioritize this work to uncover and dismantle inequities. Continue to follow the GARE model of change – visualize, normalize, organize, and operationalize this work. Strengthening partnerships and allyship.



Agenda Item Abstract

File Number: 23-339

Agenda Date: 11/29/2023
In Control: Town Council
Version: 2

File Type: Agendas

Consideration of the Town Council Procedures Manual

PURPOSE: The purpose of the Town Council Procedures Manual is to provide a comprehensive guide that outlines the accepted practices and policies governing the operations of a town council. It serves as a reference document for town council members, staff, and the public, ensuring consistency, transparency, and accountability in the conduct of town business.

DEPARTMENT: Town Clerk's Office

CONTACT INFORMATION: Wendy Welsh, Interim Town Clerk, wwelsh@carrboronc.gov
<<mailto:wwelsh@carrboronc.gov>>, 919-918-7310

INFORMATION: A town council procedure manual serves many purposes. The manual establishes clear rules and guidelines providing a framework for conducting council meetings, including agenda preparation, public participation, voting procedures, and conflict resolution. This document promotes consistency and efficiency by establishing standardized procedures for various tasks. The manual streamlines decision-making processes and reduces the risk of errors or omissions.

Established procedures enhance transparency and accountability and serves as a public document, allowing residents to understand the council's operations and how their decisions are made. This transparency fosters trust and accountability between the council and the community.

Newly elected council members can use this resource to quickly grasp the council's structure, procedures, and responsibilities. The manual ensures continuity of procedures and institutional knowledge even as council members change.

The manual incorporates relevant state statutes, local ordinances, and other legal requirements, ensuring that the council's actions align with applicable laws and regulations. The manual should be reviewed and updated periodically to reflect changes in laws, policies, and best practices, ensuring it remains an accurate and relevant guide for the council.

FISCAL IMPACT: None

RECOMMENDATION: It is recommended that the council adopt the Town Council Procedures Manual.

Carrboro Town Council Procedures Manual

Final Draft for Council: November 19, 2023

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Purpose and Applicability

Rule 1. Purpose and Applicability of the Rules

a. Purpose of the Rules. The Carrboro Town Council Procedures Manual is a reference guide that sets out the accepted rules of procedure and other practices of the Town Council (hereafter “Council”) regarding how it conducts the business of the Town. The Procedures Manual uses *Suggested Rules of Procedure for a City Council*, 4th edition (UNC School of Government; 2017) as a guide and framework, with additions and modifications drawn from the Town’s Charter and Code of Ordinances and the Council’s adopted policies and usual practices.

The Procedures Manual sets out the general and specific rules of procedure and other practices of the Council, including:

- quorum, open meetings, and closed sessions;
- organization of the Council;
- types of meetings of the Council;
- meeting agendas and procedures;
- ordinances and contracts;
- work sessions;
- public hearings;
- public comment periods;
- appointments;
- working with the town manager and town clerk; and
- miscellaneous Council policies and procedures.

b. Applicability of Rules. These rules apply to all Carrboro Town Council meetings. For purposes of these rules, a meeting of the Council occurs whenever a majority of the Council’s members gather, whether in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the Council’s real or apparent jurisdiction. The term “majority” as used here and elsewhere in the Procedures Manual means, unless otherwise specified, a simple majority, that is, more than half.

c. Conflicts With the Town Code or General Statutes. If any rule in this Procedures Manual conflicts with any requirement of the Town Code or the North Carolina General Statutes, the Council shall be guided by the relevant provisions of the Town Code or the General Statutes.

Quorum

Rule 2. Quorum

The presence of a quorum is necessary for the Council to conduct business. A majority of the actual membership of the Council, excluding vacant seats, shall constitute a quorum. During a meeting, a member who withdraws from the meeting without being excused by majority vote of the remaining members in attendance shall be counted as present for purposes of determining whether a quorum is present.

Open Meetings

Rule 3. Remote Participation in Council Meetings

In accordance with Chapter 2, Article II, Section 2-19 of the Town Code, council members may remotely participate in official meetings of the Town Council, including regular, special, and emergency called meetings, subject to the following rules and procedures:

a. A council member may attend a meeting and participate in Council deliberations and decisions by remote participation if the council member is prevented from physically attending the meeting due to:

1. Personal illness, disability, order of quarantine or isolation, government issued “stay-at-home” mandate, or recommendation of medical provider or public health officials to limit public interaction;
2. Out-of-town travel;
3. Unexpected lack of child-care;
4. Family member illness or other family emergency;
5. Weather conditions;
6. Military service;
7. Employment obligations;
8. Scheduling conflict; or
9. State or local declaration of a state of emergency that makes in-person attendance at a meeting a violation of an order or reduce social contact or to stay at home for reasons of public health.

b. Remote participation shall be allowed only when a quorum of the Council is physically present at the meeting and the Council Member(s) participating remotely are not necessary to establish a valid quorum.

c. Remote participation shall not be allowed during quasi-judicial public hearings.

d. Acceptable means of remote participation include telephone, internet, or satellite enabled audio or video conferencing, or any other technology that enables the remote participation and all persons present at the meeting location to be clearly audible to one another. Text messaging, instant messaging, email, and web chat without audio are not acceptable means of remote participation.

e. No council member may participate remotely more than four (4) times during a calendar year for a reason other than order of quarantine or isolation, “stay-at-home” mandate, or recommendation to limit public interaction, as described in subsection (a), above; however, in

other justifiable circumstances, such as prolonged disability of the council member, the Council may, by majority vote, agree to waive this limitation.

f. A council member participating remotely will be considered present at the meeting and will be entitled to participate in open session deliberations at the meeting if, and while:

1. The council member is able to hear other members of the Council and any individuals addressing the Council, including members of the public who are recognized by the Council during public comment;
2. All persons present at the meeting location are able to hear the council member who is participating remotely; and
3. If video technology is used, it is preferred that the remote participant is visible to all persons present at the meeting location.

g. A council member who is entitled to participate in open session deliberations may also participate in a closed session of the meeting so long as no other person is able to hear, see, or otherwise participate in the closed session from the council member's remote location.

h. A council member considered present through remote participation will be permitted to vote on any action item at the meeting except:

1. Any item for which the council member was not participating remotely during the entire discussion and deliberation of the matter preceding the vote; and
2. Any item that was being discussed when an interruption to the electronic communication occurred, if the Council's discussion was not suspended during the interruption. A brief loss of simultaneous communication, such as a few seconds, will not disqualify the council member from voting on the matter under discussion.

i. A council member who desires to participate in a meeting remotely shall notify the town clerk at least four (4) hours in advance of the meeting so that necessary arrangements can be made. If the council member has not already received the agenda packet and all documents to be considered at the meeting, the town clerk shall arrange for delivery of the materials in a manner that is practicable under the circumstances.

j. At the beginning of the meeting, the mayor shall announce the remote council member participant and the means of remote participation at the beginning of the meeting.

k. A council member participating remotely shall notify the mayor if leaving the meeting before it is adjourned or rejoining the meeting after a period of absence.

l. All votes taken shall be a voice vote and the remote council member participant shall provide a voice vote which can be heard by the public and recorded by the town clerk.

m. The town clerk shall reflect in the minutes of the meeting that (i) the meeting was conducted by use of simultaneous electronic communication, (ii) which council member(s) were in attendance by simultaneous communication, and (iii) when such council member(s) joined or left the meeting. Any interruption to or discontinuation of the council member's participation shall also be noted in the minutes.

Rule 4. Meetings to Be Open to the Public

Except in the case of properly entered closed sessions, all meetings of the Council shall be open to the public, and any person may attend its meetings.

Rule 5. Closed Sessions

a. Motion to Enter Closed Session. The Council may enter a closed session from which the public is excluded only upon a motion duly made and adopted in open session. The motion to enter closed session must cite one or more of the permissible bases for closed sessions described in the North Carolina General Statutes (143-318.11(a)).

b. Bases for Closed Session. Common reasons for the Council to meet in closed session are to consult with the town attorney to preserve the attorney-client privilege, to instruct staff concerning the negotiation of terms for acquiring real property, and to consider a personnel matter.

c. Closed Session Participants. Unless the Council directs otherwise, the town manager, the town attorney, and the town clerk may attend closed sessions of the Council. No other person may attend a closed session unless invited by the Council and when their presence is reasonably necessary to aid in the Council's deliberations.

d. Motion to Return to Open Session. Upon completing its closed session business, the Council shall end the closed session by adopting a duly made motion to return to open session, even if adjourning the meeting is the only remaining item of business.

Rule 6. Meeting Minutes

a. Minutes Required for All Meetings. The Council must keep full and accurate minutes of all of its meetings, including closed sessions. To be considered "full and accurate," the minutes must record all actions taken by the Council. They should identify the members who made and seconded each motion, set out the precise wording of each motion, and make it possible to determine the number of votes cast for and against each motion and the members who voted for and against each motion. The minutes need not record discussions of the Council, though the Council may decide to incorporate such details into the minutes.

b. Circulation of Draft Minutes. The town clerk prepares and distributes draft minutes to the mayor and council members for review and revision. After revision of the draft minutes as needed, the town manager places the final draft minutes on the consent agenda of a regular meeting.

c. General Accounts of Closed Sessions. In addition to minutes, the Council must keep a general account of each closed session. The general account must be sufficiently detailed to provide a person not in attendance with a reasonable understanding of what transpired. The Council may combine the minutes and the general account of a closed session into one document, so long as the document contains both a complete record of actions taken and the level of detail required for a general account. The town clerk shall develop a process for securely circulating drafts of minutes and general accounts of closed sessions to members and scheduling them for approval, such as in a later closed session.

d. Sealing Closed Session Records. Minutes and general accounts of closed sessions shall be sealed until unsealed by order of the Council. The sealed minutes and general account of any closed session may be withheld from public inspection so long as public inspection would frustrate the purpose of the closed session.

Rule 7. Broadcasting and Recording Meetings

a. Right to Broadcast and Record. Any person may photograph, film, tape-record, or otherwise reproduce any part of a council meeting that must take place in open session. Except as provided in this rule, any radio or television station may broadcast any such part of a council meeting.

b. Advance Notice. Any radio or television station that plans to broadcast any portion of a council meeting shall so notify the town clerk no later than 24 hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of the council meeting.

c. Equipment Placement. The town manager may regulate the placement and use of camera or recording equipment to prevent undue interference with a council meeting, so long as the equipment is allowed to be placed where it can carry out its intended function. If the town manager determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the town manager may require the pooling of the equipment and the personnel operating it.

d. Alternative Meeting Site. If the news media request an alternative meeting site to accommodate news coverage, and the Council grants the request, the news media making the request shall pay the costs incurred by the Town in securing an alternative meeting site.

Organization of the Council

Rule 8. Organizational Meeting; Selection of Mayor Pro Tempore

a. Scheduling the Organizational Meeting. The Council holds an organizational meeting on the date and at the time of the Council's first regular meeting in December following each general election in which the mayor and council members are elected.

b. Oath of Office. As the first order of business at the organizational meeting, all newly elected members of the Council must take and subscribe the oath of office. Each member's oath must be filed with the town clerk.

c. Selection of Mayor Pro Tempore. As the second order of business at the organizational meeting, the Council shall elect from among its members a mayor pro tempore to serve at the Council's pleasure. It is the usual practice of the Council to select as mayor pro tempore the most senior council member who has not yet served in the role.

Types of Meetings

Rule 9. Regular Meetings

a. Regular Meeting Schedule. The Council shall hold its regular meetings on Tuesdays. The meetings shall be held at Town Hall and begin at 7:00 pm, unless the Council determines, in advance, to hold such meetings on a different date, at another time, or at another place. It is the usual practice of the Council to not meet on the fifth Tuesday of the month and to take a summer break during July and August. The Council shall adopt a meeting schedule for the coming year at its first regular meeting in December. A copy of the meeting schedule shall be filed with the town clerk and posted on the Town's website.

b. Change to Meeting Schedule. The Council may amend its regular meeting schedule to add or delete meetings or to change the date, time, or location of one or more meetings on the schedule. The amended schedule shall be filed with the town clerk at least seven days before the day of the first meeting held pursuant to the revised schedule and posted on the Town's website.

c. Canceling Meetings. When there is sufficient advance notice of the need to cancel a meeting, the Council shall do so by amending the adopted meeting schedule as described in paragraph (b) above. When there is not sufficient advance notice of the need to cancel a meeting, the town clerk shall notify members of the cancellation and, as a courtesy, should provide notice to the news media and others who have filed requests to receive notice of meetings, and should post notice of the cancellation on the Town's website.

Rule 10. Special Meetings

a. Purpose of Special Meetings. A special meeting of the Council is a nonemergency meeting held at a time or place other than that of a regular meeting. At a special meeting, the Council may consider any topic or take any action that could be considered or taken at a regular meeting, unless a provision of general law requires otherwise.

b. Calling Special Meetings. There are two methods by which a special meeting of the Council may be called: (1) The mayor, the mayor pro tempore, or any two council members may call a special meeting. (2) A special meeting may also be called by vote of the Council in open session during a regular meeting or another duly called special meeting.

c. Notice to the Public. At least 48 hours before a special meeting of the Council, the town clerk shall post notice of the date, time, place, and purpose of the meeting on the bulletin board located at the entrance of Town Hall and deliver, email, or mail such notice to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice

with the town clerk. Notice of the special meeting's date, time, place, and purpose shall also be posted on the Town's website and social media accounts in advance of the meeting.

d. Notice to Members. At least 48 hours before a special meeting called by the mayor, the mayor pro tempore, or any two council members, written notice of the meeting stating its date, time, and place, as well as the subjects to be considered, shall be delivered to the mayor and each council member or left at their usual dwelling place. In the latter event, every reasonable effort shall be made to contact the mayor or council member by telephone. When a special meeting is called by vote of the Council in open session during a regular meeting or another duly called special meeting, the motion or resolution calling the special meeting shall state the meeting's date, time, place, and purpose. Written notice of the special meeting's date, time, place, and purpose shall be delivered to each member who was not present for the meeting at which the special meeting was called.

e. Transacting Other Business. Unless all members are present or any absent member has signed a written waiver of notice, only those items of business specified in the notice to members may be taken up at the special meeting. Even when all members are present or any absent member has signed a waiver, the Council may take up an item of business not covered by the notice only if the Council first determines in good faith, by unanimous consent or majority vote, that the item must be discussed or acted upon immediately.

Rule 11. Emergency Meetings

a. Grounds for Emergency Meeting. An emergency meeting of the Council is a meeting called because of generally unexpected circumstances that require the Council's immediate consideration.

b. Calling Emergency Meetings. There are two methods by which an emergency meeting of the Council may be called: (1) The mayor, the mayor pro tempore, or any two members of the Council may at any time call an emergency meeting by signing a written notice stating the date, time, and place of the meeting and the subjects to be considered. The town clerk, town manager, or member(s) calling the meeting shall provide the notice to each member of the Council in the same manner as notice of special meetings at least six hours before the meeting. (2) An emergency meeting may be held when all members of the Council are present and consent thereto, or when any absent member has signed a written waiver of notice.

c. Notice to Media of Emergency Meetings. Notice of an emergency meeting shall be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written request with the town clerk for notice of emergency meetings. Notice may be given by telephone, email, or the same method used to notify council members. Notice must be provided immediately after council members have been notified.

d. Transaction of Other Business Prohibited. Only business connected with the emergency may be considered at an emergency meeting.

Rule 12. Recessed Meetings

a. Calling Recessed Meetings. When conducting a properly called regular, special, or emergency meeting, the Council may recess the meeting to another date, time, or place by majority vote in open session. The motion must state the date, time, and place at which the meeting will reconvene.

b. Notice of Recessed Meetings. Notice of the recessed meeting's date, time, and place must appear on the Town's website prior to the meeting. No further notice is required.

Rule 13. Specific Kinds of Regular or Special Meetings

a. Work Sessions. Some regular or special meetings are intended to function as work sessions of the Council. See Rule 39, "Work Sessions," for more information about work sessions. The relevant notice and related requirements of the North Carolina Open Meetings Law apply to such meetings.

b. Public Hearings. Some regular or special meetings are intended to function as public hearings. See Rule 40, "Public Hearings," for more information about public hearings. The relevant notice and related requirements of the North Carolina Open Meetings Law apply to such meetings.

c. Joint Meetings. A joint meeting is a meeting of the Council with the governing body of another governmental entity. Joint meetings may be either regular, special, or emergency meetings. Consequently, the relevant notice and related requirements of the North Carolina Open Meetings Law apply to such meetings. Such meetings may be held in the jurisdiction of either body. Examples of joint meetings include the Orange County Assembly of Governments and joint meetings with the Chapel Hill-Carrboro City Schools Board of Education.

Agenda

Rule 14. Preparation of the Agenda

The town manager shall prepare the agenda in consultation with the mayor in advance of each meeting of the Council.

Rule 15. Consent Agenda

a. Items Placed on the Consent Agenda. The town manager may designate part of an agenda for a regular meeting as the consent agenda. Items may be placed on the consent agenda if the items are judged to be noncontroversial and routine.

b. Questions About Items on the Consent Agenda. Before the meeting, if any member has a question about an item on the consent agenda, the member shall submit the question to the town manager in advance for a response. The member should submit the question as far in advance of the meeting as possible to enable the town manager to provide an adequate response. The town manager will share the response with all members. The purpose of this procedure is to aid the Council in conducting an efficient meeting by avoiding removal of consent agenda items during the meeting.

c. Removing Items From the Consent Agenda. All items on the consent agenda must be voted on and adopted by a single motion, with the minutes reflecting the motion and vote for each item. During the meeting, the request of any member to remove an item from the consent agenda must be honored by the Council. If the member's reason for removing the item is simply to vote against the item, the item will be voted on separately without discussion. If the item requires discussion, the item will be moved to the agenda of a subsequent meeting, unless the town manager indicates or the Council determines that action on the item is needed before the next Council meeting.

Rule 16. Requesting Placement of Items on an Agenda

a. Timing of the Request. For a regular meeting, a request by a council member to have an item of business placed on the agenda must be received by the town manager in sufficient time so that the agenda may be printed and distributed in accordance with this section, and to this end the town manager may establish an appropriate deadline to receive such requests.

b. Timeline for Response. The town manager and staff need time to react to unanticipated items added to an agenda, so only those items requiring the Council's urgent attention should be scheduled for the following meeting. Items continued for additional staff work should not be rescheduled sooner than two weeks, and items referred from the Council at regular meetings should be given at least three weeks for staff to prepare a responsive agenda item.

Rule 17. Nonbinding Resolutions

a. Purpose of Nonbinding Resolutions. The Council occasionally considers resolutions that are not part of a mandatory process and that have no legal or binding force, but simply express the sentiment or opinion of the Council. For example, the Council may wish to highlight an issue of importance to the community, join other governmental entities in amplifying a message on behalf of the community, or acknowledge an achievement by a local group or individual. The Council or its members also sometimes receive requests from residents and organizations to adopt resolutions on issues of local, state, national, or international interest.

b. Procedure for Preparing Resolutions. The preferred procedure for bringing forward such a resolution is as follows: The member notifies the town manager and the mayor of their interest in having a resolution placed on an agenda. The member then consults with the other members of the Council about the proposed resolution, within the limitations of the North Carolina Open Meetings Law. Every member has an opportunity to review a draft of the proposed resolution and offer comments on it. If at least a majority of the members indicate that they support it, the member provides the final draft resolution to the town manager. The town manager identifies an agenda on which to place the resolution. Such resolutions may be adopted by simple majority vote. (Although this rule describes the preferred procedure, a council member may alternatively seek to add a resolution to the agenda in accordance with Rule 22, “Adding Items to the Agenda.”)

c. Building Consensus. The goals of the preferred procedure described above are to encourage the building of consensus among members before such a resolution is placed on an agenda, and to help the Council avoid spending an excessive amount of meeting time discussing nonbinding resolutions. Such resolutions should be placed on an agenda only if a majority of the members have indicated they will support it.

d. Appropriateness and Validity. Members of the Council should avoid bringing forward resolutions that might create a legal liability for the Council, its members, the Town, or its employees. For example, North Carolina General Statutes and case law prohibit the use of public funds to endorse or oppose a referendum, election, or candidate for elective office. In another example, a resolution stating a preference for a particular outcome in a quasi-judicial matter could constitute a violation of due process.

Rule 18. Supplemental Information and Materials

An agenda package shall be prepared that includes, for each item of business listed on the agenda, such background information and relevant documents that are needed for the Council to make an informed decision. If the Council is expected to consider a proposed ordinance or ordinance amendment, a copy of the proposed ordinance or amendment shall be included in the agenda package. For proposed ordinance amendments, the documentation in the agenda

package should clearly show the proposed text in relation to the original text (for example, a “track changes” version of the document).

Rule 19. Delivery to Members

The town clerk shall deliver a copy of the agenda and the agenda package to each member of the Council in sufficient time to ensure they are received prior to the meeting. The usual practice is for the town clerk to email a link to the agenda package to each member. Members also have the option to receive a printed copy of the agenda and agenda package, in which case the agenda package will be available for pickup in the front lobby of Town Hall. For regular meetings, the agenda and agenda package typically are delivered to each member at least 96 hours before the meeting and sooner when possible.

Rule 20. Public Inspection

The town clerk shall make the agenda and agenda package available for public inspection online and at Town Hall as soon as they are completed, typically 96 hours before the meeting.

Rule 21. Order of Business

Items shall be placed on a regular meeting agenda according to the order of business established by the Council. The town manager will recommend placement of agenda items within the order of business categories below. The usual order of business for each regular meeting (not including meetings reserved solely for a work session or public hearing) shall be as follows:

- call to order and adoption of the agenda
- reading by the poet laureate
- proclamations, resolutions, and acknowledgments
- public comment period
- announcement of upcoming meetings
- approval of the consent agenda
- public hearings (when not a standalone meeting)
- unfinished business
- new business
- matters by council members
- work session (when not a standalone meeting)
- closed session

Items on the agenda of a regular meeting shall be taken up in the order that they appear on the agenda. Items may be considered in a different order by consent of all members present or by majority vote.

Rule 22. Adding Items to the Agenda

The Council may, by majority vote of the actual membership of the Council, add an item of business that is not on the agenda. Unless otherwise specified by the Council, additions to the agenda shall be taken up at the conclusion of all other regular business.

Meeting Procedures

Rule 23. Role of the Presiding Officer

The mayor shall preside at meetings of the Council and has the right and responsibility to vote on all issues to the same extent as any other member of the Council. A member must be recognized by the presiding officer to address the Council.

As the presiding officer, the mayor shall have the following powers, in addition to those conferred elsewhere in the Town Code:

- to rule motions in or out of order, including ruling out of order any motion clearly offered for obstructive or dilatory purposes;
- to determine whether a speaker has gone beyond reasonable standards of courtesy in their remarks and to entertain and rule upon objections from other members on this ground;
- to entertain and answer questions of parliamentary procedure, subject to being overruled by a two-thirds vote of the membership of the Council;
- to call a brief recess at any time;
- to adjourn in an emergency.

The mayor (or presiding officer) will remind members of the discussion guidelines (see Rule 29, “Discussion”) and will endeavor to restore order and decorum in the conduct of the meeting when necessary.

Rule 24. Time Limit

Not including matters to be discussed in closed session, the Council will not take up an item on the agenda after 10:00 pm without the unanimous consent of the Council or the affirmative vote of two-thirds of the members present.

Rule 25. Staff Presentation

Prior to discussion of each item on the agenda, the presiding officer shall call upon the town manager or their designee to present background information, if any, on the business to be discussed.

Rule 26. Public Participation

Matters Not on the Agenda. Public comments on matters that are not on the agenda are heard during the public comment period. See Rule 41, “Public Comment Periods,” for more information about public comment periods.

Matters on the Agenda. Public comments on matters that are on the agenda are heard when the Council addresses that item on the agenda. Work session items, whether or not they are the only item on the agenda, do not include public comment.

The Council may adopt reasonable rules that fix the maximum time allotted to each speaker, provide for the designation of spokespersons for groups of persons supporting or opposing the same positions, and other such rules as provided by state law. Persons who wish to speak on matters on the agenda may sign up with the town clerk at the beginning of the meeting and will be recognized when the Council reaches that item on the agenda. A maximum of three minutes is allotted for each speaker.

Motions and Voting

Rule 27. Action by the Council

The Council shall proceed by motion. A motion, when duly seconded, brings the matter before the Council for its consideration. Unless otherwise specifically provided in these rules, all motions authorized by these rules may be amended and debated. A motion may be withdrawn by the member who introduced it at any time prior to a vote.

Rule 28. Council Direction to Staff

If a council member seeks to give direction to the town manager during discussion of a matter, the presiding officer will ascertain if that direction is approved by the Council, either by unanimous consensus or by majority vote on a motion. This procedure will ensure that the Council as a body is clearly articulating direction to staff.

Rule 29. Discussion

a. General Principles. Once a motion has been stated and seconded, the presiding officer shall open the floor to debate upon it. The presiding officer shall preside over the debate according to the following general principles:

- the member who makes the motion is entitled to speak first; and
- a member who has not spoken on the issue shall be recognized before someone who has already spoken.

b. Motion Not Required for Discussion. The Council values productive discussion at every stage while conducting its business. Notwithstanding standard parliamentary procedure, the Council commonly discusses an agenda item even when no motion regarding that item is pending. In such cases, the presiding officer will inform the Council when the discussion has become unproductive and will entertain a motion.

c. Discussion Guidelines. The Council recognizes and appreciates the importance of its members conducting themselves in a respectful, courteous manner toward each other, the Town staff, and visitors. Members shall avoid personal remarks directed toward other members, and such remarks may be ruled out of order.

Members and meeting attendees are encouraged to observe the following guidelines, which are posted in the Town Hall council chamber. The presiding officer will remind members and meeting attendees of these guidelines and will endeavor to restore order and decorum in the conduct of the meeting when necessary:

1. Share all information that is relevant to the decision; be open, honest and factual.
2. Be humble; reserve the right to change your mind.

3. Be a respectful, active listener, and show openness to the perspectives of others. Make space for others in the conversation.
4. Be authentically engaging, and avoid comments that are polarizing.
5. Avoid using polarizing comments and dismissive words and phrases. No cheap shots or gotchas.
6. Work to find common ground; avoid getting stuck in inflexible positions or personal conflicts.

The Council may find it helpful to periodically revisit and amend these discussion guidelines, especially when there are changes in the group's composition.

Rule 30. Adoption by Majority Vote

A motion is adopted if supported by a simple majority of the votes cast, except when a larger majority is required by these rules or state law. A roll call vote shall be taken upon the request of any member.

Rule 31. Changing a Vote

A member may change their vote on a motion at any time before the presiding officer announces whether the motion has passed or failed. Once the presiding officer announces the result, a member may not change their vote without the unanimous consent of the remaining members present. A member's request for unanimous consent to change a vote is not in order unless made immediately following the presiding officer's announcement of the vote.

Rule 32. Duty to Vote

a. Duty to Vote: Every member must vote except when excused from voting as provided by these rules.

b. Grounds for Excusal: A member may be excused from voting on a matter involving the member's own financial interest or official conduct, though not if the proposal in question is one to alter the compensation or allowances paid to members of the Council. A member shall not vote on any legislative zoning decision that is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A member may not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional right to an impartial decision maker. A member may not participate in or vote on any contract to be entered into by the Town if the member would derive a direct benefit from the contract.

c. Procedure for Excusal: A member who wishes to be excused from voting shall inform the presiding officer, who must then submit the matter to a vote of the remaining members present. If a majority of the remaining members present vote to excuse the member, the member is

excused from voting on the matter. Even when a member has not asked to be excused from voting on a matter, a majority of the remaining members present may by motion and vote excuse the member from voting if grounds for excusal exist as described above.

d. Withdrawing From the Remainder of the Meeting. A member may be allowed to withdraw from the entire remainder of a meeting by majority vote of the remaining members present for any good and sufficient reason other than the member's desire to avoid voting on matters to be considered at that meeting.

e. Consequence of Non-Excused Failure to Vote: Once a member is present at a Council meeting, any subsequent failure to vote shall be recorded as an affirmative vote unless the member has been excused from voting or has been allowed to withdraw from the meeting, except as specified in these rules.

Rule 33. Substantive Motions

a. Substantive Motions. A substantive motion is a motion that seeks to have the Council exercise any of its powers, duties, or responsibilities. A motion to amend a substantive motion is also a substantive motion. A substantive motion, other than to amend, is not in order while another motion is pending. Once the council disposes of a substantive motion, it may not take up a motion that presents essentially the same issue at the same meeting, unless it first adopts a motion to reconsider.

b. Limit on Number of Motions to Amend. There may be an amendment to a motion, and an amendment to an amendment, but no further amendments.

c. Amendments to Proposed Ordinances. Any motion to amend a proposed ordinance shall be reduced to writing upon the call of any member.

Rule 34. Procedural Motions

a. Definition of Procedural Motions. A procedural motion is a motion that relates either to the manner in which the Council conducts its business in general or the manner in which the Council deals with a particular substantive issue or substantive motion that is before it.

b. Certain Motions Allowed. The Council may consider only those procedural motions listed in this rule. However, this rule shall not be interpreted to prohibit the Council from acting by consensus. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast for adoption.

Procedural motions allowed (in order of priority):

- **To Appeal the Ruling of the Presiding Officer:** Requires affirmative votes equal to at least two-thirds of the membership of the Council.
- **To Adjourn:** May not be amended. Not in order in a closed session.
- **To Recess to a Time and Place Certain:** Not in order in a closed session.
- **To Take a Brief Recess**
- **To Follow the Agenda:** In order at the time an item of business that deviates from the agenda is proposed.
- **To Suspend the Rules:** Requires affirmative votes equal to at least two-thirds of the actual membership of the Council.
- **To Divide a Complex Motion**
- **To Defer Consideration Indefinitely**
- **To End Debate (To Call the Previous Question):** A motion to end debate (or call the previous question) is a motion to cut off debate on a matter under consideration and put the matter to a vote. This motion shall be in order at any time and requires a majority of votes cast for adoption, provided that each council member present has spoken at least once on the issue or indicates that they do not wish to speak on the issue. Otherwise, the motion requires a two-thirds vote for adoption. This motion is not debatable and may not be amended.
- **To Postpone to a Certain Time**
- **To Refer a Motion to a Committee or Advisory Board**
- **To Recall an Issue From a Committee or Advisory Board**
- **To Amend**
- **To Revive Consideration**
- **To Reconsider:** In order only at the meeting at which the vote in question was taken and only if made by a member who voted with the prevailing side. If adopted, the effect is to negate the earlier vote and bring the matter back before the Council as if the earlier vote

had not taken place.

- **To Rescind:** In order if made with respect to an action taken at a prior meeting, except when prohibited by law.
- **To Prevent Reintroduction for Six Months:** In order immediately following the defeat of a substantive motion and at no other time. Requires an affirmative two-thirds majority of votes cast. A matter concerning which this motion has been adopted may be brought before the Council prior to the expiration of six months pursuant to a vote to suspend the rules. This motion does not bind a new Council.

Ordinances and Contracts

Rule 35. Introduction of Ordinances

For purposes of these rules, the “date of introduction” for a proposed ordinance is the date on which the Council first votes on the proposed ordinance’s subject matter. The Council votes on the subject matter of a proposed ordinance when it votes on whether to adopt or make changes to the proposed ordinance.

Rule 36. Adoption, Amendment, and Repeal of Ordinances

a. Adoption of Ordinances. No proposed ordinance shall be adopted unless it has been reduced to writing and distributed to members before a vote on adoption is taken. To be approved on the date of introduction, a proposed ordinance or any action having the effect of an ordinance must receive affirmative votes equal to at least two-thirds of the Council’s actual membership, excluding vacant seats, unless the Council has first held a public hearing on the proposed ordinance. To be approved after the date of introduction, a proposed ordinance or any action having the effect of an ordinance must receive affirmative votes equal to at least a majority of all members not excused from voting on the matter.

b. Franchise Ordinances. Franchise ordinances and amendments shall not be finally adopted until passed at two regular meetings of the Council.

c. Amendment and Repeal of Ordinances. The same voting requirements that govern the adoption of proposed ordinances also apply to the amendment or repeal of an ordinance.

Rule 37. Adoption of the Budget Ordinance

a. Special Rules for the Adoption or Amendment of the Budget Ordinance. Notwithstanding any provision of the Town Charter, general law, or local act, the Council may adopt or amend the budget ordinance at a regular or special meeting of the Council by a simple majority of those members present and voting, a quorum being present; no action taken with respect to the adoption or amendment of the budget ordinance need be published or is subject to any other procedural requirement governing the adoption of ordinances or resolutions by the Council; and the adoption or amendment of the budget ordinance and the levy of taxes in the budget ordinance are not subject to the provisions of any Town Charter provision or local act concerning initiative or referendum.

b. Notice Requirements for Budget Meetings. During the period beginning with the submission of the budget to the Council and ending with the adoption of the budget ordinance, the Council may hold any special meetings that may be necessary to complete its work on the budget ordinance. Except for the notice requirements of the North Carolina Open Meetings Law, which

continue to apply, no provision of law concerning the call of special meetings applies during that period so long as each member of the Council has actual notice of each special meeting called for the purpose of considering the budget and no business other than consideration of the budget is taken up.

c. No Authority for Closed Sessions. This rule shall not be construed to authorize the Council to hold closed sessions on any basis other than the grounds set out in Rule 5, “Closed Sessions.”

Rule 38. Approval of Contracts and Authorization of Expenditures

a. Contracts to Be in Writing. No contract shall be approved or ratified by the Council unless it has been reduced to writing at the time of the Council’s vote.

b. Approval of Contracts. To be approved or ratified, a contract must receive affirmative votes equal to at least a majority of all members not excused from voting on the contract.

c. Authorization of Expenditure of Public Funds. The same vote necessary to approve or ratify a contract is required for the Council to authorize the expenditure of public funds, except when the expenditure is authorized pursuant to the budget ordinance.

Work Sessions

Rule 39. Work Sessions

a. Purpose of Work Sessions. The Council occasionally holds work sessions to allow time for in-depth consideration of one or more topics of interest to the Council and to provide input and guidance to the town manager in a less formal setting than that of a typical meeting. Discussion in a work session is geared toward consensus rather than formal action, with the goal of assisting the town manager in preparing an item of business for an agenda of a future meeting.

b. Scheduling of Work Sessions. The regular meeting scheduled for the second Tuesday of each month shall be reserved for a work session of the Council. At such a meeting, the work session item(s) shall be the only item(s) on the agenda, unless action on another item of business is required prior to the next regular meeting of the Council.

c. No Formal Action Taken or Public Comment Received. The Council does not take formal action or receive public comment during work sessions. However, if a decision is required prior to the next regular meeting of the Council, the Council may take formal action after adopting a motion to suspend the rules. In such cases, the Council may also choose to receive public comment on the proposed action.

d. Statement on the Agenda. When a work session is included on an agenda, the following statement shall be printed under the heading for that item: "The Council occasionally holds work sessions to allow time for in-depth consideration of certain topics and to provide feedback to the town manager. The Council does not take formal action or receive public comment during work sessions."

Public Hearings

Rule 40. Public Hearings

a. Purpose of Public Hearings. The Council holds public hearings for the purpose of receiving comments from the public on topics being considered by the Council. Some public hearings are required by statute or ordinance, such as hearings on the annual budget, special use permits, and amendments to the Land Use Ordinance. Other public hearings are held at the discretion of the Council.

b. Calling Public Hearings. In addition to holding public hearings required by law or ordinance (including, without limitation, the Land Use Ordinance), the Council may hold any public hearings it deems advisable. Public hearings shall be scheduled pursuant to a motion adopted by majority vote. A public hearing may be scheduled as the only item on the agenda of a regular or special meeting of the Council, in which case the Council only receives public comment on that item. Alternatively, a public hearing may be included as one item among other items of business on the agenda of any regular or special meeting.

c. Public Hearing Locations. Public hearings may be held anywhere within Orange County.

d. Rules for Public Hearings. As provided by state law, the Council may adopt reasonable rules governing the conduct of a public hearing, including but not limited to rules fixing the maximum time allotted to each speaker, providing for the designation of spokespersons for groups of persons supporting or opposing the same positions, and providing for the maintenance of order and decorum in the conduct of the hearing.

e. Notice of Public Hearings. A public hearing is part of a regular or special meeting. Consequently, the relevant notice and related requirements of the North Carolina Open Meetings Law apply to such hearings. Some statutes mandate additional notice for particular types of hearings, and such notice must be provided together with notice of the meeting during which the hearing will take place.

f. Continuing Public Hearings. The Council may continue any public hearing without further advertisement. If a public hearing is set for a given date and a quorum of the Council is not then present, the hearing shall be continued until the next regular Council meeting without further advertisement.

g. Conduct of Public Hearings. At the time appointed for the hearing, the mayor shall call the hearing to order; call upon the town manager or their designee to present background information, if any, on the subject of the hearing; call upon parties to the hearing to make presentations, if any; and proceed to allow public input in accordance with any rules adopted by

the Council for the hearing. Council members may ask questions of the town manager or their designee and of the parties to the hearing, upon being recognized by the presiding officer. However, the Council generally does not answer questions or engage in dialogue with speakers during the public input portion of the hearing. Unless the Council extends the hearing, when the time allotted for the hearing expires, or when no one who wishes to speak has not done so, the mayor shall declare the hearing closed, and the Council shall resume the regular order of business.

h. Legislative Hearings. On matters for which the Council has legislative authority, the Council may either make a decision at the conclusion of the public hearing or refer the matter to the town manager for follow-up at a subsequent meeting.

i. Quasi-Judicial Hearings. In certain situations, as when considering an application for a special use permit, the Council acts as a quasi-judicial body that makes findings of fact based upon competent, material, and substantial evidence presented to it. The Council shall follow the quasi-judicial procedures described in state law for such hearings. The mayor may call on the town attorney to briefly describe, for the benefit of the members of the Council and those attending the hearing, the responsibilities of the Council and its members in their quasi-judicial roles. Witnesses wishing to present evidence must take an oath to be administered by the town clerk (or the mayor).

On matters that require a quasi-judicial hearing, the Council may be required to adopt a written decision that sets out findings of fact, conclusions, and the decision. In relatively simple and uncontested cases, the town manager may provide a draft of a written decision with the proposed findings of fact, conclusions, and decision for adoption by the Council at the conclusion of the quasi-judicial hearing, subject to any modifications by the Council.

In more complex or contested cases, or when evidence in the case is not reasonably known in advance, the Council may, at the conclusion of the hearing, adopt a motion directing the manager to draft a written decision that, as directed by the Council, would either grant or deny the application for the Council's consideration at a subsequent meeting. Alternatively, the Council may adopt a motion directing the town manager and/or the applicant and opposing party to draft and submit alternative written decisions on the application for the Council's consideration at a subsequent meeting.

If the Council adopts a motion directing the town manager and/or the parties to the hearing to prepare a proposed written decision for the Council's consideration at a subsequent meeting, the mayor and council members at that meeting may vote on the final decision, even if they were not present at the quasi-judicial hearing, as long as they had complete access to and had reviewed the minutes and records of the hearing.

j. Statement on the Agenda. When a public hearing is the sole item on an agenda, the following statement shall be printed under the heading for that item: “This meeting of the Town Council is a public hearing. For this meeting, the Council will receive public comment only on the topic(s) listed on the agenda. If you wish to address the Council, please add your name to the sign-in sheet.”

Public Comment Periods

Rule 41. Public Comment Periods

a. Purpose of Public Comment Period. The purpose of the public comment period is to receive public comments on matters that are not on the agenda. When a meeting has been reserved solely for a work session, the agenda shall not include a public comment period. When a meeting has been reserved solely for a public hearing, the agenda shall not include a public comment period, and comments from the public shall be received only on the matter that is the subject of the public hearing.

b. Frequency of Public Comment Periods. The North Carolina General Statutes require that the Council must provide at least one opportunity for public comment each month at a regular meeting, except that the Council need not offer a public comment period during any month in which it does not hold a regular meeting. The Council typically includes a public comment period on the agenda of each regular meeting, except for meetings reserved solely for a work session or public hearing.

c. Rules for Public Comment Periods. A maximum of three minutes is allotted for each speaker, and the public comment period is limited to 1 hour. Speakers may be reminded to direct their comments to the full Council, not to individual members or the Town staff. Speakers may provide copies of any handouts to the town clerk for distribution to the Council and for the public record.

As provided by state law, the Council may adopt other reasonable rules for public comment periods that, among other things, fix the maximum time allotted to each speaker, provide for the designation of spokespersons for groups of persons supporting or opposing the same positions, and provide for the maintenance of order and decorum.

d. Referring Questions and Requests to the Town Manager. The Council does not answer questions or engage in dialogue with speakers during the public comment period. Requests from speakers generally should be received by the Council and referred to the town manager for response or follow-up. Referral of a request to the town manager does not imply endorsement of the request. The town manager shall develop a process for tracking such requests and regularly report back to the Council on the response or follow-up.

e. Statement on the Agenda. When a public comment period is included on an agenda, the following statement shall be printed under the heading for that item: "Public comments on topics that are not on the agenda are heard during the public comment period. If you wish to address the Council, please add your name to the sign-in sheet. There is a three-minute limit per speaker, and the public comment period is limited to 1 hour. Requests from speakers will be referred to the town manager for follow-up."

Appointments and Appointed Bodies

Rule 42. Committees and Boards

a. Establishment and Appointment. The Council may establish temporary and standing committees, boards, and other bodies to help carry on the work of Town government. Unless otherwise provided by law or the Council, the power of appointment to such bodies lies with the Council. When making appointments to the Town's advisory boards and commissions, the Council shall follow the procedures set out in the Advisory Board Recruitment and Appointment Policy.

b. Open Meetings Law. The requirements of the North Carolina Open Meetings Law apply whenever a majority of an appointed body's members gather in person or simultaneously by electronic means to discuss or conduct official business. They do not apply to meetings solely among the Town's professional staff.

c. Procedural Rules. The Town's advisory boards and commissions and their staff liaisons and Council liaisons are expected to follow the adopted Rules of Procedure for Town of Carrboro Boards and Commissions.

Rule 43. Appointments

a. Appointments in Open Session. The Council must consider and make any appointment to another body in open session.

b. Appointments to Authorities. Some bodies, such as the OWASA Board of Directors and the Tourism Development Authority, are considered "authorities" under the North Carolina General Statutes. The Council shall consider applications for appointment to such bodies and be responsible for making appointments as directed by law. The Council may at times choose to interview applicants for these appointments by any method it chooses. All such appointments will be made in accordance with the ballot procedures described in the Advisory Board Recruitment and Appointment Policy.

c. Vacancies on the Council. In the event of a vacancy on the Council itself, the Council shall follow the procedures set out in the Town Charter.

Working With the Town Manager and Town Clerk

Rule 44. Working With the Town Manager

a. Council-Manager Form of Government. The council-manager form of local government combines the political leadership of elected officials with the professional experience of an appointed local government manager. The Council provides policy leadership and legislative direction, whereas the town manager is responsible for the day-to-day operations of the Town, including the implementation of Council policies.

b. Expectations of the Town Manager. The town manager will:

- provide thoughtful, well-prepared, and clear recommendations to the Council;
- work on the behalf of the entire Council;
- be responsive to requests received from residents and requests forwarded by the mayor and council members; and
- keep the Council well informed with timely information.

c. Expectations of the Mayor and Council Members: The mayor and council members can support the town manager by:

- respecting the town manager's areas of responsibility and authority based on the council-manager form of government;
- not jumping to conclusions regarding residents' complaints about staff;
- not criticizing the manager or the staff in public; and
- setting reasonable expectations for goals and projects based on available resources.

d. Direction to Staff. It is a fundamental principle of the council-manager form of government that the mayor and council members will not give direction to staff other than through the town manager.

e. Requests for Information From Staff. The town manager may develop protocols for handling requests from the mayor and council members for information from the staff. The following general principles apply:

- Requests will be acknowledged within 48 hours, not including weekends.
- Requests for simple, readily available information may be submitted directly to the relevant department director or designated employee (with a copy to the town manager). The employee may reply directly to the mayor or council member (with a copy to the town manager).
- Requests for complex information or research requiring significant staff time should be submitted to the town manager. The town manager will seek Council direction, if necessary, and will respond with information to the entire Council.

- Questions about items on an agenda of an upcoming meeting of the Council should be submitted to the town manager. The town manager will respond with information to the entire Council. (Questions will also be addressed during the meeting.)
- For urgent matters, the member should contact the town manager.

f. Requests From Community Members. The town manager may develop protocols for handling requests from community members. The general principles that apply to community members' engagement with the Town are described in the Community Members' Bill of Rights (see Appendix B).

g. Strategies for Effective Council-Manager Relations. The following strategies were adapted from *Eight Strategies for Effective Council-Manager Relations*, Public Management Bulletin No. 11, April 2017, from the UNC School of Government.

Expectation 1: The Council and the town manager jointly strive for good service to community members

- The town manager ensures that administration provides the very best service possible to the community.
- The town manager creates an organizational culture of responsiveness and performance.
- The town manager fully accepts responsibility with the Council when things go wrong.
- The Council supports and steers resident complaints to administration.
- Council members inform the town manager of problems and give the town manager the opportunity to get problems fixed.
- Council members seek to prevent the town manager from being surprised or caught off guard when issues arise.

Expectation 2: The town manager is a valued adviser to the Council.

- The town manager offers balanced and impartial policy advice to the Council.
- The town manager recommends any measures that they deem expedient, including alternatives, assessment, and relevant information.
- The town manager may make an unpopular recommendation that might not have very good prospects of being accepted.
- The town manager gets fully behind Council decisions and ensures that the administration does the same.
- The town manager helps elected officials explain their decision to the public and helps the public understand the Council's point of view.

Expectation 3: Elected officials' relationships with employees are carefully managed

- Council members observe the chain of command.
- Council members and the town manager protect planned workflow.
- The town manager may encourage direct contact between council members and employees for routine inquiries or requests that do not affect administrative workloads.

Expectation 4: The Council acts as a body and is dealt with as a body

- The Council takes official action as a body.
- The town manager welcomes suggestions from individual council members that do not conflict with council policy.
- Individual member proposals that set new directions or require resource reallocations are put before the entire Council.
- The town manager treats all members of Council fairly, not giving preference or special treatment to one over another.
- The town manager seeks to prevent council members from being surprised or caught off guard on issues.
- The town manager ensures all council members have the same level of information and understanding.

Expectation 5: The town manager and the Council give each other a chance to prove themselves

- The town manager directs administration based on what a majority of Council decides.
- Council members recognize that campaign rhetoric seldom stands up to the complexity of governing, leading, or managing.
- The town manager seeks to earn the trust and the confidence of new and veteran members.

Expectation 6: The town manager and the Council freely give and seek feedback

- The town manager and council members work to maintain open communications.
- The town manager provides all council members with accurate, relevant, and timely information to aid in meaningful decision making.
- Council members ask questions and make their interests, positions, and feelings known to the town manager.
- Council members offer constructive criticism to the town manager on an ongoing basis, including during an annual performance evaluation.
- Council members clarify their expectations of the town manager, providing direction and benchmarks for success.
- Council members and the town manager freely give and accept feedback in the spirit of continuous improvement.

Expectation 7: The town manager and the governing body work together to develop a highly effective governing body

- The town manager prepares agendas and plans meetings that focus on major topics.
- The town manager and mayor orient new council members, encouraging new members to do their homework, ask good questions, and exercise caution and courtesy when speaking publicly about the Town and staff.

- The town manager and council members behave in a manner that encourages community members' confidence in town government.
- The town manager helps the Council develop high-performing habits.

Rule 45.

This section was intentionally left blank for future use.

Rule 46.

This section was intentionally left blank for future use.

Miscellaneous

Rule 47. Amendment of the Rules

These rules may be amended at any regular meeting or at any properly called special meeting for which amendment of the rules is one of the meeting's stated purposes. Any amendment to these rules must be consistent with the Town Charter, any relevant statutes, and generally accepted principles of parliamentary procedure. To be adopted, a motion to amend these rules must be approved by a majority of the Council's actual membership, excluding vacant seats.

Rule 48. Reference to Robert's Rules of Order Newly Revised

The Council shall refer to *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted *Robert's*, the mayor shall make a ruling on the issue subject to appeal to the Council. No action taken by the Council shall be invalidated by a failure to abide by *Robert's Rules*.

Appendix A. General Policies and Procedures

Services and Resources Available to Council Members

a. Professional Meetings, Training, and Travel. The Council has funds for training, conferences, and travel. Requests to attend training and conferences should be submitted to the town clerk's office for review and processing. Once approved, the town clerk's office will handle all aspects of the registration and reservation process. Members should notify the town clerk's office as soon as they become aware of an event they are interested in attending.

Travel by personal vehicle, public transportation, or any other method is allowed and reimbursable up to the amount spent by the traveler or allowable under IRS regulations. A member who chooses to travel by Town-owned vehicle should ask the town clerk's office to handle the reservation. The town clerk's office is the appropriate point of contact for any questions related to travel.

b. Meeting Space. Any member who wishes to reserve a meeting room at Town Hall should contact the town clerk's office. Audio-visual equipment is not included in the reservation, and staff must be present if any is used.

Other Adopted Policies and Procedures

- Code of Ethics and Disclosure Requirements (Town Code, Chapter 2, Article IV)
- Gifts & Favors (Town Code, Chapter 2, Article V, Appendix A)
- Code of Ethics (Town Code, Chapter 2, Article V, Appendix B)
- Town of Carrboro Advisory Board Recruitment and Appointment Policy
- Rules of Procedure for Town of Carrboro Boards and Commissions

Appendix B. Community Members' Bill of Rights

When engaging with the Town of Carrboro, community members will receive prompt, efficient, and effective service. Citizens contacting the Town can expect consistently excellent customer service. The Community Members' Bill of Rights pledge is guided by the following standards:

1. Easy and understandable – Town products and services should be easily located and accessible to all.

- The Town should reach out to its citizens to inform them about Town products and services.
- A community member should be able to locate any Town service and initiate a request with a single phone call, visit to www.carrboronc.gov, trip to a Town Office, or a letter.
- When a citizen's request involves multiple Town offices or departments, the Town will coordinate the work.
- A community member should receive clear and accurate information.
- A community member should be treated with courtesy and respect.

2. Responsive – Town employees should be helpful, connecting community members with others who can help if they cannot.

- The Town should provide service hours and locations that are convenient to citizens.
- The Town should provide estimates of how long and, if applicable, how much it will cost to fulfill a citizen's request. Generally, all requests should receive a response within three business days.
- The Town should both keep the community member informed of progress and readily answer questions about the status of pending requests.

3. Fair – There should be no economic, social or cultural barriers to accessing Town products and services.

- The Town should collaborate with its community members to ensure Town services are designed and managed to meet all their needs.
- The Town should provide interpretation services when possible, as is necessary to fulfill a citizen's request.

4. Results oriented – Community members should get results.

- The Town should, in a timely manner, follow up with the community member after the request has been completed.
- The Town should regularly evaluate and report on overall performance in addressing or resolving community members' requests.

Pocket Questions - Council Procedure Manual

What are the racial and equity impacts?

This is a procedure manual for council members. Racial and Equity impacts could affect those who do not know how to participate in government due to being marginalized for so long.

Who is or will experience burden?

The town council will experience the burden of having to follow these written procedures because they are new and different. The public will also experience some burden in having to follow procedures for public comment. Those that are not familiar with the process may feel some discomfort in having to learn the system.

Who is or will experience benefit?

The residents and town council will experience the benefits of having guidelines to follow for the meeting/agenda process. Established procedures enhance transparency and accountability and serves as a public document, allowing residents to understand the council's operations and how their decisions are made. This transparency fosters trust and accountability between the council and the community.

Newly elected council members can use this resource to quickly grasp the council's structure, procedures, and responsibilities. The manual ensures continuity of procedures and institutional knowledge even as council members change.

What are the root causes of inequity?

This is a new procedure manual and has not been in place before. Some may not feel comfortable learning this process because they do not know how to act or what they need to do to be a part of the process.

What might be the unintended consequences of this action or strategy?

An overly prescriptive manual can stifle creativity, flexibility, and innovation in decision-making. It may create excessive bureaucracy, making it difficult to adapt to changing circumstances or respond to unforeseen issues. Complex or lengthy procedural requirements may discourage public participation, particularly for individuals with limited time or resources. This can lead to a less representative and inclusive decision-making process.

An overemphasis on following procedures may lead to a loss of focus on the substantive issues at hand. Council members may become bogged down in procedural details, losing sight of the ultimate goals and objectives. A highly structured manual may discourage open debate and constructive dissent, potentially leading to a "rubber-stamp" approach to decision-making. A lack of clarity or ambiguity in the manual's language can lead to misinterpretations and disputes, potentially hindering effective communication and collaboration.

Procedures can be misused to manipulate outcomes or exclude certain voices. Clear guidelines and oversight mechanisms are necessary to prevent such abuses. Excessive reliance on the manual may limit the development of council members' judgment and expertise. It can create a culture of compliance rather than critical thinking and problem-solving.

How is your department planning to mitigate any burdens, inequities, and unintended consequences?

This manual has uses clear and concise language and avoids jargon to make it easy to understand. This document has been reviewed by many individuals, including the Race and Equity department and those at UNC School of Government. It focuses on achieving goals and objective effectively and encourages open debate and dissent. These procedures safeguard against any one member's abuse of power. Council can periodically review this document to make sure it is meeting the council's needs.



Agenda Item Abstract

File Number: 23-344

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 2

Appointments to the Transportation Advisory Board

PURPOSE: The purpose of this agenda item is for the Town Council to make appointments to the Transportation Advisory Board.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Wendy Welsh, Interim Town Clerk, wwelsh@carrboronc.gov
<<mailto:wwelsh@carrboronc.gov>>, 919-918-7310

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ Other

Advisory Board appointments follows the Town's Advisory Board Recruitment and Appointment Policy originally adopted by Council on 11/21/2017 and most recently revised on 03/16/2021.

<<https://www.carrboronc.gov/DocumentCenter/View/5358/Town-of-Carrboro-Advisory-Board-Recruitment-and-Appointment-Policy->> The Advisory Board Recruitment and Appointment Policy has been evaluated using the Racial Equity Lens and this is included as Attachment D.

INFORMATION: The Transportation Advisory Board (TAB) consists of eight members appointed by the Town Council. Seven members ("regular members") shall be residents of the town who are interested in or have expertise relevant to the duties of the TAB. The 8th member (the "liaison member") shall be a member of the Town Council and shall act as a liaison between the Council and the TAB.

The Transportation Advisory Board (TAB) currently has three vacancies available for appointment and has had difficulty meeting quorum.

New applications were received from Jordan Dalton and Bradley Doll. Each applicant has attended meetings regularly and/or met with Chair Lenore Jones-Perretto.

Lenore Jones-Perretto, chair of the TAB, has provided chair forms for the Council's review from these new applicants. These are attached with each application as Attachment B. A matrix is included as Attachment C.

FISCAL IMPACT: N/A

RECOMMENDATION: : It is recommended that Town Council review the new applications and consider making appointments.

A RESOLUTION MAKING AN APPOINTMENT TO THE
TRANSPORTATION ADVISORY BOARD (TAB)

Section 1. The Carrboro Town Council hereby appoints the following applicant(s) to the Transportation Advisory Board (TAB)

Appointee	Term Expiration
Jordan Dalton	11/2026
Bradley Doll	11/2026

Section 2. This resolution shall become effective upon adoption.

This the 29th day of March 2023.

Wesley Barker

From: noreply@civicplus.com
Sent: Thursday, August 31, 2023 5:33 PM
To: Wesley Barker; zzDept. Mail - Town Clerk
Subject: Online Form Submittal: Advisory Board Application

Advisory Board Application

First Name	Jordan
Last Name	Dalton
Date	8/31/2023
Address1	201 Lorraine St
Address2	<i>Field not completed.</i>
City	Carrboro
State	NC
Zip	27510
Is this address located within the corporate limits of the Town of Carrboro?	Yes
Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?	Planning Jurisdiction
Telephone (111)-111-1111	4046306245
Email Address	jordan.a.dalton@gmail.com
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.	
What Year Were You Born?	1987
Race	White
Sex	Male
Ethnicity	<i>Field not completed.</i>

Occupation	Software Developer
Are you a registered Orange County Voter?	Yes
Length of Residence in Orange County	9 years
Length of Residence in the Town of Carrboro	7 years
I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):	Greenways Commission, Transportation Advisory Board
Advisory Board Preference	Transportation Advisory Board
Other (advisory board not listed):	<i>Field not completed.</i>
**Employer/Self Employed	<i>Field not completed.</i>
Number of Years Employed	<i>Field not completed.</i>
** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.	<i>Field not completed.</i>
Community Activities/Organizational Memberships	past volunteer, Bicycle Alliance of Chapel Hill past volunteer, ReCYCLERy NC current member, Triangle Off-Road Cyclists (TORC) current member, Carrboro Bicycle Coalition Additionally, I host a weekly mountain bike ride out of my garage for 15-20 people.
Relevant Experience:	I've been involved in bike advocacy in various forms for more than 15 years, ranging from organizing Critical Masses and helping lead social rides, to volunteering at bike cooperatives, to making interactive art about bike riding and organizing bike races. I've been an active member of both the Bicycle Alliance of Chapel Hill and Carrboro Bicycle Coalition during my time here in Orange County.
Reasons You Wish to be Appointed	One of the reasons why I moved to Carrboro, and a primary reason why I've stayed here is the town's transportation infrastructure. The fact that I can (safely and easily!) use my bike for nearly all of my transportation needs is a unique quality

about Carrboro that should not be taken for granted. I'm deeply invested in making sure that as many folks in Carrboro as possible are able to walk and use bikes, buses, and other non-personal-car-based modes of transportation to meet their daily needs for work, life, and play.

We believe as a Town and as a Town Council that racial equity and diversity and inclusion are important. Please tell us your thoughts about this and why they are important not only in advisory board/commission work but also in all facets of local government and community work.

Carrboro is a town named after a noted racist and segregationist, and it is, like all of the United States, entirely built on stolen indigenous land. Acknowledging the violence at the root of our political systems, and working to repair these historical harms through every part of our political process, is essential to charting a course as a community toward a future that is more just and equitable.

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

No

If yes, which one(s)?

Field not completed.

Are you currently serving on a Town Board or Committee?

No

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

No

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

N/A

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Wesley Barker

From: noreply@civicplus.com
Sent: Thursday, October 26, 2023 4:32 PM
To: Wesley Barker; zzDept. Mail - Town Clerk
Subject: Online Form Submittal: Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Name:	Transportation Advisory Board
Chair Name	Lenore Jones-Peretto
Applicant First Name:	Jordan
Applicant Last Name:	Dalton
1. Has the applicant previously served on this or another advisory board?	No
2. If yes, how many total years have they served?	<i>Field not completed.</i>
3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?	No
4. Is the applicant already serving on this advisory board and completed their two full terms?	No
5. Is the applicant applying for a special or expert seat on the advisory board?	No
6. If yes, which seat?	<i>Field not completed.</i>
7. Did the applicant attend an advisory board meeting?	Yes
8. If applicant did not attend an advisory board meeting, did you contact them via phone or email?	<i>Field not completed.</i>

9. Applicant has demonstrated a clear understanding of the time commitment, roles, and responsibilities of serving on the advisory board:	Yes
10. If no, briefly explain:	<i>Field not completed.</i>
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.	Occupation, Experience, or Special Skills
If other, please explain:	Software engineer

Email not displaying correctly? [View it in your browser.](#)

Wesley Barker

From: noreply@civicplus.com
Sent: Tuesday, June 6, 2023 4:21 PM
To: Wesley Barker; Mary Bryant
Subject: Online Form Submittal: Advisory Board Application

Advisory Board Application

First Name	Bradley
Last Name	Doll
Date	6/6/2023
Address1	214 Jewell Dr
Address2	<i>Field not completed.</i>
City	Carrboro
State	NC
Zip	27516
Is this address located within the corporate limits of the Town of Carrboro?	Yes
Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?	Unsure
Telephone (111)-111-1111	6463708999
Email Address	bradleybdoll@gmail.com
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.	
What Year Were You Born?	1979
Race	white
Sex	male
Ethnicity	<i>Field not completed.</i>

Occupation	data scientist
Are you a registered Orange County Voter?	Yes
Length of Residence in Orange County	1 year
Length of Residence in the Town of Carrboro	1 year
I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):	Environmental Advisory Board, Transportation Advisory Board
Advisory Board Preference	Transportation Advisory Board
Other (advisory board not listed):	<i>Field not completed.</i>
**Employer/Self Employed	<i>Field not completed.</i>
Number of Years Employed	4
** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.	<i>Field not completed.</i>
Community Activities/Organizational Memberships	<p>*Worked with the Department of Environmental Protection in NYC to organize a successful cross-borough effort to protect homeowners. Navigated bureaucracy of utility companies to hold them accountable for repeatedly destroying homeowner water mains through negligence. Effort concluded with a settlement on a class action lawsuit reimbursing affected homeowners for damages</p> <p>*Worked with NYC DOT to initiate local traffic calming initiatives in Ridgewood Queens NYC (Data science support)</p> <p>*Worked with Department of Sanitation in NYC to address hazardous trash dumping site that inhibited pedestrians</p> <p>*Worked with NYC city council in participatory budgeting process to prioritize, write and vet projects. Grants included increasing tree coverage and capital investment in parks and public schools in Ridgewood Queens NYC</p> <p>*Worked within Spotify (employer) to lead sustainability initiatives</p>

*Worked with bike education and advocacy group in Tucson AZ

*Avid cyclist for commuting and pleasure for 20+ years

Relevant Experience:

Please see Community Activity section for many relevant experiences navigating government and business stakeholders to improve community outcomes.

As a former cognitive neuroscientist (10 years) and current data scientist (7 years), I have extensive training in making sense of complex and unstructured data and communicating summaries and insights from it to help inform decision-making. These skills were instrumental to the success of the community activities listed above, and would be an asset in helping the town of Carrboro achieve the Carrboro Connects vision.

I am a lifelong student of how transportation affects urban/suburban life, having lived in many cities and towns, large (e.g. NYC, Singapore), and small (e.g. Decatur AL, outer Chicagoland area), and have visited many more. I'm keenly interested in public transportation, biking, and walking as alternatives to single occupancy automobiles, and across these many life experiences have seen systems that work and systems that fail. My experience can help the town make the most informed decisions as we work towards the Carrboro Connects vision.

Reasons You Wish to be Appointed

I am passionate about improving transportation for all members of the community in a way that combats climate change. I am a strong supporter of the Carrboro Connects vision. I'd love to help the town achieve it.

We believe as a Town and as a Town Council that racial equity and diversity and inclusion are important. Please tell us your thoughts about this and why they are important not only in advisory board/commission work but also in all facets of local government and community work.

Racial equity and diversity and inclusion are essential to creating a properly functioning town government. In order to accurately represent the residents of Carrboro and create the town that functions best for them, the population of town officials should mirror the population of Carrboro. Further, equity and inclusion should be explicitly considered when making town decisions to protect historically underrepresented groups from being excluded or disadvantaged (in particular due to problematic ways institutions have developed over time, and due to advantages to one group causing disadvantages to another). Specific steps should be taken to improve outcomes for underserved groups.

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

No

If yes, which one(s)?

Field not completed.

Are you currently serving on a Town Board or Committee? No

If yes, are you applying for a third consecutive term? No

If yes, please describe how you meet one, or more, of the following exceptions noted below. *Field not completed.*

Email not displaying correctly? [View it in your browser.](#)

Wesley Barker

From: noreply@civicplus.com
Sent: Thursday, October 26, 2023 4:35 PM
To: Wesley Barker; zzDept. Mail - Town Clerk
Subject: Online Form Submittal: Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Name:	Transportation Advisory Board
Chair Name	Lenore Jones-Peretto
Applicant First Name:	Bradley
Applicant Last Name:	Doll
1. Has the applicant previously served on this or another advisory board?	No
2. If yes, how many total years have they served?	<i>Field not completed.</i>
3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?	No
4. Is the applicant already serving on this advisory board and completed their two full terms?	No
5. Is the applicant applying for a special or expert seat on the advisory board?	No
6. If yes, which seat?	<i>Field not completed.</i>
7. Did the applicant attend an advisory board meeting?	Yes
8. If applicant did not attend an advisory board meeting, did you contact them via phone or email?	<i>Field not completed.</i>

9. Applicant has demonstrated a clear understanding of the time commitment, roles, and responsibilities of serving on the advisory board:	Yes
<hr/>	
10. If no, briefly explain:	<i>Field not completed.</i>
<hr/>	
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.	Other
<hr/>	
If other, please explain:	Interest in transportation issues.
<hr/>	

Email not displaying correctly? [View it in your browser.](#)

Membership Information Matrix Transportation Advisory Board (TAB)										
First Name	Last Name	Race (as noted by applicant)	Ethnicity (if noted by applicant)	Sex	Address	City, State, Zip	Year of Birth	Occupation/Expertise Content	Appointed Date	Notes
Current Members										
Elyse	Keefe	White	Not Indicated	Female	118 W. Poplar Ave.	Carrboro, NC 27510	1987	Research Specialist	3/7/2023	
David	Salvesen	White	Not Indicated	Male	1805 Pathway Dr.	Carrboro, NC 27510	1957	Retired- Land Use/Planning Instructor/ UNC	3/7/2023	
Lenore	Jones-Perretto	Black	Not Indicated	Female	103 S Fields Circle	Chapel Hill, NC 27516	1969	Attorney	2/23/2021	
David	Swan	White	Not Indicated	Male	506 Bolin Creek Drive	Carrboro, NC 27510	1977	Marketer	2/23/2021	
VACANT										
VACANT										
VACANT										
Applicantns										
Jordan	Dalton	White	Not Indicated	Male	201 Lorraine St.	Carrboro, NC 27510	1987	Software Developer		
Bradley	Doll	White	Not Indicated	Male	214 Jewell Dr.	Carrboro, NC 27511	1979	Data Scientist		

APPENDIX D. RACIAL EQUITY ASSESSMENT LENS

One Orange - Let's Get REAL on Racial Equity

RACIAL EQUITY ASSESSMENT (REAL)

Goal: When we achieve racial equity, race will no longer predict opportunities, outcomes, or the distribution of resources for residents of Orange County, North Carolina, particularly for communities of color. Therefore, it is important to evaluate initiatives and demonstrate how it aligns with the County's and/or Town's racial equity goals.

FAQs:

What is the purpose of conducting this assessment? Conduct this assessment to measure how communities of color are affected by short- and long-term governmental decisions. It should be used by decision makers to evaluate new and existing initiatives. The word "initiative" is broadly used to cover policies, practices, processes, procedures, services, projects, and the like.

Who should use this assessment? Elected officials, boards, commissions, staff, community partners, and stakeholders to answer and evaluate "who, what, when, where, why, and how" through a racial equity assessment lens.

When should the assessment be conducted? Each jurisdiction will determine when the assessment should be conducted. Once that decision is made, orientation on the assessment shall be provided to all relevant staff and/or stakeholders.

How do I conduct the assessment? The assessment is a worksheet that prompts users to consider the intention of the initiative and how it impacts communities of color. The assessment should generate discussion and analysis that helps government align its initiatives with the racial equity goal stated above. There is not a "correct" answer to the questions. The completion of the assessment has value based on its merit. Please answer each question under every step, to the best of your group's ability. Be as specific as possible. This worksheet is designed to help you fill in as many details as possible.

How do I get a copy of the lens? The Racial Equity Assessment Lens is included within this document below.

Racial Equity Assessment Lens (REAL)

NAME OF INITIATIVE PROGRAM/PROJECT	New or Existing?	Who is Conducting the Assessment?
Advisory Board & Commission Recruitment Process	Existing	Clerk's Office

ORIGIN AND DESCRIPTION

- For New initiatives – Why this initiative and why now?
- For existing initiatives- include background information and milestone dates

The process for appointments to town advisory boards and commissions are typically completed in February-March of each year, for expiring and vacant terms, leading up to the consideration by Town Council. The Clerk's office works with staff liaisons and advisory board chairs on applications received and/or eligible member reappointments. These recruitment efforts follow the current advisory board recruitment and appointment policy. The Advisory Board Recruitment & Appointment Policy was initially adopted on 11-21-2017. Since then, several text amendments to this policy have been discussed and adopted by the Town Council on 12-1-2020 and 4-13-2021, respectively. These amendments have been within the section entitled "Composition" on page 2 of the policy, which details expanding the racial and ethnic diversity on advisory boards and commissions (full policy attached at the end of this document). As the policy currently states, consideration of advisory board appointments should not be brought forth to Town Council for consideration unless a diverse applicant pool is present. The exception to this rule is if any advisory board or commission is experiencing issues with achieving a quorum due to multiple vacancies, which prevents the board or commission from conducting business.

Processes for advisory board & commission recruitments also follow this policy. Vacancies occur throughout the year on all boards and commissions, and appointments are made by Council at various times outside of February-March as needed. The main recruitment efforts begin in late fall of each year leading up to February-March and includes creation & production of marketing materials for distribution, announcements on website/social media, "word of mouth" recruitment and recruitment assistance from the Town Council. The Clerk's office helps coordinate these recruitment materials & announcements with assistance by the Communications & Engagement Dept. The Clerk's office also notifies Town Council of any issues of diverse applicant pools for advisory boards and commissions and requests their assistance on recruitment, per the policy. As the applicants are submitted, the Clerk's office fields these to the appropriate staff liaison & chair and keeps record of the applications received. Further, the Clerk's office maintains a roster of current members and applicants, bringing forward applicants to Council for consideration following the policy.

DESIRED RESULTS

What specific results/outcomes are intended for the community or organization? (How will this initiative achieve this goal? Is anything being created, removed, incentivized, mandated, allowed, or assigned by this initiative?)

To recruit advisory board and commission members from all areas of Carrboro, representing every neighborhood if possible. For the members of these advisory boards and commissions to be more diverse in the future than they have been in the past. Continued work to enhance participation in boards and commissions by possibly offering incentives including stipends, childcare and transportation options. Also, offerings of virtual and hybrid meeting options to allow more ways members can attend meetings. Town Council will hold a work session to discuss advisory board and commission statuses, possible incentives, board combinations who share similar duties, and more efficient appointment processes.

To continue outreach and communication efforts for advisory board recruitment by continuing to utilize social media platforms, inclusion on town e-news and website postings. Additionally, continue to advertise using the Town Information Centers, printed Town calendars, Rec & Parks publications, Carrboro in Motion events and Carrboro Day event to ensure all recruitment efforts are not solely through the internet. A new effort could be to work with local businesses/Carrboro Business Alliance to place flyers inside downtown businesses for advertisement and recruitment. **Advertise on local radio stations – WCOM and WCHL.**

The current policy already calls for a diverse applicant pool before appointments are to be made by Council unless a quorum issue exception exists.

What policies are relevant to this initiative? How do racial and social inequities impact these areas? What does this proposal have the ability to impact? Consider topics and subtopics related to what you are trying to achieve, i.e., business, and economic development, labor and workforce development and retention, the judiciary, public safety, housing, education, health, transportation, environment, human services, youth, recreation, and COVID-19.

Topic/Issue	Baseline Data and Racial Disparities	Historical Root Causes of Disparities
For example, rather than write "education" below, list "attendance, school discipline, and commutes."	What does available data or research say about this issue? What disparities already exist within this issue?	What caused the numbers to look like they do today? Were the causes in the distant past and/or more recent? Were they purposeful or unintentional?
Representation on Advisory Boards	The available data shows that many of the Town's Advisory Boards do not have a diverse racial makeup.	Recruitment efforts in the past have relied on advertising (hanging posters, social media, etc.) and word of mouth to groups of people that may align with only a certain neighborhood(s) or demographic. These are mainstream, accepted practices in most communities that have been the same for many years. This has been unintentional.

		Lack feeling of inclusivity and belonging.
Recruitment efforts	In the past (prior to the 4-13-21 amendments to the recruitment policy), the recruitment efforts have not been widespread or varied. There was a limited effort and just utilizing “low-hanging fruit” only, with just a few methods used such as posting online and small promotions.	This has been unintentional. It could possibly have been purposeful in a way to limit participation of some groups; however, it is hard to determine. Since amendments were made to the policy by Council, and the Communications & Engagement office has been created, more consistent, fair recruitment efforts have been made.
Member attendance issues	There are identified barriers to attendance such as lack of childcare, transportation, scheduled meeting times and limitations on technology to attend virtual meetings. This information has been relayed via advisory board members to the staff liaisons.	This has been unintentional. There historically seems to be issues with all advisory board and commission seats being full due to transient residents, personal issues that arise such a change in job schedules that cause resignations or absence, and issues with lack of childcare, transportation to meetings or limitations with virtual participation. Additionally, due to COVID and all virtual meetings taking place, once in-person meetings were being held again, some members indicated they would rather remain virtual for more accommodating purposes, which has resulted in some resignations.

What is the specific desired result statement –

The desire is to create a diverse and fair recruitment process and have options that appeal to all demographics with solutions to common barriers e.g., **meeting schedule**, childcare/transportation options, member stipends, and that there are multiple ways of advertising opportunities that range from print to digital to interpersonal to keep interest levels high and at the forefront.

DEMOGRAPHICS (be as specific as possible)

- Who is this initiative focused on? (Neighborhoods, geographic areas, racial groups, income groups, etc.)
- What data can you provide to describe the target population?
- What data is missing?

Consider groups based on race, earnings, education, geography, occupation, age, gender identity, sexual identity, religion, immigration status, etc. Consider atypical groupings.

	BENEFITTING INDIVIDUALS OR GROUPS	BURDENED INDIVIDUALS OR GROUPS
Funded initiatives -currently there is no funding with this initiative. A possible solution to help with Advisory Board recruitment and retention is to offer stipends and/or childcare options/transportation stipends for members. Town Council will be discussing at an upcoming work session. Follow-up- At the work session, Council expressed interest in stipends, following Chapel Hill's model, and directed staff to complete some additional research & report back to Council.		
If the new initiative is funded	Racial and ethnically diverse communities would benefit from more representation on advisory boards. Having diverse advisory boards will be more likely to recognize, create and promote initiatives that benefit the areas that are likely to be underrepresented traditionally.	n/a
Existing initiative is funded	n/a	n/a
Non funded initiatives		
If the new initiative is not funded	Those who can afford childcare and/or transportation could still be an advisory board member and attend meetings with little to no issue. Further, those who can afford childcare and transportation, most likely has easier access to use digital means to attend meetings & receive news on recruitment efforts. Advisory board initiatives may proceed that further benefit these groups or individuals because they have a means to attend and participate in meetings with less hardships.	Potentially qualified advisory board members are not able to participate due to lack of childcare or not being able to afford childcare or transportation to attend meetings. Further, these potential members may not have adequate access to internet and could miss out on recruitment efforts, which is why it is important to promote in non-digital ways. This could leave a gap in the voice at the table of/for a particular demographic. As a result, an advisory board may create or proceed with initiatives that further isolate or alienate certain demographics or people who aren't at the table.
If the existing initiative is no longer funded	n/a	n/a

COMMUNITY ENGAGEMENT

List the individuals or groups who will potentially benefit the most or be burdened the most by this Initiative.

- How have you involved community members in developing this initiative?
- Have you involved those directly impacted?
- How have you addressed the concerns raised by community members? Especially those directly impacted.
- Going forward, how do you plan to include voices of those most impacted / burdened? How? Please note if they are: (1) Already involved in the drafting of the process; (2) What is your first step in involving them; or (3) Why you are not involving them in the process.

Individual or Group	Already Involved, First Step to Involve, or reason for No Involvement
<p>Citizens (traditionally involved on boards and commissions and have immediate access to information)</p> <p>Add Citizens (not traditionally involved)</p>	<p>An Advisory Board and Commissions application is available for interested applicants. Information about each advisory board/commission is available for interested applicants (citizens) to review for interest. Advisory Board and Commissions recruitment efforts are published in Rec & Parks publications, featured in Carrboro news, emails, social media platforms, printed materials available at town Hall and public events (e.g., Carrboro Day, Carrboro in Motion, Town Information Centers).</p> <hr/> <hr/>
	<p>Going forward, based on the Council work session about advisory board and commissions, if new initiatives are implemented, outreach and engagement information will be updated and announced on all platforms. The work session surrounding advisory board and commissions will give Town Council an opportunity to hear from staff liaisons on ongoing issues and discuss incentives to recruit new, diverse members, and retain members. Also, going forward, creation of ongoing educational measures to show the important roles these boards & commissions play in government decisions will be beneficial.</p> <p><i>Some citizens can be burdened by this if they have a distrust in government or have had an experience(s) of not being heard by their local government or have been directly impacted by an action(s) of government (which could have stemmed from elected officials adopted items recommended by advisory boards, who are there to advise the elected officials). Additionally, citizens may be afraid of not being accepted if they tried to participate, so they just don't apply at all. A lack of education of what important purposes advisory boards & commissions serve to the local government may also prevent qualified citizens from applying. (add to the suggested category above?)</i></p>

Who else from the community should be involved in designing, governing, or executing the initiative? Please note if they are: (1) Already involved in the drafting process; (2) What is your first step involving them; or (3) Why you are not involving them in the process.

Individual or Group	Already Involved, First Step to Involve, or reason for No Involvement
Town Council / Staff Liaisons	Staff liaisons comments received by Clerk's office can be relayed to Town Council and addressed at a Council work session as needed to discuss/address issues. Staff liaisons can report to Council at these work sessions to address ongoing concerns. A standing quarterly meeting of all advisory board liaisons would be beneficial to gather & share feedback.
Citizen Involvement (suggestion)	Citizen Survey- poll/survey citizens what the barriers are for participating or not on boards/commissions. See what other disconnections may be with advisory board participation. Include this into the citizen survey, or conduct a special survey by posting on website, including in town news emails, at in person events and at Town Hall.

Benefits

- Which area(s) of the County/Town could be impacted by this Initiative?
- Share any relevant data (link to jurisdictional map and/or information)
- Consider differences such as towns, density between residential, commercial, rural, and suburban, access to resources, transit, geography, and proximity to health care services.

AREA	HOW AREA WOULD BENEFIT	HOW AREA WOULD BE BURDENED
Lower income	More outreach options would benefit these communities, including educational methods about advisory board/commission roles & their importance and stipend offerings.	Not being "plugged in" to town functions. Less access to internet & items posted solely online. Outreach would need to be extended past online only.
Communities of color / lower income	Offering incentives such as stipends and childcare/transportation stipends to allow participation in meetings. Also, education on the roles boards play and importance.	Fear of getting involved due to their particular demographics. Feelings of not being heard, or distrust of government based on past experiences, which may deter interest, even with incentives offered.

If you mentioned communities of color in the table of above, how might this Initiative negatively impact them?

- Not being plugged into the community due to the neighborhood they live in, or their neighborhood does not have an active HOA (or the like) that shares information with residents.
- Feeling of disconnect with government or distrust of government.
- Fear of getting involved due to past experiences that affected them personally, affected their friends/family and/or affected their neighborhood.
- Feeling of not being heard if they are the minority on a board.
- Lack of awareness of offerings due to limitations of internet, digital presence.
- Unable to participate due to childcare or transportation issues.
- Unable to participate due to work hours or obligations that aren't the "normal working hours."

If you mentioned people with low incomes in the table above, how might this Initiative negatively impact them? There could be technology disadvantages such as less internet capabilities in general. Without access to these devices, residents may be unaware of opportunities available and/or can't participate on Zoom, Teams, YouTube, etc., and there may be a basic lack of awareness of government functions in general. They may miss out on the new incentives being offered if promotions are solely posted online.

Lower income residents may be unable to secure childcare or transportation to attend meetings. Additionally, these residents may hold jobs that have undesirable hours that prevents them from attending regularly scheduled meetings, even if they had childcare and transportation.

Lower income communities typically are subject to less options than larger income communities, or neighborhoods, and historically aren't as "plugged in" to their local government, or community.

IMPACTS

Considering the Section above when filling out the table below on unintended consequences.

- What are the unintended consequences of this Initiative? Investigate if there have been other Initiatives of this type. If yes, what is known about the effect of these Initiatives, especially of different racial groups?
- What can be done to mitigate any negative impacts?
- Are there any challenges that need to overcome? How?
- Share any relevant data.

Type	Potential Unintended Consequence	Mitigation Strategies to Prevent Consequences and Advance Racial Equity
------	----------------------------------	-------------------------------------------------------------------------

SOCIAL Consider native and long term residents, rural residents, transit, trust in government, education, etc.	People of color and other demographics may not trust government's outreach. They may feel that it needs to be broader in its reach. They may feel that the outreach is targeted to one set demographic or neighborhoods of "higher significance."	There could be additional outreach measures added to community outreach and expand the forms of public relations to those other than digital platforms. Council has worked to enhance and promote diverse applicants to advisory boards by amending the advisory board recruitment & appointment policy several times and not making appointments to boards until a diverse pool is achieved (unless there is a quorum issue).
ECONOMIC Consider wages, competition, tourism, unemployment, small businesses, etc.	If stipends were to be made available for advisory board members, it would need to be in an equitable fashion across all boards and consistent (e.g., option to opt-in or out of stipend)	Stipends could be provided for Advisory Board members which could be used for childcare needs and transportation. Public transit vouchers could be given as well.
HEALTH Consider impacts on pollution, health access, existing health disparities, etc.	N/a	N/a
ENVIRONMENT Consider impacts on pollution, natural resources, transit, etc.	N/a	N/a
OTHER Consider how a resident might interact with this measure "start to finish." Think through the best- and worst-case scenarios	N/a	N/a

Is your initiative realistic, adequate resources to ensure successful implementation? **Yes.** Council will discuss and make some decisions toward the proposed new initiatives including stipends, and budgeting for adequate funding if this is a direction Council decides to enhance advisory board participation/recruitment. Additional educational outreach is also a realistic initiative.

What challenges should be overcome? Outreach and promotion. If new initiatives are put into place, it will be important to ensure efforts are being made to spread the word and educate residents to encourage new and continued participation. **How?** Work with Communications & Engagement Dept. to develop or enhance promotional materials and outreach in various formats. Also, discuss with advisory board liaisons at quarterly meetings in a round table setting to brainstorm continued & new outreach methods.

Share any relevant data?

ACCOUNTABILITY

How will the impact of the initiative be measured? Council is updated, per current advisory board recruitment policy, by Clerk's office if diverse applicants aren't being received, to aid in public relations. Clerk's office would continue to monitor the demographics of the applicants and keep Council updated, as well as work with staff liaisons on advisory board concerns. Council & staff liaisons receive an applicant matrix when certain appointments need to be made. If new incentives are created for advisory board members, data should reflect if more applications are received from more diverse applicants and if member retention improves.

What success indicators or progress benchmarks are incorporated in the proposed Initiative? (Provide indicators/benchmarks/metrics) If a diverse applicant pool isn't achieved, appointments can't be made which holds up the work of the boards/commissions from operating. If new incentives are created for advisory board members, data should reflect if more applications are received from more diverse applicants and if member retention improves.

What is missing? What will happen if these metrics are met and what will happen if they are not met? With more applicants, especially diverse applicants, advisory board appointments can be made quicker, which results in work of the boards staying on track and it is not held up due to a lack of quorums. The opposite would happen with a continued lack of diverse applicants, which would stall the work of the boards which often need to be discussed at this level before going forward to Town Council for final action.

In what way does this Initiative deeply consider the experience of the residents it will impact? The initiative wants a diverse member makeup of the Town's Advisory Boards and Commissions from Town residents in all demographics, neighborhoods, ethnicities & race. (Recommendations/decisions reflected of Carrboro population)

How will you share your results with your leadership and other funders? Applicants have been and will continue to be shared with the Council and a matrix of applicants are presented when considering appointments to the Boards & Commissions (continuing to follow the current Advisory Board Recruitment & Appointment Policy). If stipend or other incentives are enacted, Council can be provided status updates every so often on how it's working and if it is making an impact on participation and diverse applicant numbers. Clerk's office to conduct quarterly or bi-annual check-in meetings with advisory board staff liaisons to gather feedback, concerns, and share information.

How will you share results with community members and stakeholders? Any advisory board policy changes and appointments are made in open Town Council sessions that are open to the public and they are all part of the public record. Council meetings are broadcast online and on the local cable tv channel. Meeting videos are also easily found on the Town's website. Also, inquiries can be made to the Town Clerk's office about appointments. Town Council updates are provided via the Communication & Engagement office as well.

How will you acquire feedback from community members and stakeholders and incorporate findings? The Clerk's office will report to the Council on any lack of diverse applicants on advisory boards. Suggestion to add a section onto the Carrboro citizen survey and/or website (or community events) which will ask for

feedback from citizens on advisory boards participation- find out what their limitations are for participating to further gather information on possible continued recruitment efforts & new initiatives.

RECOMMENDATIONS

- Continue adhering to the Advisory Board Recruitment & Appointment Policy as written (or as amended in the future).
- Continue to broaden outreach and recruitment of Advisory Board/Commissions outside of digital means.
- Place recruitment emphasis on sectors of community where there are more people of color and lower income.
- Explore stipend or pay for Advisory Board members for attending meetings, for childcare and/or transportation needs. **Also consider meeting schedule.** Town Council work session will be held to address various advisory board topics and more recommendations may transpire from the Council.
- Include questions on citizen survey on advisory board participation and seek what limitations may exist.

SIGNATURES OF ASSESSOR(S):

Wesley Barker, Town Clerk Mary Bryant, Deputy Town Clerk

DATE REVIEWED BY CORE TEAM:

4/10/23

RECOMMENDATIONS/**FEEDBACK** – CORE TEAM:

This analysis of Advisory Board Recruitment and Appointment is thoughtful and comprehensive. The description of the process is complete, and there is a detailed list of barriers to communities of color. The recommendation to work with local businesses for advertisement and recruitment is excellent.

The Advisory Board System is complex. We suggest looking at the system as a whole including “recruitment”, “appointment” and “service including board roles/missions and terms.” These processes are interrelated. For example, a barrier to recruitment may be that the lengths of service, about three years, which may be considered a longtime commitment to some residents.

We would like to see additional attachments – primarily data showing the demographic makeup of existing boards. The Town will not know about our progress to diversify boards and commissions without creating an excellent tracking system. This may require assistance from GIS or other data-professionals. It would be important to also show a geographic representation of membership residences across town. We should create a dashboard that is publicly available for review, at the forefront - perhaps on a central webpage. Can we set some goals and track progress for the next five years?

Can we consider an exit survey for board members?

Advisory boards and commissions need to consider meeting dates/times.

Do we have a definition of “diverse applicant pool” within the policy? We use the term frequently – but it’s not defined. Is it reflective of the town population or is there another measurement?
Reviewing the calendar for the appointment process, we’re wondering whether the February month for term expirations could be an issue. If the calendar was shifted so that recruitment took place at the beginning of the school year (August or September), would that be helpful to residents?

Regarding the note about funding for the initiative (stipends, child care, etc.), please also include funding for recruitment/advertising. Many clubs and marketing initiatives offer bonuses for existing members who bring in new members. Could we test something like that?

The Citizens Academy is often considered a recruitment method for advisory boards. How does this play into the analysis?

Thoughtful. I thought there were an abundance of ideas related to improving the process and getting real results. – Savannah Allred

DATE REVIEWED BY RACIAL EQUITY COMMISSION:

5/10/2023

RECOMMENDATIONS/Feedback from RACIAL EQUITY COMMISSION:

Remove obstacles from participating.

Advertise board and commission vacancies using multiple platforms – radio stations – WCOM, newspapers (?), kiosks/information centers, drop off locations that community members frequent, cybrary , churches and UNC.

Set goals to fill seats with diverse voices on every board and commission.

Spend time in the community and share information along with other important services, etc.

Information should be in different languages.

Is it possible to have a “hotline” where people can call in to find out about vacancies and other information items?

What is the Town of Chapel Hill doing to fill the seats with representatives that look like us?

Can meetings be held throughout Town and not in one place all the time? In community?

How about virtual opportunities for those that don’t have internet access?

Consider providing childcare for members and transportation to and from meetings (pickup stops).

Could be a great part-time job for someone. Rent or use a town van.

Offer opportunities for community members to experience serving on a board or commission.

Provide training for new members about protocol, etc.

Be creative and welcoming to all members of the community.

How can the Town build a sense of community and belonging for everyone?

Town of Carrboro Advisory Board Recruitment and Appointment Policy

11-21-2017,12-4-2018,12-1-20,3-16-21

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TOWN OF CARRBORO TOWN COUNCIL Recruitment and Appointment Policy

Adoption: 11/21/2017, Amended 12-4-2018, 4-13-21

Purpose

The purpose of this policy is to establish a policy and procedures whereby the Town Council will make appointments to public advisory boards, committees, commissions, councils, and taskforces (hereinafter “boards”). The Board shall also establish a policy and procedures whereby the Board makes appointments to public authorities that have Carrboro representatives or are Town of Carrboro Authorities.

Composition

The Town of Carrboro Town Council shall appoint all voting and non-voting members to boards. The Town Council shall endeavor to appoint members who represent the ethnic, cultural, demographic, and geographic diversity of the community. The Town Council has a goal of promoting racial and ethnic diversity on advisory boards. To the extent possible, the Town Clerk will bring forth applications that will expand the racial and ethnic composition of the existing advisory board. If no applications exist that will expand the racial or ethnic diversity of the advisory board, the Town Clerk shall notify the Town Council of the lack of racially or ethnically diverse applicants and at such time request that the Town Council work to recruit additional applicants. If the advisory board must have appointments due to membership numbers resulting in a lack of quorum, the Town Clerk shall bring forth applications regardless of the

racial and ethnic diversity of applicants and request that the Town Council make the appointments. The Town Council should consider the following when making appointments:

- Address
- Neighborhood/Geographic location
- Date of Birth
- Length of Residence in Carrboro
- Gender
- Race
- Ethnicity
- Occupation
- Advisory Board Service
- Experience/Skill Set/Expertise
- Community Activities/Involvement/Organizations

Authority

The North Carolina General Statutes, the Town of Carrboro Charter, the Town of Carrboro Town Code and the Town of Carrboro Land Use Ordinance provide the enabling legislation for the Town's Boards.

Periodic Review

This policy may be changed or adjusted as deemed necessary by the Board. The Town Clerk shall review the policy and make sure the policy is up-to-date.

Recruitment and Appointment Process

- a. Prior to the annual February term expirations, and when midterm vacancies occur, the Town Clerk will advertise that the town is accepting applications for upcoming openings on advisory boards and commissions.
- b. Applications will be taken until all seats are filled. Applications received after the seat(s) have been filled will be placed on file by the Town Clerk and held for future vacancies for a period of 12 months. If vacancies exist on other boards, the Town Clerk will let the applicant know of those vacancies. If interested, applicants will be encouraged to apply. Midterm vacancies shall be filled from applications on file without special advertising efforts unless requested by the Town Council.
- c. All new candidates must complete an application to be considered for appointment.
- d. Currently serving advisory board members, whose first full terms are expiring in February, will be contacted by the Town Clerk and asked if they would like to be considered for reappointment. If so, no new application is needed from the member. The Town Clerk shall report to the Board Chair that the member wishes to be reappointed. The Chair shall provide the recommendation/review form for the current member to the Town Council , just as with new applicants.
- e. The Town Clerk will notify all applicants of receipt of his/her application.

- f. The Town Clerk shall forward copies of applications to the advisory board chairs as soon as possible after receiving an application.
- g. Each chair shall contact each applicant and invite them to at least one meeting of their board so they may understand the responsibilities of the board and the necessary time commitment. (Chairs should contact Town staff in the event of a language barrier.) The chairs shall also talk with the applicants about their interest in serving on the advisory board. Board chairs may meet personally with applicants if a meeting of their board is not anticipated within 30 days following receipt of the applicant's request for appointment. This would be in lieu of having the applicant attend a meeting of that board or commission. If applicants do not attend a meeting after two phone calls or emails, then the Chair shall notify the Town Clerk of that fact and said application will be removed from further consideration.
- h. The chair of each board shall submit a Review Form to the Town Clerk within one week of the applicant's attendance at a meeting. If a meeting is not planned, the chair shall provide a Review Form to the Town Clerk within one week of a conversation with the applicant.
- i. Copies of all applications and recommendation forms received shall be forwarded to the Mayor and Town Council pursuant to the goals expressed in the Composition section above.
- j. If there are no applicants for the Board in question, the Chair may contact applicants that have applied for other boards. Board chairs should contact the Town Clerk to obtain these applications.
- k. If a Chair Form has not been received from board chairs within three weeks after being forwarded from the Town Clerk, the Town Clerk shall contact the chair and request a status report.
- l. By March 1, the Mayor and Town Council shall endeavor to make appointments to boards and commissions to fill annual expired terms.
- m. The Mayor and Town Council shall endeavor to make appointments to unexpired terms with vacant seats within one month of the Town Clerk receiving application(s).
- n. Appointments to unexpired terms of 12 or fewer months will be simultaneously appointed to the following 3-year term.
- o. As a presumptive policy, the Town Council will not appoint a person to serve on multiple advisory boards or commissions at the same time. However, the Council retains the discretion to make exceptions to this policy. (Amended 4-10-18)

APPOINTMENTS TO AUTHORITIES

The OWASA Board of Directors and Tourism Development Authority are considered "Authorities" under

NC General Statutes. The Town Council will consider applications for those authorities and be responsible for making appointments as they are directed per law. The Council may at times choose to interview applicants for the representative seats by any method that they choose. All appointments will be made in open session by the ballot procedures established in the policy.

Advisory Board Appointment Method

The Town Clerk shall provide an information matrix, related to composition information as shown above, for the Town Council to consider when there are more applications than open seats available. The Town Council may also request further information from the Town Clerk as it desires.

Unless the Town Council agrees by majority vote or consensus to follow another procedure, the Council shall use the following procedure to appoint individuals to various subordinate boards and offices:

Voting Method

- a. The Town Clerk will provide a ballot listing the names of all applicants presented in the agenda packet to each Council Member.
- b. Prior to voting, the Council shall open the floor for discussion of the applications.
- c. Each Council Member shall sign their name to the ballot and indicate their choice in candidate(s) by marking next to the candidate(s) name.
- d. Each Council Member will vote only for the number of candidates that there are vacant seats to fill.
- e. The Clerk shall collect the ballots and announce the candidate(s) receiving the highest number of votes and indicate the position that each candidate has been appointed to fill.
- f. The Town Clerk shall then read into the record the names of the candidates receiving the highest number of votes. The Town Council shall then make appointments per motion and second. The minutes shall indicate fully the written and verbal voting record of each Council Member.

Terms (Amended 12-4-18)

- a. Members are appointed to staggering three-year terms on all advisory boards that expire annually in February. The Carrboro Tourism Development Authority members are appointed to one-year terms that expire annually in January.
- b. Members are limited to two full terms. After completing two full terms, a member must take off one year before applying for re-appointment to the advisory board. However, a board member may apply to serve on another advisory board if he/she desires. The Town Council may make exceptions to this rule under the following circumstances:
 1. To retain diversity on an advisory board;
 2. A lack of applicants.

Attendance

- a. The chair or staff liaison of each board or commission shall notify the Town Clerk on an as needed basis if there are members that are presenting attendance problems.
- b. Unless the chair waives the requirement, members shall be removed if they are absent from three consecutive meetings or if they miss more than 30% of the meetings during a 12-month period. The Town Clerk shall notify the chair in writing as soon as a member becomes subject to removal under this section. The chair will have 10 days after receipt of such notice to waive the removal. If the chair fails to notify the Town Clerk in writing within ten days after receipt of such notice that the automatic removal requirement should be waived, the Town Clerk will send a removal notice to the member. This removal shall be effective on the date of such notice.

Resignations

- a. Resignations must be submitted in writing via email to the chair, the staff liaison, or the Town Clerk. If the resignation is submitted to the chair or the staff liaison they should forward the resignation to the Town Clerk as soon as possible.



Agenda Item Abstract

File Number: 23-345

Agenda Date: 11/29/2023

File Type: Agendas

In Control: Town Council

Version: 2

Appointments to the Safe Routes to School Implementation Committee

PURPOSE: The purpose of this agenda item is for the Town Council to make an appointment to the Safe Routes to School Implementation Committee.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Wendy Welsh, Interim Town Clerk, wwelsh@carrboronc.gov
<<mailto:wwelsh@carrboronc.gov>>, 919-918-7310

COUNCIL DIRECTION:

☐ Race/Equity ☐ Climate ☐ Comprehensive Plan ☒ Other

Advisory Board appointments follows the Town's Advisory Board Recruitment and Appointment Policy originally adopted by Council on 11/21/2017 and most recently revised on 03/16/2021.

<<https://www.carrboronc.gov/DocumentCenter/View/5358/Town-of-Carrboro-Advisory-Board-Recruitment-and-Appointment-Policy->>> The Advisory Board Recruitment and Appointment Policy has been evaluated using the Racial Equity Lens and this is included as Attachment D.

INFORMATION: The Safe Routes to School (SRTS) Implementation Committee consists of the full membership of the Transportation Advisory Board (TAB) and four additional members, appointed by the Town Council for two-year staggered terms. The SRTS Implementation Committee shall include two students, who attend local public schools at the elementary or middle school level, one parent of a local elementary or middle school student and one school administrator or faculty member from the local public schools at the elementary or middle school level.

The Safe Routes to School (SRTS) Implementation Committee currently has four vacancies available for appointment and finding a diverse group of students/parents/ administrators has been difficult. The meeting time of 7:30pm has been difficult to accommodate students at the elementary or middle school level and 5pm is too early for working individuals. The TAB/SRTS is trying to find a time that works for all involved.

An application was received from Andrea Tanner. She has attended meetings regularly and/or met with Chair Lenore Jones-Perretto.

Former chair of the TAB, David Pcolar, has provided a chair form for the Council's review from this applicant. This is attached as Attachment B. A matrix is included as Attachment C.

FISCAL IMPACT: N/A

RECOMMENDATION: : It is recommended that Town Council review the application and consider making an appointment.

A RESOLUTION MAKING AN APPOINTMENT TO THE
SAFE ROUTES TO SCHOOL IMPLEMENTATION COMMITTEE (SRTS)

Section 1. The Carrboro Town Council hereby appoints the following applicant(s) to the Safe Routes to School Implementation Committee (SRTS)

Appointee	Term Expiration
Andrea Tanner	11/2025

Section 2. This resolution shall become effective upon adoption.

This the 29th day of March 2023.

Wesley Barker

From: noreply@civicplus.com
Sent: Thursday, February 16, 2023 9:26 AM
To: Christina Moon; _Group - Town Clerk
Subject: Online Form Submittal: Safe Routes to School - Subcommittee Application

Safe Routes to School - Subcommittee Application

First Name	Andrea
Last Name	Tanner
Address1	2003 S. Hawick Ct.
Address2	<i>Field not completed.</i>
City	CHAPEL HILL
State	NC
Zip	27516-7739
Is this address located within the Town's ETJ or Planning Jurisdiction?	I don't know
Is this address located within the corporate limits of the Town of Carrboro?	Yes
Email Address	acarson.tanner@gmail.com
Telephone	2672105341
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 Town Council.	
Date of Birth	5/22/1973
Race	white
Sex	female
How long have you lived in Orange County?	11 years

How long have you lived in Carrboro?	11 years
Why do you want to be on the Safe Routes to School Committee?	I am concerned about climate change, as well as the CHCCS bus driver shortage crisis, and I would like to facilitate a plan to get more kids walking and biking to school in our community.
Which spot are you applying for?	(1) Parent of a child attending school in Carrboro
Which school do you attend or work at?	<i>Field not completed.</i>
Have you ever served on any Town of Carrboro Board or Committee?	Yes
If yes, which board/committee(s)?	Human Services
Are you currently serving on a Town Board or Committee?	No
<p>A term on the Safe Routes to School Committee is two years in length. After completing two full terms, a member must take off one year before applying for re-appointment to the committee. A committee member may opt to apply to serve on another advisory board if desired. The Council may make exceptions to this rule under the following circumstances: 1. To retain diversity on the committee; 2. A lack of applicants.</p>	

Email not displaying correctly? [View it in your browser.](#)

Wesley Barker

From: noreply@civicplus.com
Sent: Thursday, March 9, 2023 8:52 AM
To: Wesley Barker; Mary Bryant
Subject: Online Form Submittal: Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Chair Report (Complete One Per Applicant)

Advisory Board Name:	Transportation Advisory Board/SRTS Subcommittee
Chair Name	David Pcolar
Applicant First Name:	Andrea
Applicant Last Name:	Carson Tanner
1. Has the applicant previously served on this or another advisory board?	No
2. If yes, how many total years have they served?	<i>Field not completed.</i>
3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?	No
4. Is the applicant already serving on this advisory board and completed their two full terms?	No
5. Is the applicant applying for a special or expert seat on the advisory board?	No
6. If yes, which seat?	<i>Field not completed.</i>
7. Did the applicant attend an advisory board meeting?	Yes
8. If applicant did not attend an advisory board meeting, did you contact them via phone or email?	<i>Field not completed.</i>

9. Applicant has demonstrated a clear understanding of the time commitment, roles, and responsibilities of serving on the advisory board:	Yes
<hr/>	
10. If no, briefly explain:	<i>Field not completed.</i>
<hr/>	
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.	<i>Field not completed.</i>
<hr/>	
If other, please explain:	<i>Field not completed.</i>
<hr/>	

Email not displaying correctly? [View it in your browser.](#)

Membership Information Matrix
Safe Routes to School (SRTS) Implementation Committee

Name	Address	Year of Birth	Race (as noted by applicant)	Ethnicity (if noted by applicant)	Sex	Membership Position	School
APPLICANTS							
Andrea Tanner	2003 S. Hawick Ct.	1973	White		Female	Parent of Child Attending School in Carrboro	Smith Middle/Chapel Hill High School
VACANT						School administrator or faculty member from local public elementary or middle school	
VACANT						Student at local public elementary or middle school	
VACANT						Student at local public elementary or middle school	

APPENDIX D. RACIAL EQUITY ASSESSMENT LENS

One Orange - Let's Get REAL on Racial Equity

RACIAL EQUITY ASSESSMENT (REAL)

Goal: When we achieve racial equity, race will no longer predict opportunities, outcomes, or the distribution of resources for residents of Orange County, North Carolina, particularly for communities of color. Therefore, it is important to evaluate initiatives and demonstrate how it aligns with the County's and/or Town's racial equity goals.

FAQs:

What is the purpose of conducting this assessment? Conduct this assessment to measure how communities of color are affected by short- and long-term governmental decisions. It should be used by decision makers to evaluate new and existing initiatives. The word "initiative" is broadly used to cover policies, practices, processes, procedures, services, projects, and the like.

Who should use this assessment? Elected officials, boards, commissions, staff, community partners, and stakeholders to answer and evaluate "who, what, when, where, why, and how" through a racial equity assessment lens.

When should the assessment be conducted? Each jurisdiction will determine when the assessment should be conducted. Once that decision is made, orientation on the assessment shall be provided to all relevant staff and/or stakeholders.

How do I conduct the assessment? The assessment is a worksheet that prompts users to consider the intention of the initiative and how it impacts communities of color. The assessment should generate discussion and analysis that helps government align its initiatives with the racial equity goal stated above. There is not a "correct" answer to the questions. The completion of the assessment has value based on its merit. Please answer each question under every step, to the best of your group's ability. Be as specific as possible. This worksheet is designed to help you fill in as many details as possible.

How do I get a copy of the lens? The Racial Equity Assessment Lens is included within this document below.

Racial Equity Assessment Lens (REAL)

NAME OF INITIATIVE PROGRAM/PROJECT	New or Existing?	Who is Conducting the Assessment?
Advisory Board & Commission Recruitment Process	Existing	Clerk's Office

ORIGIN AND DESCRIPTION

- For New initiatives – Why this initiative and why now?
- For existing initiatives- include background information and milestone dates

The process for appointments to town advisory boards and commissions are typically completed in February-March of each year, for expiring and vacant terms, leading up to the consideration by Town Council. The Clerk's office works with staff liaisons and advisory board chairs on applications received and/or eligible member reappointments. These recruitment efforts follow the current advisory board recruitment and appointment policy. The Advisory Board Recruitment & Appointment Policy was initially adopted on 11-21-2017. Since then, several text amendments to this policy have been discussed and adopted by the Town Council on 12-1-2020 and 4-13-2021, respectively. These amendments have been within the section entitled "Composition" on page 2 of the policy, which details expanding the racial and ethnic diversity on advisory boards and commissions (full policy attached at the end of this document). As the policy currently states, consideration of advisory board appointments should not be brought forth to Town Council for consideration unless a diverse applicant pool is present. The exception to this rule is if any advisory board or commission is experiencing issues with achieving a quorum due to multiple vacancies, which prevents the board or commission from conducting business.

Processes for advisory board & commission recruitments also follow this policy. Vacancies occur throughout the year on all boards and commissions, and appointments are made by Council at various times outside of February-March as needed. The main recruitment efforts begin in late fall of each year leading up to February-March and includes creation & production of marketing materials for distribution, announcements on website/social media, "word of mouth" recruitment and recruitment assistance from the Town Council. The Clerk's office helps coordinate these recruitment materials & announcements with assistance by the Communications & Engagement Dept. The Clerk's office also notifies Town Council of any issues of diverse applicant pools for advisory boards and commissions and requests their assistance on recruitment, per the policy. As the applicants are submitted, the Clerk's office fields these to the appropriate staff liaison & chair and keeps record of the applications received. Further, the Clerk's office maintains a roster of current members and applicants, bringing forward applicants to Council for consideration following the policy.

DESIRED RESULTS

What specific results/outcomes are intended for the community or organization? (How will this initiative achieve this goal? Is anything being created, removed, incentivized, mandated, allowed, or assigned by this initiative?)

To recruit advisory board and commission members from all areas of Carrboro, representing every neighborhood if possible. For the members of these advisory boards and commissions to be more diverse in the future than they have been in the past. Continued work to enhance participation in boards and commissions by possibly offering incentives including stipends, childcare and transportation options. Also, offerings of virtual and hybrid meeting options to allow more ways members can attend meetings. Town Council will hold a work session to discuss advisory board and commission statuses, possible incentives, board combinations who share similar duties, and more efficient appointment processes.

To continue outreach and communication efforts for advisory board recruitment by continuing to utilize social media platforms, inclusion on town e-news and website postings. Additionally, continue to advertise using the Town Information Centers, printed Town calendars, Rec & Parks publications, Carrboro in Motion events and Carrboro Day event to ensure all recruitment efforts are not solely through the internet. A new effort could be to work with local businesses/Carrboro Business Alliance to place flyers inside downtown businesses for advertisement and recruitment. **Advertise on local radio stations – WCOM and WCHL.**

The current policy already calls for a diverse applicant pool before appointments are to be made by Council unless a quorum issue exception exists.

What policies are relevant to this initiative? How do racial and social inequities impact these areas? What does this proposal have the ability to impact? Consider topics and subtopics related to what you are trying to achieve, i.e., business, and economic development, labor and workforce development and retention, the judiciary, public safety, housing, education, health, transportation, environment, human services, youth, recreation, and COVID-19.

Topic/Issue	Baseline Data and Racial Disparities	Historical Root Causes of Disparities
For example, rather than write "education" below, list "attendance, school discipline, and commutes."	What does available data or research say about this issue? What disparities already exist within this issue?	What caused the numbers to look like they do today? Were the causes in the distant past and/or more recent? Were they purposeful or unintentional?
Representation on Advisory Boards	The available data shows that many of the Town's Advisory Boards do not have a diverse racial makeup.	Recruitment efforts in the past have relied on advertising (hanging posters, social media, etc.) and word of mouth to groups of people that may align with only a certain neighborhood(s) or demographic. These are mainstream, accepted practices in most communities that have been the same for many years. This has been unintentional. Lack feeling of inclusivity and belonging.
Recruitment efforts	In the past (prior to the 4-13-21 amendments to the recruitment policy), the recruitment efforts have not been widespread or varied. There	This has been unintentional. It could possibly have been purposeful in a way to limit participation of some groups; however, it is hard to

	was a limited effort and just utilizing “low-hanging fruit” only, with just a few methods used such as posting online and small promotions.	determine. Since amendments were made to the policy by Council, and the Communications & Engagement office has been created, more consistent, fair recruitment efforts have been made.
Member attendance issues	There are identified barriers to attendance such as lack of childcare, transportation, scheduled meeting times and limitations on technology to attend virtual meetings. This information has been relayed via advisory board members to the staff liaisons.	This has been unintentional. There historically seems to be issues with all advisory board and commission seats being full due to transient residents, personal issues that arise such a change in job schedules that cause resignations or absence, and issues with lack of childcare, transportation to meetings or limitations with virtual participation. Additionally, due to COVID and all virtual meetings taking place, once in-person meetings were being held again, some members indicated they would rather remain virtual for more accommodating purposes, which has resulted in some resignations.

What is the specific desired result statement –

The desire is to create a diverse and fair recruitment process and have options that appeal to all demographics with solutions to common barriers e.g., **meeting schedule**, childcare/transportation options, member stipends, and that there are multiple ways of advertising opportunities that range from print to digital to interpersonal to keep interest levels high and at the forefront.

DEMOGRAPHICS (be as specific as possible)

<ul style="list-style-type: none"> Who is this initiative focused on? (Neighborhoods, geographic areas, racial groups, income groups, etc.) What data can you provide to describe the target population? What data is missing? <p>Consider groups based on race, earnings, education, geography, occupation, age, gender identity, sexual identity, religion, immigration status, etc. Consider atypical groupings.</p>		
	BENEFITTING INDIVIDUALS OR GROUPS	BURDENED INDIVIDUALS OR GROUPS

Funded initiatives -currently there is no funding with this initiative. A possible solution to help with Advisory Board recruitment and retention is to offer stipends and/or childcare options/transportation stipends for members. Town Council will be discussing at an upcoming work session. Follow-up- At the work session, Council expressed interest in stipends, following Chapel Hill's model, and directed staff to complete some additional research & report back to Council.		
If the new initiative is funded	Racial and ethnically diverse communities would benefit from more representation on advisory boards. Having diverse advisory boards will be more likely to recognize, create and promote initiatives that benefit the areas that are likely to be underrepresented traditionally.	n/a
Existing initiative is funded	n/a	n/a
Non funded initiatives		
If the new initiative is not funded	Those who can afford childcare and/or transportation could still be an advisory board member and attend meetings with little to no issue. Further, those who can afford childcare and transportation, most likely has easier access to use digital means to attend meetings & receive news on recruitment efforts. Advisory board initiatives may proceed that further benefit these groups or individuals because they have a means to attend and participate in meetings with less hardships.	Potentially qualified advisory board members are not able to participate due to lack of childcare or not being able to afford childcare or transportation to attend meetings. Further, these potential members may not have adequate access to internet and could miss out on recruitment efforts, which is why it is important to promote in non-digital ways. This could leave a gap in the voice at the table of/for a particular demographic. As a result, an advisory board may create or proceed with initiatives that further isolate or alienate certain demographics or people who aren't at the table.
If the existing initiative is no longer funded	n/a	n/a
COMMUNITY ENGAGEMENT List the individuals or groups who will potentially benefit the most or be burdened the most by this Initiative.		

<ul style="list-style-type: none"> • How have you involved community members in developing this initiative? • Have you involved those directly impacted? • How have you addressed the concerns raised by community members? Especially those directly impacted. • Going forward, how do you plan to include voices of those most impacted / burdened? How? Please note if they are: (1) Already involved in the drafting of the process; (2) What is your first step in involving them; or (3) Why you are not involving them in the process. 	
Individual or Group	<p>Already Involved, First Step to Involve, or reason for No Involvement</p> <p>Citizens (traditionally involved on boards and commissions and have immediate access to information)</p> <p>Add Citizens (not traditionally involved)</p>
	<p>An Advisory Board and Commissions application is available for interested applicants. Information about each advisory board/commission is available for interested applicants (citizens) to review for interest. Advisory Board and Commissions recruitment efforts are published in Rec & Parks publications, featured in Carrboro news, emails, social media platforms, printed materials available at town Hall and public events (e.g., Carrboro Day, Carrboro in Motion, Town Information Centers).</p> <hr/> <hr/>
	<p>Going forward, based on the Council work session about advisory board and commissions, if new initiatives are implemented, outreach and engagement information will be updated and announced on all platforms. The work session surrounding advisory board and commissions will give Town Council an opportunity to hear from staff liaisons on ongoing issues and discuss incentives to recruit new, diverse members, and retain members. Also, going forward, creation of ongoing educational measures to show the important roles these boards & commissions play in government decisions will be beneficial.</p> <p><i>Some citizens can be burdened by this if they have a distrust in government or have had an experience(s) of not being heard by their local government or have been directly impacted by an action(s) of government (which could have stemmed from elected officials adopted items recommended by advisory boards, who are there to advise the elected officials). Additionally, citizens may be afraid of not being accepted if they tried to participate, so they just don't apply at all. A lack of education of what important purposes advisory boards & commissions serve to the local government may also prevent qualified citizens from applying. (add to the suggested category above?)</i></p>
<p>Who else from the community should be involved in designing, governing, or executing the initiative? Please note if they are: (1) Already involved in the drafting process; (2) What is your first step involving them; or (3) Why you are not involving them in the process.</p>	

Individual or Group	Already Involved, First Step to Involve, or reason for No Involvement	
Town Council / Staff Liaisons	Staff liaisons comments received by Clerk’s office can be relayed to Town Council and addressed at a Council work session as needed to discuss/address issues. Staff liaisons can report to Council at these work sessions to address ongoing concerns. A standing quarterly meeting of all advisory board liaisons would be beneficial to gather & share feedback.	
Citizen Involvement (suggestion)	Citizen Survey- poll/survey citizens what the barriers are for participating or not on boards/commissions. See what other disconnections may be with advisory board participation. Include this into the citizen survey, or conduct a special survey by posting on website, including in town news emails, at in person events and at Town Hall.	
Benefits		
<ul style="list-style-type: none">• Which area(s) of the County/Town could be impacted by this Initiative?• Share any relevant data (link to jurisdictional map and/or information)• Consider differences such as towns, density between residential, commercial, rural, and suburban, access to resources, transit, geography, and proximity to health care services.		
AREA	HOW AREA WOULD BENEFIT	HOW AREA WOULD BE BURDENED
Lower income	More outreach options would benefit these communities, including educational methods about advisory board/commission roles & their importance and stipend offerings.	Not being “plugged in” to town functions. Less access to internet & items posted solely online. Outreach would need to be extended past online only.
Communities of color / lower income	Offering incentives such as stipends and childcare/transportation stipends to allow participation in meetings. Also, education on the roles boards play and importance.	Fear of getting involved due to their particular demographics. Feelings of not being heard, or distrust of government based on past experiences, which may deter interest, even with incentives offered.

<p>If you mentioned communities of color in the table of above, how might this Initiative negatively impact them?</p> <ul style="list-style-type: none"> Not being plugged into the community due to the neighborhood they live in, or their neighborhood does not have an active HOA (or the like) that shares information with residents. Feeling of disconnect with government or distrust of government. Fear of getting involved due to past experiences that affected them personally, affected their friends/family and/or affected their neighborhood. Feeling of not being heard if they are the minority on a board. Lack of awareness of offerings due to limitations of internet, digital presence. Unable to participate due to childcare or transportation issues. Unable to participate due to work hours or obligations that aren't the "normal working hours." 		
<p>If you mentioned people with low incomes in the table above, how might this Initiative negatively impact them? There could be technology disadvantages such as less internet capabilities in general. Without access to these devices, residents may be unaware of opportunities available and/or can't participate on Zoom, Teams, YouTube, etc., and there may be a basic lack of awareness of government functions in general. They may miss out on the new incentives being offered if promotions are solely posted online.</p> <p>Lower income residents may be unable to secure childcare or transportation to attend meetings. Additionally, these residents may hold jobs that have undesirable hours that prevents them from attending regularly scheduled meetings, even if they had childcare and transportation.</p> <p>Lower income communities typically are subject to less options than larger income communities, or neighborhoods, and historically aren't as "plugged in" to their local government, or community.</p>		
<p>IMPACTS Considering the Section above when filling out the table below on unintended consequences.</p>		
<ul style="list-style-type: none"> What are the unintended consequences of this Initiative? Investigate if there have been other Initiatives of this type. If yes, what is known about the effect of these Initiatives, especially of different racial groups? What can be done to mitigate any negative impacts? Are there any challenges that need to overcome? How? Share any relevant data. 		

Type	Potential Unintended Consequence	Mitigation Strategies to Prevent Consequences and Advance Racial Equity

SOCIAL Consider native and long term residents, rural residents, transit, trust in government, education, etc.	People of color and other demographics may not trust government's outreach. They may feel that it needs to be broader in its reach. They may feel that the outreach is targeted to one set demographic or neighborhoods of "higher significance."	There could be additional outreach measures added to community outreach and expand the forms of public relations to those other than digital platforms. Council has worked to enhance and promote diverse applicants to advisory boards by amending the advisory board recruitment & appointment policy several times and not making appointments to boards until a diverse pool is achieved (unless there is a quorum issue).
ECONOMIC Consider wages, competition, tourism, unemployment, small businesses, etc.	If stipends were to be made available for advisory board members, it would need to be in an equitable fashion across all boards and consistent (e.g., option to opt-in or out of stipend)	Stipends could be provided for Advisory Board members which could be used for childcare needs and transportation. Public transit vouchers could be given as well.
HEALTH Consider impacts on pollution, health access, existing health disparities, etc.	N/a	N/a
ENVIRONMENT Consider impacts on pollution, natural resources, transit, etc.	N/a	N/a
OTHER Consider how a resident might interact with this measure "start to finish." Think through the best- and worst-case scenarios	N/a	N/a

Is your initiative realistic, adequate resources to ensure successful implementation? **Yes.** Council will discuss and make some decisions toward the proposed new initiatives including stipends, and budgeting for adequate funding if this is a direction Council decides to enhance advisory board participation/recruitment. Additional educational outreach is also a realistic initiative.

What challenges should be overcome? Outreach and promotion. If new initiatives are put into place, it will be important to ensure efforts are being made to spread the word and educate residents to encourage new and continued participation. **How?** Work with Communications & Engagement Dept. to develop or enhance promotional materials and outreach in various formats. Also, discuss with advisory board liaisons at quarterly meetings in a round table setting to brainstorm continued & new outreach methods.

Share any relevant data?

ACCOUNTABILITY

How will the impact of the initiative be measured? Council is updated, per current advisory board recruitment policy, by Clerk's office if diverse applicants aren't being received, to aid in public relations. Clerk's office would continue to monitor the demographics of the applicants and keep Council updated, as well as work with staff liaisons on advisory board concerns. Council & staff liaisons receive an applicant matrix when certain appointments need to be made. If new incentives are created for advisory board members, data should reflect if more applications are received from more diverse applicants and if member retention improves.

What success indicators or progress benchmarks are incorporated in the proposed Initiative? (Provide indicators/benchmarks/metrics) If a diverse applicant pool isn't achieved, appointments can't be made which holds up the work of the boards/commissions from operating. If new incentives are created for advisory board members, data should reflect if more applications are received from more diverse applicants and if member retention improves.

What is missing? What will happen if these metrics are met and what will happen if they are not met? With more applicants, especially diverse applicants, advisory board appointments can be made quicker, which results in work of the boards staying on track and it is not held up due to a lack of quorums. The opposite would happen with a continued lack of diverse applicants, which would stall the work of the boards which often need to be discussed at this level before going forward to Town Council for final action.

In what way does this Initiative deeply consider the experience of the residents it will impact? The initiative wants a diverse member makeup of the Town's Advisory Boards and Commissions from Town residents in all demographics, neighborhoods, ethnicities & race. (Recommendations/decisions reflected of Carrboro population)

How will you share you results with your leadership and other funders? Applicants have been and will continue to be shared with the Council and a matrix of applicants are presented when considering appointments to the Boards & Commissions (continuing to follow the current Advisory Board Recruitment & Appointment Policy). If stipend or other incentives are enacted, Council can be provided status updates every so often on how it's working and if it is making an impact on participation and diverse applicant numbers. Clerk's office to conduct quarterly or bi-annual check-in meetings with advisory board staff liaisons to gather feedback, concerns, and share information.

How will you share results with community members and stakeholders? Any advisory board policy changes and appointments are made in open Town Council sessions that are open to the public and they are all part of the public record. Council meetings are broadcast online and on the local cable tv channel. Meeting videos are also easily found on the Town's website. Also, inquiries can be made to the Town Clerk's office about appointments. Town Council updates are provided via the Communication & Engagement office as well.

How will you acquire feedback from community members and stakeholders and incorporate findings? The Clerk's office will report to the Council on any lack of diverse applicants on advisory boards. Suggestion to add a section onto the Carrboro citizen survey and/or website (or community events) which will ask for

feedback from citizens on advisory boards participation- find out what their limitations are for participating to further gather information on possible continued recruitment efforts & new initiatives.

RECOMMENDATIONS

- Continue adhering to the Advisory Board Recruitment & Appointment Policy as written (or as amended in the future).
- Continue to broaden outreach and recruitment of Advisory Board/Commissions outside of digital means.
- Place recruitment emphasis on sectors of community where there are more people of color and lower income.
- Explore stipend or pay for Advisory Board members for attending meetings, for childcare and/or transportation needs. **Also consider meeting schedule.** Town Council work session will be held to address various advisory board topics and more recommendations may transpire from the Council.
- Include questions on citizen survey on advisory board participation and seek what limitations may exist.

SIGNATURES OF ASSESSOR(S):

Wesley Barker, Town Clerk Mary Bryant, Deputy Town Clerk

DATE REVIEWED BY CORE TEAM:

4/10/23

RECOMMENDATIONS/**FEEDBACK** – CORE TEAM:

This analysis of Advisory Board Recruitment and Appointment is thoughtful and comprehensive. The description of the process is complete, and there is a detailed list of barriers to communities of color. The recommendation to work with local businesses for advertisement and recruitment is excellent.

The Advisory Board System is complex. We suggest looking at the system as a whole including “recruitment”, “appointment” and “service including board roles/missions and terms.” These processes are interrelated. For example, a barrier to recruitment may be that the lengths of service, about three years, which may be considered a longtime commitment to some residents.

We would like to see additional attachments – primarily data showing the demographic makeup of existing boards. The Town will not know about our progress to diversify boards and commissions without creating an excellent tracking system. This may require assistance from GIS or other data-professionals. It would be important to also show a geographic representation of membership residences across town. We should create a dashboard that is publicly available for review, at the forefront - perhaps on a central webpage. Can we set some goals and track progress for the next five years?

Can we consider an exit survey for board members?

Advisory boards and commissions need to consider meeting dates/times.

Do we have a definition of “diverse applicant pool” within the policy? We use the term frequently – but it’s not defined. Is it reflective of the town population or is there another measurement?
Reviewing the calendar for the appointment process, we’re wondering whether the February month for term expirations could be an issue. If the calendar was shifted so that recruitment took place at the beginning of the school year (August or September), would that be helpful to residents?

Regarding the note about funding for the initiative (stipends, child care, etc.), please also include funding for recruitment/advertising. Many clubs and marketing initiatives offer bonuses for existing members who bring in new members. Could we test something like that?

The Citizens Academy is often considered a recruitment method for advisory boards. How does this play into the analysis?

Thoughtful. I thought there were an abundance of ideas related to improving the process and getting real results. – Savannah Allred

DATE REVIEWED BY RACIAL EQUITY COMMISSION:

5/10/2023

RECOMMENDATIONS/Feedback from RACIAL EQUITY COMMISSION:

Remove obstacles from participating.

Advertise board and commission vacancies using multiple platforms – radio stations – WCOM, newspapers (?), kiosks/information centers, drop off locations that community members frequent, cybrary , churches and UNC.

Set goals to fill seats with diverse voices on every board and commission.

Spend time in the community and share information along with other important services, etc.

Information should be in different languages.

Is it possible to have a “hotline” where people can call in to find out about vacancies and other information items?

What is the Town of Chapel Hill doing to fill the seats with representatives that look like us?

Can meetings be held throughout Town and not in one place all the time? In community?

How about virtual opportunities for those that don’t have internet access?

Consider providing childcare for members and transportation to and from meetings (pickup stops).

Could be a great part-time job for someone. Rent or use a town van.

Offer opportunities for community members to experience serving on a board or commission.

Provide training for new members about protocol, etc.

Be creative and welcoming to all members of the community.

How can the Town build a sense of community and belonging for everyone?

Town of Carrboro Advisory Board Recruitment and Appointment Policy

11-21-2017,12-4-2018,12-1-20,3-16-21

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TOWN OF CARRBORO TOWN COUNCIL Recruitment and Appointment Policy

Adoption: 11/21/2017, Amended 12-4-2018, 4-13-21

Purpose

The purpose of this policy is to establish a policy and procedures whereby the Town Council will make appointments to public advisory boards, committees, commissions, councils, and taskforces (hereinafter “boards”). The Board shall also establish a policy and procedures whereby the Board makes appointments to public authorities that have Carrboro representatives or are Town of Carrboro Authorities.

Composition

The Town of Carrboro Town Council shall appoint all voting and non-voting members to boards. The Town Council shall endeavor to appoint members who represent the ethnic, cultural, demographic, and geographic diversity of the community. The Town Council has a goal of promoting racial and ethnic diversity on advisory boards. To the extent possible, the Town Clerk will bring forth applications that will expand the racial and ethnic composition of the existing advisory board. If no applications exist that will expand the racial or ethnic diversity of the advisory board, the Town Clerk shall notify the Town Council of the lack of racially or ethnically diverse applicants and at such time request that the Town Council work to recruit additional applicants. If the advisory board must have appointments due to membership numbers resulting in a lack of quorum, the Town Clerk shall bring forth applications regardless of the

racial and ethnic diversity of applicants and request that the Town Council make the appointments. The Town Council should consider the following when making appointments:

- Address
- Neighborhood/Geographic location
- Date of Birth
- Length of Residence in Carrboro
- Gender
- Race
- Ethnicity
- Occupation
- Advisory Board Service
- Experience/Skill Set/Expertise
- Community Activities/Involvement/Organizations

Authority

The North Carolina General Statutes, the Town of Carrboro Charter, the Town of Carrboro Town Code and the Town of Carrboro Land Use Ordinance provide the enabling legislation for the Town's Boards.

Periodic Review

This policy may be changed or adjusted as deemed necessary by the Board. The Town Clerk shall review the policy and make sure the policy is up-to-date.

Recruitment and Appointment Process

- a. Prior to the annual February term expirations, and when midterm vacancies occur, the Town Clerk will advertise that the town is accepting applications for upcoming openings on advisory boards and commissions.
- b. Applications will be taken until all seats are filled. Applications received after the seat(s) have been filled will be placed on file by the Town Clerk and held for future vacancies for a period of 12 months. If vacancies exist on other boards, the Town Clerk will let the applicant know of those vacancies. If interested, applicants will be encouraged to apply. Midterm vacancies shall be filled from applications on file without special advertising efforts unless requested by the Town Council.
- c. All new candidates must complete an application to be considered for appointment.
- d. Currently serving advisory board members, whose first full terms are expiring in February, will be contacted by the Town Clerk and asked if they would like to be considered for reappointment. If so, no new application is needed from the member. The Town Clerk shall report to the Board Chair that the member wishes to be reappointed. The Chair shall provide the recommendation/review form for the current member to the Town Council , just as with new applicants.
- e. The Town Clerk will notify all applicants of receipt of his/her application.

- f. The Town Clerk shall forward copies of applications to the advisory board chairs as soon as possible after receiving an application.
- g. Each chair shall contact each applicant and invite them to at least one meeting of their board so they may understand the responsibilities of the board and the necessary time commitment. (Chairs should contact Town staff in the event of a language barrier.) The chairs shall also talk with the applicants about their interest in serving on the advisory board. Board chairs may meet personally with applicants if a meeting of their board is not anticipated within 30 days following receipt of the applicant's request for appointment. This would be in lieu of having the applicant attend a meeting of that board or commission. If applicants do not attend a meeting after two phone calls or emails, then the Chair shall notify the Town Clerk of that fact and said application will be removed from further consideration.
- h. The chair of each board shall submit a Review Form to the Town Clerk within one week of the applicant's attendance at a meeting. If a meeting is not planned, the chair shall provide a Review Form to the Town Clerk within one week of a conversation with the applicant.
- i. Copies of all applications and recommendation forms received shall be forwarded to the Mayor and Town Council pursuant to the goals expressed in the Composition section above.
- j. If there are no applicants for the Board in question, the Chair may contact applicants that have applied for other boards. Board chairs should contact the Town Clerk to obtain these applications.
- k. If a Chair Form has not been received from board chairs within three weeks after being forwarded from the Town Clerk, the Town Clerk shall contact the chair and request a status report.
- l. By March 1, the Mayor and Town Council shall endeavor to make appointments to boards and commissions to fill annual expired terms.
- m. The Mayor and Town Council shall endeavor to make appointments to unexpired terms with vacant seats within one month of the Town Clerk receiving application(s).
- n. Appointments to unexpired terms of 12 or fewer months will be simultaneously appointed to the following 3-year term.
- o. As a presumptive policy, the Town Council will not appoint a person to serve on multiple advisory boards or commissions at the same time. However, the Council retains the discretion to make exceptions to this policy. (Amended 4-10-18)

APPOINTMENTS TO AUTHORITIES

The OWASA Board of Directors and Tourism Development Authority are considered "Authorities" under

NC General Statutes. The Town Council will consider applications for those authorities and be responsible for making appointments as they are directed per law. The Council may at times choose to interview applicants for the representative seats by any method that they choose. All appointments will be made in open session by the ballot procedures established in the policy.

Advisory Board Appointment Method

The Town Clerk shall provide an information matrix, related to composition information as shown above, for the Town Council to consider when there are more applications than open seats available. The Town Council may also request further information from the Town Clerk as it desires.

Unless the Town Council agrees by majority vote or consensus to follow another procedure, the Council shall use the following procedure to appoint individuals to various subordinate boards and offices:

Voting Method

- a. The Town Clerk will provide a ballot listing the names of all applicants presented in the agenda packet to each Council Member.
- b. Prior to voting, the Council shall open the floor for discussion of the applications.
- c. Each Council Member shall sign their name to the ballot and indicate their choice in candidate(s) by marking next to the candidate(s) name.
- d. Each Council Member will vote only for the number of candidates that there are vacant seats to fill.
- e. The Clerk shall collect the ballots and announce the candidate(s) receiving the highest number of votes and indicate the position that each candidate has been appointed to fill.
- f. The Town Clerk shall then read into the record the names of the candidates receiving the highest number of votes. The Town Council shall then make appointments per motion and second. The minutes shall indicate fully the written and verbal voting record of each Council Member.

Terms (Amended 12-4-18)

- a. Members are appointed to staggering three-year terms on all advisory boards that expire annually in February. The Carrboro Tourism Development Authority members are appointed to one-year terms that expire annually in January.
- b. Members are limited to two full terms. After completing two full terms, a member must take off one year before applying for re-appointment to the advisory board. However, a board member may apply to serve on another advisory board if he/she desires. The Town Council may make exceptions to this rule under the following circumstances:
 1. To retain diversity on an advisory board;
 2. A lack of applicants.

Attendance

- a. The chair or staff liaison of each board or commission shall notify the Town Clerk on an as needed basis if there are members that are presenting attendance problems.
- b. Unless the chair waives the requirement, members shall be removed if they are absent from three consecutive meetings or if they miss more than 30% of the meetings during a 12-month period. The Town Clerk shall notify the chair in writing as soon as a member becomes subject to removal under this section. The chair will have 10 days after receipt of such notice to waive the removal. If the chair fails to notify the Town Clerk in writing within ten days after receipt of such notice that the automatic removal requirement should be waived, the Town Clerk will send a removal notice to the member. This removal shall be effective on the date of such notice.

Resignations

- a. Resignations must be submitted in writing via email to the chair, the staff liaison, or the Town Clerk. If the resignation is submitted to the chair or the staff liaison they should forward the resignation to the Town Clerk as soon as possible.