

Tuesday, June 15, 2021	7:00 PM	Remote Meeting - View Livestream or Cable TV
		18

<u>7:00-7:05</u>

A. ROLL CALL

<u>7:05-7:10</u>

B. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

- 1. <u>21-219</u> Proclamation Juneteenth
- **2**. <u>21-236</u> Proclamation Pollinator Week
- **3**. <u>21-241</u> Proclamation-Eugenia Floyd NC Teacher of the Year 2021

7:10-7:15

C. ANNOUNCEMENT OF UPCOMING MEETINGS

7:15-7:20

D. PUBLIC COMMENT

Comments are limited to three minutes per speaker.

7:20-7:30

E. CONSENT AGENDA

- 1. <u>21-231</u> Approval of Minutes from the June 1, and June 8, 2021 Meetings
- 2. <u>21-225</u> Economic Development Monthly Report **PURPOSE:** Regular Monthly Activities and Status Report <u>Attachments:</u> <u>Attachment A - May Monthly Report</u>

Town	Council	Meeting Agenda	June 15, 2021		
3.	<u>21-220</u>	Police Department Monthly Report PURPOSE: The purpose of this report is to provide a brief overvie service for the month. <u>Attachments:</u> May 2021 Monthly Report	ew of calls for		
4.	<u>21-222</u>	Stormwater Utility Monthly Report PURPOSE: The purpose of this item is to provide the monthly upd Stormwater Utility projects and initiatives. <u>Attachments:</u> June 2021 Stormwater Report	ate regarding		
5.	<u>21-8</u>	Fire Department Monthly Report PURPOSE: To provide the Town Council a monthly overview of ca service. <u>Attachments:</u> <u>5-21 May 2021.pdf</u>	alls for		
6.	<u>21-227</u>	Consideration of Human Services Funding for FY 2021-202 PURPOSE: The purpose of this item is for the Carrboro Town Cources consider human services funding recommendations for FY2021-2022. <u>Attachments:</u> Attachment A Resolution HS 06.15.21.docx <u>Attachment B HSC Rec 03.22.21</u> <u>Attachment C FY22 Carrboro Human Services Recommendations</u>	ncil to		
7.	<u>21-126</u>	 Update on the Town of Carrboro's Racial Equity Initiative a One Orange County Racial Equity Plan: A Framework for M Forward PURPOSE: To provide the Town Council with an update on the to and equity work and an overview of the Framework for moving forwar Countywide Racial Equity Plan. <u>Attachments:</u> Attachment A Race and Equity Carrboro Update Attachment B - Racial Equity Plan Framework 	Moving own's race		
8.	<u>21-217</u>	Authorization to Expend Up an Additional \$250 to Support to Town of Carrboro and Town of Chapel Hill Pride Food Truck Rodeo PURPOSE: The purpose of this item is to authorize the expenditure of a additional \$250 from the Town Council contingency fund for the purposes of Carrboro Pride Food Truck Rodeo. <u>Attachments:</u> Attachment A - Resolution	n		

9.	<u>21-188</u>	Authorization for Stormwater Infrastructure Improvements along
		High and West Main Streets
		PURPOSE: The purpose of this item is for the Town Council to approve public
		stormwater infrastructure improvements along High and West Main Streets.
		Attachments: Attachment A-Resolution - West Main St. Stormwater Improvements
		West Main St Flood Study Report_Final
10.	<u>21-228</u>	Review of a Minor Modification Request to a Conditional Use
		Permit for a Mixed Use Building at 1001 Homestead Road
		PURPOSE: The purpose of this item is for the Board of Aldermen to consider
		approving a resolution authorizing residential use on the first floor of a previously
		approved mixed use building at 1001 Homestead Road.
		Attachments: Attachment A - Resolution
		Attachment B - CUP Document
		Attachment C - Explanation from Applicant
		Attachment D - Project Plans
11.	<u>21-218</u>	Appointments to the Northern Transition Area Advisory Committee
		PURPOSE: The purpose of this agenda item is for the Town Council to make
		appointments to the Northern Transition Area Advisory Committee.
		Attachments: Attachment A - Appointment Resolution
		Attachment B - Matrix
		Attachment C - Chair Forms and Applications
12.	<u>21-235</u>	Budget Amendment - Grant Award to Fire Department
		PURPOSE: The purpose of this item is to recognize and appropriate \$6,116.50
		contribution made to the Fire Department as a result of being awarded a grant by the
		North Carolina League of Municpalities.
		Attachments: Attachment A - Budget Amendment
13.	<u>21-237</u>	Request to Set the Public Hearing for a Conditional Use Permit to
		allow an Office Building at 1716 Smith Level Road
		PURPOSE: Town Council is asked to set a public hearing date of September
		28, 2021 for consideration of a Conditional Use Permit application for an office
		building at 1716 Smith Level Road. A resolution is included as Attachment A setting
		the hearing date.
		Attachments: Attachment A - Resolution
		Attachment B - Vicinity Map

14.	<u>21-239</u>	Authorization for Orange County Board of Elections to Consider
		the use of Town Hall and Bim Street Building for Voting Purposes
		PURPOSE: The purpose of this item is to authorize the Orange County Board
		of Elections the option of hosting voting at the recently donated Bim Street property
		or in Council Chambers.
		Attachments: Attachment A - Resolution

F. OTHER MATTERS

<u>7:30-7:35</u>

1.	<u>21-234</u>	Appointme	nt to the Orange Water and Sewer Authority (OWASA)
		Board of D	irectors
		PURPOSE	: The purpose of this item is for the Town Council to consider making
		an appointme	ent to one of the Town's seats on the OWASA Board of Directors.
		<u>Attachments:</u>	Attachment A - Resolution
			Attachment B - Demographics of OWASA Board
			Attachment C - Applications

<u>7:35-8:35</u>

2.	<u>21-226</u>	Public Hearing for the 203 South Greensboro Project -						
		Consideration of Site Plan and Design Development Cost Estimate						
		PURPOSE: The purpose of this item is to hold a public hearing on the site plan						
		for the 203 Project and design development costs for the project as well.						
		Attachments: A - Location map						

Attachment B - Project Plans

<u>8:35-9:30</u>

3.	<u>21-221</u>	Traffic Calı	Starlite Drive Traffic Calming and Barred Owl Creek ning : The purpose of this agenda item is to provide Council an update on				
		the progress of Calming proje	of the Starlite Drive Traffic Calming and Barred Owl Creek Traffic ects.				
		<u>Attachments:</u>	Attachment A - Starlite Drive Concept Design				
			Attachment B - Starlite Drive Preliminary Design				
		Attachment C - Barred Owl Creek Neighborhood Meeting Slides					
		Attachment D - Carol Street Interim Concept Plan					
			Attachment E - Barred Owl Creek Traffic Calming FAQs				

<u>9:30-9:45</u>

4.	<u>21-223</u>	Public Hearing on a Text Amendment to the Land Use Ordinance							
		Relating to S	Satellite Parking						
		PURPOSE: a proposed tex regulations rel prepared. The	The purpose of this agenda item is for the Town Council to consider at amendment to the Land Use Ordinance that would modify the ating to the use of satellite parking. A draft ordinance has been consideration of an amendment to the Land Use Ordinance is a ision; the Council must receive public input before reaching a decision						
		Attachment D - 21 ART-XVIII							
<u>9:45-10</u>	:00								
5.	<u>21-224</u>		ing on Text Amendments to the Land Use Ordinance for with N.C.G.S. Chapter 160D						
		PURPOSE: text amendme N.C.G.S. Chap of an amendm	The purpose of this agenda item is for the Town Council to consider nts that would bring the Land Use Ordinance into conformance with pter 160D. A draft ordinance has been prepared. The consideration ent to the Land Use Ordinance is a legislative decision; the Council public input before reaching a decision on the draft ordinance.						

 Attachments:
 Attachment A - Draft Ordinance with PUTable 06-09-2021

 Attachment B - Staff Memo

Attachment C - Table 06-11-2021

Attachment D - Comments-combined

G. MATTERS BY COUNCIL MEMBERS



File Number:21-219

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type: Agendas

Proclamation - Juneteenth



File Number:21-236

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type: Agendas

Proclamation - Pollinator Week



File Number:21-241

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type:Agendas

Proclamation-Eugenia Floyd NC Teacher of the Year 2021



File Number:21-231

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type:Agendas

Approval of Minutes from the June 1, and June 8, 2021 Meetings



File Number:21-225

File Type: Agendas

Agenda Date: 6/15/2021 In Control: Board of Aldermen

Version: 1

TITLE:

Economic Development Monthly Report **PURPOSE:** Regular Monthly Activities and Status Report **DEPARTMENT:** Economic Development

CONTACT INFORMATION: Jon Hartman-Brown - 919-391-7846 - JHartman-Brown@TownofCarrboro.org

INFORMATION:

FISCAL & STAFF IMPACT:

RECOMMENDATION:



Monthly Update Report - May 2021

ACTIVITY

• Attending Bi-Weekly Regional Economic Developers Meeting for COVID-19 Response

I have been attending weekly meetings with Economic Development staff throughout the region including Chatham County, Orange County, Chapel Hill, UNC, Downtown Chapel Hill, Hillsborough, and Chamber staff. Our discussions recently have focused on the ARPA and how to encourage stimulus spending within Orange County.

• Attending CBA Marketing, Policy, and Leadership meetings

I am currently attending CBA Marketing Committee, Policy Committee, and Leadership Council meetings to both understand the role of the CBA and to network with these business owners and find ways the Department can get plugged in. The 203 Project and Downtown Parking have been the center of on-going concerns and discussions with the CBA and their respective committees.

• Working with Two New Businesses

I have been working with two potential new businesses – a truck and food cart. One will be a retail truck selling products out of a small mobile unit. The second is a food cart concept that would sell limited food selection out of a mobile cart. Working with Planning Staff, we have determined that both of these establishments would be required to locate on private property, but could operate under existing regulations within the Town limits.

• Acquiring new Parking Leases begun; Anticipated Completion by end of Q3 I am in the process of acquiring new parking leases in downtown Carrboro. The 300 E. Main lease will be presented to Council at their meeting June 1 and the Fitch Lumber lease will be reviewed after more certainty on redevelopment potential has been determined.

• Presented at the Chamber's Local Economic Development Forum

I made a presentation of Carrboro's economic development initiatives and activities along with my colleagues in Chapel Hill and UNC at the Chamber's Local Economic Development Forum on May 27th. I primarily focused on providing updates for Lloyd Farm, South Green, 201 N. Greensboro (CVS Lot), and Shelton Station.

• BIPOC Business Update

Another BIPOC Business Roundtable was held on May 27th. General actions that the Town could take were similar to other discussions. There was, however, the idea of creating a new position or working regionally with the Chamber and Chapel Hill to create a new position specifically to assist and support BIPOC businesses as they start-up and grow.

PROJECTS

• Minority Business Roundtable – Implementation

<u>Current Status:</u> Online portion of the Resource Center is completed and out for comment from the SBTDC and Durham Tech Small Business Center. I anticipate this webpage will be live within the next few weeks. Initial meetings with community leaders have been occurring.

Next Steps: Development of a resource center (physical locations).

<u>Projected Completion</u>: On-going. We anticipate these activities to continue and become a part of the economic development workflow process.

• Project Arrange

We have received feedback that Project Arrange was very appreciate of the Town Manager's offer. The company has paused this project until they can reassess their needs post-COVID-19.

• Economic Development Strategic Plan – Developing an Action Plan

<u>Current Status</u>: The ESC has reviewed and accepted the draft goals and strategies that the Comprehensive Plan Taskforce and Teska have created. Over the summer break staff will begin to review and develop action plans for each strategy in preparation for approval by the ESC.

<u>Next Steps:</u> Developing an action plan for ESC goals and strategies. <u>Projected Completion:</u> October 2021



File Number:21-220

File Type: Agendas

Agenda Date: 6/15/2021 In Control: Board of Aldermen

Version: 1

TITLE:

Police Department Monthly Report **PURPOSE:** The purpose of this report is to provide a brief overview of calls for service for the month. **DEPARTMENT:** Police Department

CONTACT INFORMATION: Chief Chris Atack, 919-918-7407

INFORMATION: This report provides data on calls for service, traffic stops, citations, arrests, use of force and traffic crashes.

FISCAL & STAFF IMPACT: N/A

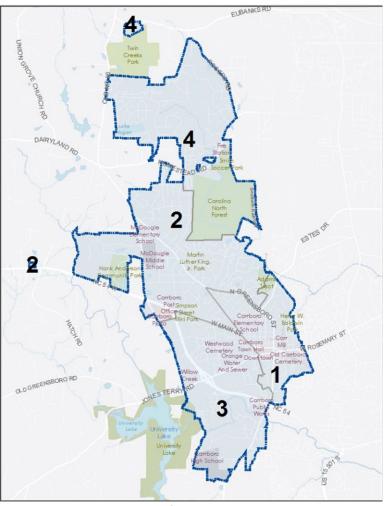
RECOMMENDATION: Staff recommends the Council accept the report.



CARRBORO POLICE DEPARTMENT

Community · Accountability · Respect · Ethics

Monthly Report May 2021 Patrol Areas



Calls for Service

	April	Мау	% Change
Area 1	433	410	-5.31%
Area 2	331	273	-17.52%
Area 3	658	648	-1.52%
Area 4	133	105	-21.05%
Total	1555	1436	-7.65%
Traffic Stops	227	61	-73.13%
Citations	217	32	-85.25%
Arrest	27	17	-37.04%
Use of Force	2	0	-100.00%
Traffic Crashes	33	30	-9%



File Number:21-222

Agenda Date: 6/15/2021

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Stormwater Utility Monthly Report **PURPOSE:** The purpose of this item is to provide the monthly update regarding Stormwater Utility projects and initiatives. **DEPARTMENT:** Public Works

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

INFORMATION: The report identifies 7 separate projects and initiatives that Stormwater staff are currently involved in. (Updates are provided **in bold**). These are specific efforts, some time-limited and others part of ongoing stormwater program development, that are above and beyond the baseline workload that includes but is not limited to: program administration; responding to requests for support and community outreach; stormwater system inspection and maintenance; reviewing development plans; stream determinations/buffer reviews; and illicit discharge response and pollution prevention.

In late May/early June, Stormwater staff received input from residents in the upper Toms Creek watershed, and will be following up with other staff and the residents in the coming weeks. Staff have not received a response from NCDEQ regarding the 319 grant application recently submitted. Staff will share any update on the application as soon as it is received.

FISCAL & STAFF IMPACT: There is no fiscal impact associated with this update. There are/will be nearer and longer term fiscal and staff impacts, as presented in the report.

RECOMMENDATION: It is recommended that the Council receive the staff report.

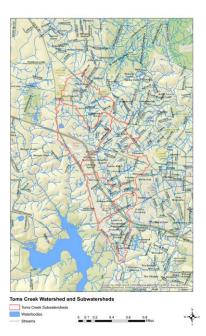
STORMWATER UTILITY MONTHLY REPORT

Contents

PART 1: WATER QUANTITY DRIVEN WORK2
1. RainReady Study Follow Up2
Status: Active
2. Land Use Ordinance Stormwater Provisions Review
Status: Planning3
3. FEMA Hazard Mitigation Grant Program Letters of Interest (Acquisition and Elevation)4
Status: Applications in Review4
4. FEMA Public Assistance: Damage Recovery from Hurricane Florence
Status: Closeout
PART 2: WATER QUALITY & FEDERAL/STATE REGULATORY DRIVEN WORK
5. NPDES Town Wide Permit
Status: Active
6. Stormwater Control Measure Maintenance and Inspection Program7
Status: Active
7. Bolin Creek Watershed Restoration Plan Implementation8
Status: Active8

PART 1: WATER QUANTITY DRIVEN WORK

1. RainReady Study Follow Up



Project Description: In 2019, the Council directed staff to move forward with a pilot study due to the persistent and ongoing need to address flooding issues, with the upper Toms Creek watershed serving as the geographic focus.

Project Background: For the Toms Creek watershed, flooding and drainage is a recurring and important theme. The upper watershed has received the most attention in recent years due to the degree of flooding and drainage issues experienced by residential property owners both in the regulated floodplain and other areas. A watershed based approach is needed to comprehensively address the issues that exist. An emerging concern is resiliency in consideration of the growing number of recent intense storms and the potential for a shift to more flooding in the future due to climate change.

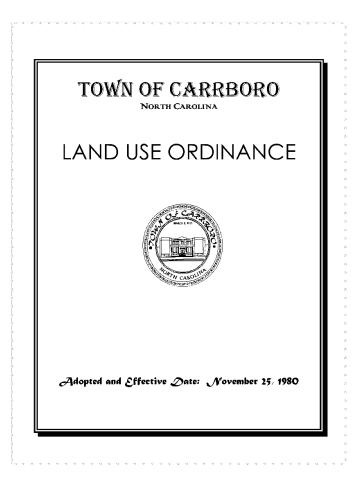
Status: Active. The Town contracted with the Center for Neighborhood Technology (CNT), resulting in a "RainReady" report in May, 2020. Sungate Design has also completed an engineering assessment of a catchment between Hillsborough Rd. and West Main Street with known drainage issues, and additional analyses of flooding along Toms Creek. An agenda item has been prepared seeking approval for infrastructure improvements along High and West Main streets. Town staff have initiated work to bring recommendations forward to the Council (and Stormwater Advisory Commission) for review in the fall that respond to the RainReady study. Staff also prepared a memo responding to a recent inquiry from neighborhood residents, and plan to participate in a meeting with residents in the near future.

Fiscal and Staffing Considerations: Sungate's work cost \$16.5k and the CNT's work cost \$25k. There could be further implementation costs as a result of these projects. Any fiscal impact resulting from financial assistance to be provided as part of a new program will be determined through administrative and policy level review. There has been and will continue to be a staff impact associated with technical assistance. This impact will increase if staff will be administering a new program.

Additional Information: Additional information is available from multiple Council agenda items from 2013-2019. A project website has been created with relevant historical and project related information.

6/9/2021





Project Description: LUO stormwater provisions are under review.

Project Background: At the April 16, 2019 meeting, the Council referred further review of the stormwater provisions in the LUO to staff and the Stormwater Advisory Commission in consideration of the flooding and drainage impacts being experienced and elevated risk for increasing impacts due to climate change.

Status: Planning. This has been referred to Stormwater and Planning staff, Sungate Design, and the Stormwater Advisory Commission. Staff and Sungate are currently researching and considering the scope of potential changes, and anticipate working with the SWAC later in 2021.

Fiscal and Staffing Considerations: There is no fiscal impact with reviewing and amending the LUO. There will be a staff impact with performing the review.

Additional Information:

https://carrboro.legistar.com/LegislationDetail.aspx?ID=3919560&GUID=59CDD594-2973-4C2B-813C-738A1CF5707B&Options=&Search http://www.townofcarrboro.org/DocumentCenter/View/698/Article-XVI-Floodways-Floodplains-Drainageand-Erosion-PDF 3. FEMA Hazard Mitigation Grant Program Letters of Interest (Acquisition and Elevation)



Project Description: The information presented below is for an acquisition project for 116 Carol Street, and a new elevation project for 100 James Street

Project Background: Following on Hurricane Florence and Tropical Storm Michael, FEMA announced new rounds of HMGP funding. In addition to the Lorraine Street properties discussed above, two additional homeowners at 116 Carol Street and 100 James Street (properties included in previous HMGP applications for acquisitions that did not move forward) have responded, and were included in Letters of Interest submitted by the Town to the NC Department of Public Safety (NCDPS). Staff submitted one Letter of Interest for an acquisition project for 116 Carol Street and a second Letter of Interest for elevation of the home at 100 James Street in early 2019. Staff received notification in the summer of 2019 that the NCDPS would accept applications.

Status: Applications in Review. Application materials for the 116 Carol acquisition were submitted to the State in October, 2019 under Hurricane Florence. Application materials for the 100 James Street elevation were submitted to the State in November, 2019 under Tropical Storm Michael. Staff regularly check on the status, which has remained "pending obligation" since the applications were submitted. If approved, staff will follow up with pursuit of entering into (a) grant agreement(s) for one or both projects.

Fiscal and Staffing Considerations: If the Town is able to successfully enter into grant agreements (one for acquisition and one for elevation), **c**osts for work covered by the grants will first be borne by the Town and then reimbursed to the Town with a combination of both Federal and State funds covering eligible costs, provided that all grant requirements are met. Elevation costs can be reimbursed at up to \$175k per home and acquisition costs at up to \$276k per home. There would be a significant staff impact to administer the grant funds.

Additional Information: https://www.fema.gov/media-library-data/1493317448449b83f27544e36b7bf67913f964a56b15a/HMA Homeowners Guide 040717 508.pdf

4. FEMA Public Assistance: Damage Recovery from Hurricane Florence



Overview

Public Assistance (PA) is FEMA's largest grant program providing funds to assist communities responding to and recovering from major disasters or emergencies declared by the President. The program provides emergency assistance to save lives and protect property, and assists with permanently restoring community infrastructure affected by a federally declared incident.

Eligible Applicants

Eligible applicants include states, federally recognized tribal governments (including Alaska Native villages and organizations so long as they are not privately owned), U.S. territories, local governments, and certain private non-profit (PWP) organizations.

PNPs must have "an effective ruling letter from the U.S. Internal Revenue Service, granting tax exemption under sections 501(c), (d), or (e) of the Internal Revenue Code of 1954, or satisfactory evidence from the State that the nonrevenue producing organization or entity is a nonprofit one organized or doing business under State law."¹ Additionally, for a PNP operated facility to be eligible, the PNP must demonstrate the facility provides a critical service or provides a non-critical, but essential government service and is open to the general public. A facility that provides a critical service is defined as one used for an educational, utility, emergency, or medical purpose.²

Project Categorie

FEMA processes PA grant funding according to the type of work the applicant undertakes. Eligible work must be required as a result of the declared incident, be located in the designated area, be the legal responsibility of the applicant, and be undertaken at a reasonable cost.

Eligible work is classified into the following categories:

Emergency Work Category A: Debris removal Category B: Emergency protective measures

Permanent Work Category C: Roads and bridges Category D: Water control facilities Category E: Public buildings and contents Category F: Public utilities Category G: Parks, recreational, and other facilities Federal funding guidelines for each of these categories are listed in the Public Assistance Program and Policy

Federal funding guidelines for each of these categories are listed in the *Public Assistance Progra Guide*, which is located <u>online at https://www.fema.gov/media-library/assets/documents/111781</u>.

Application Process

After a federal declaration, the recipient (i.e. state, tribe, or territory) conducts Applicant Briefings to inform potential applicants (i.e. state, local, tribal, territorial, and PPN policials) of the assistance available and how to apply. Applicants must then file a Request for Public Assistance within 30 days of the date their respective area is designated by the federal declaration. Following the approved request, FEMA and the applicants will conduct additional meetings to discuss disaster

Project Description: The Town has been working through the FEMA Public Assistance process for damage recovery from Hurricane Florence. This aspect of Public Assistance is associated with covering the costs for debris removal, emergency protective measures, restoring roads, equipment and facilities to pre-storm conditions, and administrative costs. It is considered separately from the activities described in #11 below, although also under the Public Assistance umbrella.

Project Background: Stormwater staff have been leading the Town's pursuit of FEMA Public Assistance funding. Staff have submitted claims for losses not covered by insurance and have been working with FEMA/NCDPS staff to document and receive reimbursement, as well as reimbursement for staff time associated with emergency response and follow up. This process has been underway since the winter.

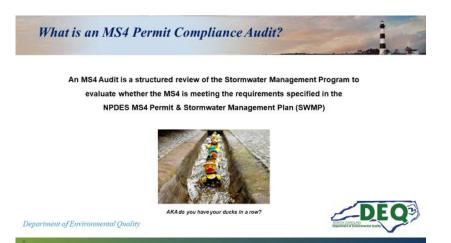
Status: Closeout. The Florence damage recovery work and reimbursal has been completed. Staff are working with NCDPS and FEMA to close out the final review now that the stream restoration project (#11) is complete.

Fiscal and Staffing Considerations: The Town has received about \$59k in uninsured costs from FEMA to date, and could receive up to about \$200k of additional funds, including any funds granted for the stream restoration project, and for staff time for Public Assistance administration. This work has required over 500 hundred hours of Stormwater staff time.

Additional Information:

https://www.fema.gov/media-library-data/1534520496845-4b41646e3d8839c768deb3a7f4ded513/PADeliveryModelFactSheetFINAL_Updated_052418.pdf https://www.fema.gov/pdf/government/grant/pa/fema323_app_handbk.pdf

PART 2: WATER QUALITY & FEDERAL/STATE REGULATORY DRIVEN WORK



5. NPDES Town Wide Permit

Regulatory Requirement: The Town is regulated under a town wide permit that requires the Town to implement a comprehensive stormwater management program that includes six minimum measures:

- (1) Public education and outreach on stormwater impacts
- (2) Public involvement/participation
- (3) Illicit discharge detection and elimination
- (4) Construction site stormwater runoff control (delegated to Orange County)
- (5) Post-construction stormwater management for new development and redevelopment, and
- (6) Pollution prevention/good housekeeping for municipal operations.

The initial Carrboro permit was issued effective July 1, 2005, renewed in 2011, and again in 2017.

Background: In 1990, under the authority of the federal Clean Water Act and starting with large (population >100k) municipalities (and industries), EPA began regulating stormwater runoff. In 2000, the scope was extended to smaller municipalities, and EPA delegated the authority to the State to issue these municipalities (including Carrboro) a stormwater permit.

Status: Active. The planned EPA/State NPDES Phase II stormwater permit audit was completed on August 12. A Notice of Violation, as anticipated and previously reported, was provided on November 2. Staff prepared additional information as part of Council and Stormwater Advisory Commission agendas in early November. Staff presented a draft Stormwater Management Plan to the Stormwater Advisory Commission in early January, subsequently submitted this plan to the NCDEQ, and are awaiting NCDEQ review for next steps.

Fiscal and Staffing Considerations: Preparing for and follow up from this audit and improving the Town's permit compliance and record keeping activities has been and will continue to be a significant undertaking.

Additional Information:

https://deq.nc.gov/about/divisions/energy-mineral-and-land-resources/stormwater/stormwaterprogram/npdes-ms4-permitting





Background: The Town's Land Use Ordinance (LUO) has required "Stormwater Control Measures" (SCMs) as part of development projects. SCMs treat runoff to reduce both water quantity and quality impacts. Since 2007, the LUO¹ has articulated requirements for private landowner maintenance of SCMs. (Prior to 2007, this responsibility was implicit rather than explicit.) In early 2020, the Council approved a rate increase to support the necessary capacity to expand program efforts in general, and specifically including SCM compliance oversight. In August, 2020, NCDEQ audited the Town's performance for its permit. Past oversight of SCM maintenance was a recognized permit performance deficiency. Moving forward with a compliant and comprehensive Town wide SCM maintenance oversight program is also seen as an immediate and effective action that the Town can take for flood/climate change resilience since there are many existing SCMs for which performance can be improved with proper maintenance, and risks of poorer future performance can also be avoided through preventative maintenance.

Status: Active. The concept that staff are moving forward with, given the above, is to move forward with the SCM maintenance and inspection program activities with goals of:

- 1) A letter being sent to all owners of Town permitted SCMs outlining their responsibilities and clear communications about the program and what will be happening going forward (initiated in November);
- 2) All owners of Town permitted SCMs being required to initiate their own annual reporting of their maintenance and inspection efforts by the end of 2021;
- 3) Stormwater staff committing to complete staff inspections of all Town permitted SCMs by the end of 2022.

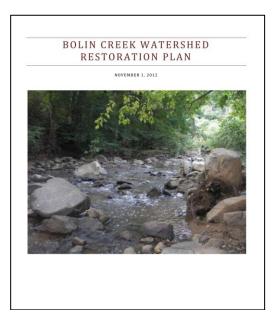
Staff have been reporting on activities to the Stormwater Advisory Commission since October. More than 20 letters have been written to SCM property owners, representing about half of the entire SCM inventory. The response has in general acknowledged an interest in pursuing the maintenance, inspection and reporting being requested. Letters to the remaining owners are planned for the coming weeks.

Fiscal and Staffing Considerations: This activity is requiring a significant amount of staff time.

Additional Information: http://www.townofcarrboro.org/751/Maintenance-and-Inspection

¹ Section 15-263.1 Maintenance of Structural BMPs

7. Bolin Creek Watershed Restoration Plan Implementation



Regulatory Requirement: The downstream extent of Bolin Creek in Carrboro, and continuing into Chapel Hill, is on the state/federal list of impaired waters. Local actions are needed to improve water quality.

Background: Carrboro staff worked with Chapel Hill and other local, state and federal agency staff in 2006 to create the Bolin Creek Watershed Restoration Team (BCWRT) because of the impaired waters listing. At the time, the Bolin Creek watershed was selected as one of only 7 watersheds in the state to receive focused state and federal assistance in preparing grant applications and leveraging other resources to remove Bolin Creek from the impaired waters list. The BCWRT's long term goal is to improve the health of Bolin Creek and its tributaries and remove it from the impaired waters list. This is an ambitious goal that will require a robust commitment for many years to come.

Status: Active. Since 2012, watershed restoration plan implementation has been inactive since 2012 due to insufficient staff capacity and funding resources. In early spring, 2021, the Town Council approved and the Stormwater Advisory Commission reviewed the submittal of an EPA/NCDEQ 319 grant application with 3 HOAs in the Bolin Forest neighborhood and other partners to address an eroding gulley as a restoration and demonstration project. **The application was submitted in early May, 2021; awards will occur later in 2021.** If successful, work would commence in 2022.

Fiscal and Staffing Considerations: The application is based on the Town offering an in kind but not cash match for the grant. There would be a staff impact with grant administration.

Additional Information:

https://townofcarrboro.org/280/Bolin-Creek-Watershed-Restoration



File Number:21-8

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type:Agendas

TITLE: Fire Department Monthly Report PURPOSE: To provide the Town Council a monthly overview of calls for service. DEPARTMENT: Fire Department

CONTACT INFORMATION: Chief David Schmidt, (919) 918-7349

INFORMATION: This report will provide information on Fire Department calls for service that occurred in Carrboro, South Orange Fire District, and neighboring jurisdictions.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: Staff recommends the report be received and accepted.

Carrboro Fire Rescue Department

May 2021 Incident Data



			Ov	erpressure /		Hazardous		Hazardous											
		Fire		Rupture		EMS		Condition Service Call			Good Intent			False Alarm		Special Incident		Total #	Total %
Location	#	%	#	%	#	%	#	%	#	%	#	%		#	%	#	%		
Carrboro	6	66.7%	0	0.0%	64	84.2%	12	75.0%	9	90.0%	(5	40.0%	10	90.9%	2	66.7%	109	77.9%
South Orange	2	22.2%	0	0.0%	12	15.8%	2	12.5%	1	. 10.0%		2	13.3%	1	9.1%	1	33.3%	21	15.0%
Chapel Hill	0	0.0%	0	0.0%	0	0.0%	1	6.3%	0	0.0%		3	20.0%	0	0.0%	0	0.0%	4	2.9%
North Chatham Fire District	1	11.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		L	6.7%	0	0.0%	0	0.0%	2	1.4%
Orange Grove Fire District	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%		2	13.3%	0	0.0%	0	0.0%	2	1.4%
White Cross Fire District	0	0.0%	0	0.0%	0	0.0%	1	6.3%	0	0.0%		L	6.7%	0	0.0%	0	0.0%	2	1.4%
Grand Total	9	100.0%	0	0.0%	76	100.0%	16	100.0%	10	100.0%	1	5 1	L 00.0 %	11	100.0%	3	100.0%	140	100.0%

Fire	Examples include any type of fire; structure, vehicles, vegetation, rubbish, other outside fires
Overpressure/Rupture	This is an overpressure or rupture of air, steam, or gas where there is no associated fire
EMS	Any type of medical call or rescue of a person in distress
Hazardous Condition	Any type of condition where no fire exists - fuel/chemical spills, electrical equipment failure
Service Call	Examples of Public service incidents include: lockouts, water leaks, assisting other public agencies
Good Intent	Examples of good intent incidents include: steam mistaken for smoke, authorized controlled burns, no incident found at the location
False Alarm	Examples of false alarms include: alarms sounding due to a malfunction or the unintentional activation, and malicious false alarms.
Weather	Examples of weater incidents include: earthquakes, floods, damage assessments, or weather spottiing
Special Incident	Example of special incidents include: citizen complaints due to code or ordinance violations



File Number:21-227

Agenda Date: 6/15/2021

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Consideration of Human Services Funding for FY 2021-2022 **PURPOSE:** The purpose of this item is for the Carrboro Town Council to consider human services funding recommendations for FY2021-2022. **DEPARTMENT:** Housing and Community Services

CONTACT INFORMATION: Anne-Marie Vanaman, Management Specialist, 919-918-7321, amvanaman@townofcarrboro.org <mailto:amvanaman@townofcarrboro.org>

INFORMATION: The Town Manager's Recommended Budget for FY21-22 includes an appropriation of \$274,000 to be distributed to local nonprofit agencies providing services to the residents of Carrboro.

Beginning in January 2021, the Human Services Advisory Commission reviewed 47 funding applications requesting a total of \$550,869, twice the amount of appropriated funding. The Commission conducted public hearings in February and March and made their funding recommendations on March 22, 2021.

The Human Services Commission noted that nonprofits were experiencing increased financial and service capacity strain due to the pandemic and took this into account during their deliberations. Their recommendation can be found as Attachment B and their recommended allocations in Attachment C.

FISCAL & STAFF IMPACT: The FY21-22 Town Adopted Budget includes an appropriation of \$274,000. Staff impact is not anticipated.

RECOMMENDATION: Staff recommends the Council consider approving the Human Services funding recommendations as indicated in Attachment C of this agenda item. A resolution approving Human Services funding recommendations is provided as Attachment A.

A RESOLUTION APPROVING THE HUMAN SERVICES ADVISORY COMMISSION FUNDING RECOMMENDATIONS FOR FISCAL YEAR 2021-2022

June 15, 2021

WHEREAS, the Town of Carrboro established as a policy to support human services agencies that provide invaluable services to Carrboro citizens; and

WHEREAS, forty-seven (47) agencies applied for funding through the established Human Services funding process; and

WHEREAS, the Human Services Advisory Commission has reviewed all the applications that applied for funding in the 2021-2022 funding cycle; and

WHEREAS, the Town of Carrboro's budgeted human services funding level for fiscal year 2021-2022 is \$274,000; and

WHEREAS, the Human Services Advisory Commission recommended funding forty-five (45) agencies for a total of \$274,000.

NOW THEREFORE, THE CARRBORO MAYOR AND TOWN COUNCIL RESOLVE THAT:

Section 1. The Carrboro Town Council approves and allocates the funding recommendations of the Human Services Advisory Commission as indicated in Attachment C of this agenda item for fiscal year 2021-2022 in the amount of \$274,000.

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

Attachment B



TOWN OF CARRBORO

Human Services Advisory Commission

301 West Main Street, Carrboro, North Carolina 27510

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

MARCH 22, 2021

Human Services Funding Recommendations

Motion was made by Vijay Vsivaram, and seconded by Quinton Harper, that the Human Services Advisory Commission recommends that the Town Council consider the following nonprofit funding recommendations reflected below and in the attached document:

The Human Services Advisory Commission received 47 applications for funding for FY21-22.

With \$274,000 available in Human Services funding for FY21-22, the Human Services Commission recommends to fund 45 non-profits for a total of \$274,000. The recommended allocation of funds is reflected in the attached document.

Comments:

VOTE: YES: (5) Wes Knepper, Janet Archer, Lisa Hazirjian, Quinton Harper, Vijay Vsivaram ABSENT/EXCUSED: (Vicky Cruz) NOES: (0) ABSTENTIONS: (0)

By a unanimous show of hands, the <u>Human Services Commission</u> membership also indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

(Date)

Agency	Pre-COVID Received FY2020	Re	eceived FY2021		Requested FY2022	Recommended FY2022	% Change from FY2021 award	Staff Notes
A Helping Hand	\$ 2,700	\$	2,250	i .	5,000	\$ 1,500	-33%	
Art Therapy Institute	\$ 5,400	\$	4,000	\$	10,000	\$ 3,500	-13%	
Big Brothers Big Sisters	\$ 3,600	\$	2,125	\$	5,000	\$ 2,000	-6%	
Book Harvest	\$ 900	\$	500	\$	-	\$ -	-100%	Did not apply
Boomerang Youth, Inc.	\$ 3,150	\$	3,000	\$	5,000	\$ 2,700	-10%	
Bridge II Sports	\$ -	\$	-	\$	-	\$ -	-	Did not apply
CH-Carrboro Public School Foundation	\$ 1,000	\$	500	\$	3,000	\$ 900	80%	Received CARES ACT funds, \$2,500
Chapel Hill - Carrboro Meals on Wheels	\$ 13,500	\$	15,000	\$	16,500	\$ 12,800	-15%	Received CARES ACT funds, \$1,125
Chapel Hill Training & Outreach- Kidscope	\$ 2,250	\$	1,000	\$	2,000	\$ 1,000	0%	
Charles House Assoc.	\$ 900	\$	1,000	\$	1,500	\$ -	-100%	Decided not to fund due to lack of follow-through on prior Commission recommendations.
Child Care Services Assoc.	\$ 5,850	\$	4,625	\$	7,500	\$ 3,800	-18%	
Club Nova Community Inc.	\$ 19,000	\$	20,000	\$	22,000	\$ 18,000	-10%	Received CARES ACT funds, \$1,000
Community Empowerment Fund	\$ 2,700	\$	2,600	\$	6,000	\$ 2,600	0%	Received CARES ACT funding, \$4,000
Compass Center	\$ 9,000	\$	9,000	\$	9,900	\$ 8,000	-11%	
Diaper Bank of NC	\$ 900	\$	3,500	\$	5,000	\$ 3,000	-14%	Received CARES ACT funds, \$2,500
Dispute Settlement	\$ 7,200	\$	5,000	\$	10,000	\$ 5,000	0%	
Duke Hospice	\$ 3,400	\$	1,500	\$	3,500	\$ 1,000	-33%	
El Centro Hispano	\$ 18,000	\$	20,000	\$	25,000	\$ 19,500	-3%	Received CARES ACT funds, \$5,990
El Futuro, Inc	\$ 8,000	\$	7,000	\$	8,500	\$ 6,200	-11%	Received CARES ACT funds, \$1,455
EmPOWERment Inc.	\$ 8,100	\$	20,875	\$	35,000	\$ 19,200	-8%	Received CARES ACT funds, \$4,000
Exchange Club Family Center	\$ -	\$	500	\$	500	\$ 500	0%	
Farmer Foodshare	\$ 900	\$	500	\$	-	\$ -	-	Did not apply

Agency	Pre-COVID Received FY2020	Re	ceived FY2021	Requested FY2022	Recommended FY2022	% Change from FY2021 award	Staff Notes
Freedom House Recovery Center	\$ -	\$	-	\$ 18,579	\$ 8,500	-	1st time applying after a 2 year gap
Friends of the Robert and Pearl Seymour Center	\$ 900	\$	500	\$ -	\$ -	-	Did not apply
Grow to Life / CH Parks & Rec	\$ -	\$	-	\$ 9,000	\$ 3,400	-	1st time applicant
Hope Renovations	\$ 900	\$	500	\$ 5,000	\$ 1,000	100%	
IFC for Social Service	\$ 11,000	\$	20,000	\$ 75,000	\$ 25,000	25%	Received CARES ACT funds, \$5,680
IFC for Social Service(Food for the Summer)	\$ 1,350	\$	2,000	\$ 2,000	\$ 1,500	-25%	
Marion Cheek Jackson Center for Saving/Making History	\$ 6,300	\$	5,500	\$ 9,000	\$ 6,000	9%	Received CARES ACT funds, \$5,500
OE Enterprise, Inc.	\$ 3,600	\$	1,500	\$ 4,000	\$ 1,900	27%	Received CARES ACT funds, \$500
Orange Co Literacy Council	\$ 4,500	\$	3,000	\$ 5,500	\$ 3,000	0%	
Orange Co Partnership for Young Children	\$ 5,400	\$	3,500	\$ 4,500	\$ 3,000	-14%	
Orange Co Rape Crisis Center	\$ 16,000	\$	16,500	\$ 20,000	\$ 15,000	-9%	Received CARES ACT funds, \$500
Orange County Dept on Aging(Senior Lunch Program)Volunteer Connect 55+	\$ 4,500	\$	4,250	\$ 6,450	\$ 3,500	-18%	
Orange County Living Wage	\$ 500	\$	500	\$ 1,000	\$ 650	30%	
Oxford House	\$ -	\$	-	\$ 14,000	\$ 6,500	-	1st time applicant
Pathways to Change	\$ 1,800	\$	500	-	-	-	Did not apply
Piedmont Health Services	\$ 8,100	\$	21,750	\$		0%	
Piedmont Wildlife Center	\$ -	\$	-	\$ 4,500	500	-	1st time applicant
Planned Parenthood South Atlantic	\$ 900	\$	1,000	\$ 1,000	\$ 860	-14%	
PORCH, Inc.	\$ 4,500	\$	4,750	\$ 5,940	\$ 4,250	-11%	Received CARES ACT funding, \$2,500
Rebuilding Together of the Triangle, Inc.	\$ 5,000	\$	3,000	\$ 5,000	\$ 2,865	-5%	
Refugee Community Partnership	\$ 5,400	\$	7,000	\$ 15,000	\$ 7,000	0%	Received CARES ACT funds, \$10,000

Agency	Pre-COVID Received FY2020	Re	eceived FY2021	Requested FY2022	R	ecommended FY2022	% Change from FY2021 award	Staff Notes
RENA-Rogers Eubanks Neighborhood Assoc.	\$ 10,000	\$	18,000	\$ 65,000	\$	21,200	18%	Received CARES ACT funds, \$4000
Senior Care of Orange	\$ 900	\$	775	\$ -	\$	-	-100%	Did not apply
TABLE	\$ 9,000	\$	9,500	\$ 15,000	\$	8,000	-16%	Received CARES ACT funds, \$3,750
The ARC of the Triangle	\$ 5,400	\$	4,000	\$ 7,500	\$	3,400	-15%	
Town of Chapel Hill Police Dept.	\$ 9,000	\$	8,875	\$ -	\$	-	-100%	Did not apply
Transplanting Traditions Community Farm, Inc.	\$ 5,400	\$	5,500	\$ 7,000	\$	5,000	-9%	
Triangle BikeWorks	\$ 2,700	\$	-	\$ 5,000	\$	2,500	-	Donated their FY21 \$775 award. Piedmont Health was the recipient.
Triangle Disability Awareness	\$ 4,500	\$	4,125	\$ 26,000	\$	4,125	0%	
Voices Together	\$ -	\$	-	\$ 5,000	\$	-	-	1st time applicant. Not serving Carrboro yet.
Volunteers for Youth, Inc.	\$ 2,700	\$	2,000	\$ 2,000	\$	1,400	-30%	
WCOM-LP Radio(Public Gallery of Carrboro)	\$ 1,000	\$	1,000	\$ 2,000	\$	1,000	0%	
	\$ 247,700	\$	274,000	\$ 550,869	\$	274,000	0%	



File Number:21-126

File Type: Agendas

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TITLE:

Update on the Town of Carrboro's Racial Equity Initiative and the One Orange County Racial Equity Plan: A Framework for Moving Forward

PURPOSE: To provide the Town Council with an update on the town's race and equity work and an overview of the Framework for moving forward with the Countywide Racial Equity Plan. **DEPARTMENT:** Town Manager

CONTACT INFORMATION: Anita Jones-McNair - 919.918.7371

INFORMATION: On October 6, 2020, the Town Council received the last racial equity initiative update and supported staff moving forward with an Orange County Racial Equity planned approach. This plan includes working collaboratively with Orange County and the Towns of Chapel Hill and Hillsborough. After each governing body agreed, Carrboro staff along with staff from each jurisdiction began working in five multi-jurisdictional subcommittees on separate parts of the racial equity plan. The subcommittees led by at least one jurisdictional lead involve Training, Racial Equity Tool Kit, Community Engagement, Racial Equity Index, and Evaluation and Accountability.

The work of the subcommittees will be the basis of the racial equity plan. Staff is planning to include a few other sections in the plan such as:

Definition Section- The public and stakeholders can fully understand the terminology used throughout the document.

History- This summer we will engage local historians to include the racialized history of Orange County as part of the Plan.

Graphic and Economic Data Analysis - Each jurisdiction can assess whether a disparity study is needed before entering into any race- or gender- based remedial programs so that each project developed based on racial equity principles can withstand scrutiny in a court of law.

The subcommittees adhered to the projected timeline found in Section III of the Framework. Prior to bringing

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type: Agendas

this document to the Elected Officials, team members conducted some preliminary community engagement. Staff held a Public Comment Period and an Information Session on the Racial Equity Framework for leaders of Community groups to provide feedback on the framework and on how to engage with the communities they serve. A sample of those community stakeholders are included in Section IV of the attached Framework. We received one comment during this period; but between 40 - 50, stakeholders came to the Community Forum and actively participated in a discussion about the Framework. The overarching themes of the responses received were:

- 1. The Community wanted to be involved in developing a racial equity plan;
- 2. The Community thought we must reach out to marginalized communities; and
- 3. The Community believed we must get schools involved in our Plan.

Once we receive all the feedback from each jurisdiction, we will incorporate the changes into our Plan as well as the feedback from the community stakeholders.

<u>Next Steps</u>

Provide information to Elected Officials - An updated summary of the town's equity work and the Orange County Racial Equity Framework/Report (see Attachments A and B) provided to Carrboro Town Council and a presentation to Orange County Commissioners - June 15, Chapel Hill Town Council - June 23 and Hillsborough Town Council - June 28, 2021.

Community Engagement - Over the summer, we plan to conduct additional community engagement. The Racial Equity Plan Framework has been translated into Spanish, Chinese, Burmese and Karen. We will take the racial equity plan to communities of color and other community groups to get their feedback on the plan. We will also reach out to both school systems to see if they want to join us in this process. A social media consultant was hired to provide information and get feedback from diverse groups of residents about the racial equity plan.

Training Racial Equity Foundation Training - The Carrboro CORE Team has almost completed providing training to their employees on the Racial Equity Foundations Training and starting to provide this training to their Advisory Boards and Commissions. County employees have received DEI Training, while not the same as the Foundation training; we would like to bypass employees and begin training County Boards and Commissions on the Racial Equity Foundations Training. We believe that the next training employees may need is anti-bias training.

Racial Equity Tool Kit - We plan to train a small group on the racial equity review process so we can begin piloting in each jurisdiction to see how it works in the field.

Subcommittees- The multi-jurisdictional subcommittees will continue working on their specific sections of the

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type: Agendas

Plan during the summer. The intent is that all jurisdictions will work on these efforts as a team. In the fall, we will hold a public hearing or a series of public hearings on the draft of the Final Plan prior to bringing the Racial Equity Plan to the Elected Officials.

FISCAL & STAFF IMPACT: There is no financial impact associated with this item.

RECOMMENDATION: Staff recommends the Town Council receive the report and share any written comments to help shape the framework/report.

RACE AND EQUITY WORK Update

At a Glance

Action Item	Time line	Responsibility	Other information		
Town Council established the Racial Equity Commission Adopted Town Code Amendment and appointed members	1/19/2021 4/20/2021	Town Council Mayor Pro Tem Foushee Council member Haven- O'Donnell Race and Equity Officer	Inaugural meeting of commission is scheduled for 6/23/2021		
Advancing Racial Equity: The Role of Government training for employees	Scheduled completion - July 2021 On-going as new employees are hired	Race and Equity Officer CORE Team	82% of all staff members trained. Collaborate with county jurisdictions on future training offerings.		
Can We Talk Sessions for employees	January – July 2021 Continued monthly/quarterly options	Race and Equity Officer CORE Team	Current sessions support training and normalize the conversation. Supplement with additional activities such as current event/news articles and elaboration on terms/definitions.		
Collaborating with County jurisdictions on Racial Equity Plan	Started in February 2021 Presentation scheduled to Elected Officials – June and Fall 2021	Jurisdictional Team Leads CORE Team Sub-committee members	Initially subcommittees formed to assist with this effort.		
Diversity, Equity and Inclusion in the Workplace Certification	Completed 3 month course in May 2021	Race and Equity Officer	University of South Florida, Muma College of Business		
Attended the Annual GARE Meeting – "Democracy for All: Governing for Racial Equity"	May 2021	Race and Equity Officer CORE Team Member	The Race and Equity Officer presented at the session - GARE Racial Equity Employee Survey: Leveraging Insights into Action.		
Update jurisdictions on race and equity work and County Racial Equity Plan	June 15, 2021	Race and Equity Officer	Dates vary for other jurisdictions		
Boards, Commissions and Task Force racial equity training	June 2021 – ongoing	Race Equity Officer CORE Team	Carrboro Comprehensive Plan Task Force – June 2021 Racial Equity Commission – July 2021		
Second Racial Equity Employee Survey	June-July 2021	GARE Race and Equity Officer HR	Employee survey results go directly to GARE for analysis. The Town receives an executive summary and report of findings. Opportunity to compare with 2019 survey.		
Column in Employee Newsletter	Beginning July 2021 Ongoing	Communications Manager CORE Team	Include updated information and resources.		
Offer Race the Power of Illusion Episodes 1 and 2 videos to employees	July and August	Race and Equity Officer CORE Team	Opportunity to normalize the race and equity work		

Update GARE Initiative	Ongoing	CORE Team	Add information such as articles,
Folder on Intranet for			definitions of terms, and other
employees (resources)			resources.

I. INTRODUCTION AND OVERVIEW

The Orange Countywide Racial Equity Plan: A Framework for Moving Forward is being developed with a commitment that we will uncover and address implicit biases in our institutions to ensure that race no longer can be used to predict life outcomes in our community. Between October 2020 and January 2021 elected officials of the Towns of Carrboro, Chapel Hill, Hillsborough and Orange County were provided with a Progress Report on Racial Equity and agreed to advance racial equity countywide. (See Appendix A)

This Progress Report was given to elected officials and other stakeholders on the multi-jurisdictional workgroup tasked with drafting the Orange Countywide Racial Equity Plan on April 16, 2021. The multi-jurisdictional task force has employees from the Towns of Carrboro, Chapel Hill, Hillsborough, and Orange County. Carrboro, Chapel Hill, and Orange County completed the Government Alliance on Race and Equity (GARE) North Carolina Cohort Racial Equity Capacity Building training. Hillsborough is a GARE member and may participate in the Capacity Building training later but has been through GARE's foundational training.

II. COMMITTEE REPORTS

In January 2021, the GARE Task Force established subcommittees to work on each section of the plan. The five multi-jurisdictional subcommittees are led by at least one jurisdictional member, and includes staff from each jurisdiction. The subcommittees are: Training, Racial Equity Tool Kit, Community Engagement, Racial Equity Index, and Evaluation and Accountability. Here are the Subcommittee Reports:

A. Racial Equity Tool Kit (Carrboro Lead, Anita Jones-McNair)

The Racial Equity Tool Kit Subcommittee conducted preliminary research on how to design a tool that evaluates jurisdictional governance. Using a Countywide process to dismantle institutional and structural racism provides consistency, assurance, and accountability for county residents. This evaluation process can evaluate policies, practices, services, and new initiatives that impact racial equity.

Just to recap the purpose of this tool, the Racial Equity Tool evaluates new and/or existing policies, practices and initiatives through a racial equity lens. Hopefully the evaluation results align with racial equity goals. The tool was designed to compile and examine the following information:

- 1. Desired Results
- 2. Data Collection & Analysis
- 3. Community Engagement/Partnership
- 4. Strategies
- 5. Implementation
- 6. Communication, Evaluation, and Accountability

We discovered that through discussion, research, and communication with other jurisdictions using the racial equity tool, more relevant information emerges.

Here is what we know –

- The importance of racial equity evaluation.
- The tool in its current form is difficult and time-consuming to navigate each time a jurisdiction needs to examine services through a racial equity lens, regardless of whether it is a new initiative or existing policy or practice.
- Calibrating how and when the tool/process is used can make a difference in its overall effectiveness.
- Create a fundamental process that allows us to examine services now and prepare for future needs.
- This tool is a work in progress, which includes naming the instrument.

Our goal is to redesign the instrument so that it can be flexible and meet the needs of each jurisdiction. (See Appendix B) We recommend using this tool for one year. After the duration of time, the subcommittee can reconvene to review the instrument's use and necessary updates based on real experiences.

Note that within this summary, the words "tool", "process", "instrument", and "evaluation" are being used interchangeably.

B. <u>Community Engagement (Chapel Hill Co-Leads, Rae Buckley and Sarah Vinas)</u>

The Community Engagement Subcommittee focused on the racial equity principles for conducting community engagement as taught by GARE. The subcommittee includes communication and community engagement staff from Carrboro, Chapel Hill, Hillsborough, and Orange County. Each municipality is experimenting with engagement tactics to reach marginalized communities so the committee focused on establishing shared principles for shifting the power dynamics in government to prioritize the perspective of communities most impacted by racism. The draft principles are listed below:

- 1. Government is committed to change toward a new power dynamic for shared decision-making working together with the community.
- 2. Government will listen, learn, and implement solutions from all communities, especially impacted communities of color.
- 3. Government will co-design desired results and engagement processes (such as the IAP2 Spectrum of Public Participation) with the community.
- 4. Government will provide training and technical assistance for employees seeking to engage and build partnerships with the community.

Racial Equity Index (Orange County Lead, Nancy Coston)

The Racial Equity Index committee will develop a countywide racial equity index and community scorecard to track Orange County's equity metrics. The first work deliverable will be developing an overview of available relevant data and organizing it into a user-friendly public-facing web page. The following action steps and timelines are anticipated:

- Identify key indicators, data sources, and platforms for the overview of Orange County demographics. This overview will include relevant data about race and disparities in critical areas such as income, education, and health. The timeline for completion of this work is June 2021.
- Develop a racial equity index depicting the correlations of key indicators to predict outcomes and impacts on racial disparity in identified critical areas such as income, education, and health. This work will probably require outside resources, and committee members will be meeting with organizations with this capacity. The committee will recommend a methodology for the index by June 2021 and anticipates completing the work by Fall 2021.

C. Training (Hillsborough Co-Leads, Haley Bizzell and Jen Della Valle)

Organizational Capacity

Organizational capacity is a key component in advancing racial equity efforts. This includes a plan to provide training to build capacity to advance and embed racial equity in countywide systems. It is important to provide adequate racial equity training to ensure that employees, elected officials, advisory boards, and community partners learn how to incorporate an equity lens in their everyday work and decision-making processes.

GARE racial equity training topics include:

- History of race
- Implicit and explicit bias
- Institutional and structural racism
- How to use and apply racial equity tools

Targeted training groups:

- Elected officials
- Management/supervisors
- Non-management
- Advisory board members
- Community/business partners
- General public

To ensure that an organization is ready to train the various groups, each organization should look at the organization's readiness to make a change. Leadership needs to be supportive of efforts and there needs to be a clear vision. An organization must also make sure it has the appropriate resources such as staff time and budget. Training can be provided as a requirement for all staff or as a voluntary opportunity.

Appendix "C" has a more detailed framework that has been developed by Town of Carrboro, Town of Chapel Hill, Town of Hillsborough, and Orange County as a set of best practice guidelines to review and consider prior to implementing racial equity training.

D. Evaluation and Accountability (Orange County Lead, Annette Moore)

The Evaluation and Accountability Subcommittee is working on an evaluation plan based on the Results-Based Accountability principles (RBA) framework. The RBA framework provides a disciplined, data-driven decision-making process to help local governments take action to solve problems. RBA is a tool that "starts with the desired result and works backward to the means, to ensure the desired results that your plan works toward community results with stakeholder-driven implementation." Results-based accountability helps distinguish between population level (whole group), and performance measure (activity-specific) indicators that organizations use to determine whether they are having an actual impact. The RBA framework indicates the relationship over time between results, indicators, and activities. It is based on seven questions of population accountability:

- 1. What are the desired results?
- 2. What would the results look like?
- 3. What are the community indicators that would measure the desired results?
- 4. What does the data tell us?
- 5. Who are your partners?
- 6. What works to change the data trend toward racial equity?
- 7. What actions should you start with?

Performance Accountability for Actions: The Road to Getting to Results

In using the RBA framework, the groundwork has already been set. For each community indicator, the group has identified a set of actions. Facilitated action planning sessions help to refine the steps. Population-level indicators and results will then help to build a performance plan. Performance measures will ensure actions or activities are crafted in a way to decrease racial disparities. More details are outlined in Appendix D.

Some questions asked in this process are:

- 1. Who do you serve?
- 2. What is an action's intended impact?
- 3. What is the quality of the action?
- 4. What is the story behind the data?
- 5. Who are the partners with a role to play?
- 6. What works to have a greater impact?
- 7. What are the next steps?

Develop a Stewardship Plan

Some questions asked in creating a stewardship plan are:

- 1. Are there outcomes and actions that are receiving less attention than others?
- 2. Is there a need to change the plan?
- 3. Have plan actions been implemented or are in progress? What do the results indicate as to how to improve?
- 4. Is there an explanation and/or proposal for resolving the issue if there are unmet or blocked actions?

- 5. Are there racially diverse staff working on the plan over the year(s)?
- 6. Are residents of color engaged in the implementation of the plan over the year(s)?
- 7. Are measures being recorded and updated as actions change, or are they completed?
- 8. Is the jurisdiction reporting on challenges and successes?

III. PROJECTED TIMELINE

Below is the Countywide Racial Equity Plan's timeline as well as the projected timeline the GARE Teams have agreed on to complete this project:

October 2019 –	GARE NC Cohort – Building Capacity for Racial Equity
January 2021	of the conort - building capacity for haciar equity
September 2020	Progress report – proposal for Countywide Racial Equity Plan
October 2020	Carrboro and Hillsborough Town Boards and Orange County Board agree to
	Countywide Racial Equity Plan
	Chapel Hill Town Council receives update about Countywide Racial Equity
January 2021	Plan
January 2021	Multi-jurisdictional subcommittees formed
April 2021	Subcommittee progress report to elected officials compiled and shared
	with managers/elected officials
April 2021	Completion of first draft of report framework
April – May 2021	Community/Stakeholder Engagement Comment Period
May 2021	Initial review and comment period by elected officials
May 2021	Review and Finalize Plan by Subcommittees and Co-Leads
June 2021	Approval by elected officials of the first draft with additions, changes, or
	comments
June – August 2021	Review of changes and finalization of draft plan by committee
September – October	Countywide public hearing
2021	
Fall 2021	Review of draft for approval by elected officials

IV. NEXT STEPS

I. Next Steps

- 1. Progress report submitted to managers and elected officials.
- 2. Preliminary engagement of some stakeholders answering questions about the plan.
- 3. Include responses in the background information of the racial equity action plan.
 - a. Examples of Community/Stakeholder Engagement
 - Chapel Hill-Carrboro of the NAACP members
 - Northern Orange Branch of the NAACP members

- El Centro Hispano members
- Human services agency groups
- Marian Cheek Jackson Center
- Public housing residents
- Inter-Faith Council residents
- Refugee Community Partnership members
- Refugee Support Center
- Long -Term Recovery Groups/contacts
- Orange County Changemakers
- Orange County Partnership to End Homelessness
- Local Reentry Council
- Orange County Community Remembrance Coalition
- Rogers-Eubanks Neighborhood Association (RENA)
- Cedar Grove Community Center
- United Voices of Efland Cheeks
- Orange Congregations In Missions
- b. Community/Stakeholder Engagement Questions
 - What three results would you like to see as a result of this plan?
 - What sections of this plan will help us achieve those results?
 - Who should be involved in future community engagement?
 - Who is negatively affected by using this framework/plan?
 - What do you see as the most critical racially equitable outcomes?

Please let your GARE Team lead know any comments, questions or concerns you have about this timeline for moving forward.

V. APPENDICES

APPENDIX A. PROGRESS REPORT

Progress Report sent to Carrboro, Chapel Hill, Hillsborough and Orange County elected officials between October 2020 and January 2021. See Link to Orange County Board of County Commissioners' Meeting, October 8, 2020 <u>here.</u>

APPENDIX

APPENDIX B. RACIAL EQUITY TOOL KIT

Racial Equity Review

This review aims to evaluate a new or existing initiative and illustrate how it aligns with the County's or Town's racial equity goals.

JUNE 15. 2021

		JUNE 15, 2021
Name of Initiative (Practice/Project/Service/Policy)	New or Existing?	Who is Conducting Review?
 ORIGIN AND DESCRIPTION OF INITIATIVE For new initiatives – why this initiative a For existing initiatives- include backgrou 	•	milestone dates
DESIRED RESULT		
What specific results/outcomes are inter	nded for the commu	inity or internally?
 DEMOGRAPHICS (be as specific as possible) Who is this initiative focused on? (Neigh What data can you provide to describe y What data is missing? 		ic areas, racial groups, income groups, employees, etc.) on?
DENIE 170		
 BENEFITS Who benefits directly and indirectly from Share any relevant data (link to jurisdiction) 		
 IMPACTS Who is negatively impacted by this initia 	tive? How?	
For new initiatives consider impacts duri	ing and after this init	tiative? How?
 What can be done to mitigate (any) negative Are there any challenges that need to be 		
 Share any relevant data 	e overcome: now:	

JUNE 15, 2021

COMMUNITY ENGAGEMENT

- 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?
- Going forward, how do you plan to include voices of those most impacted / burdened?

ACCOUNTABILITY

- How will the impact of the initiative be measured?
- How will you share results with your department and leadership?
- How will you share results with community members and stakeholders?
- How will you incorporate feedback from community members and stakeholders?

APPENDIX

APPENDIX C. TRAINING/ORGANIZATIONAL CAPACITY FRAMEWORK

Purpose: The training committee will develop a plan to provide training to policymakers, managers, staff, boards and commission members, community partners, and the general public to build capacity to advance racial equity and to embed racial equity into countywide systems.

1. Each organization should identify the following prior to providing racial equity training:

- a. Organization's racial equity vision this will allow the organization to determine how the training can align with and make progress toward the overall equity vision.
- b. Purpose of the training
- c. Training goals
- d. Assessment of what has already been done, such as policy revisions and previous trainings including the content, focus, and perspectives of previous trainings.
- e. Next steps after training and who is responsible for moving those efforts forward.
- 2. Questions to ask prior to training:

- a. What is the staff's capacity to take on this training and time commitment?
- b. Does the organizational culture support candid conversations around race and equity? See Organizational Capacity section below.
- c. Is leadership invested in transformative change?
- d. What do employees expect and/or want to get out of the training? Training can then be tailored to those interests.
- e. What are timely next steps for participants?

3. Structure of training:

Below are guidelines and/or suggestions and considerations for the structure of racial equity training.

- a. Adapt presentation style for each member group ensuring diversity of participants within each training session.
 - i. Elected officials
 - ii. Management/supervisors
 - iii. Non-management
 - iv. Advisory board members
 - v. Community/business partners
 - vi. General public
- b. Multiple training facilitators across jurisdictions & a technical support person
 - i. Have diverse facilitators to keep trainees engaged including at least one facilitator that is representative of the majority of the group regarding gender and race.
 - ii. Consider having a technical support person to help facilitate.
- c. Offer initial training to start the conversation around racial equity and provide background information.
 - i. Balance lecture with discussion, breakout sessions, and group discussions.
 - ii. GARE training should be completed consecutively.
 - iii. Training length, including the number of days and hours, will likely vary for each organization depending on the culture, goals, purpose of the training, and the number of people in attendance.
- d. Suggested preparation
 - i. Practice presenting the training beforehand.
 - ii. Review GARE's FAQs to prepare for answering staff questions.
 - iii. Share resources including training content and FAQs with facilitators across organizations.

4. Training Content:

- a. Initial background/information session on racial equity. This introductory training would be geared toward new employees or people who have not attended racial equity training. The initial training helps build a shared language and understanding of basic concepts. When presenting the training content, consider varied literacy and learning styles across participants.
- b. On-going/follow-up training
 - i. Implicit and explicit bias

- ii. Institutional and structural racism
- iii. Racial equity tool what it is and how to use it for your organization.
- iv. Inclusive outreach and public engagement
- v. Operationalizing and organizing racial equity
- c. After the training, ask for feedback or an evaluation to help improve future training content.

1. Organizational Capacity:

- a. Organization's culture
 - i. Is the organization ready to make changes to advance racial equity?
- b. Develop, engage and maintain a core team of employees from multiple levels of influence across departments.
- c. Time commitment
 - i. Facilitators and participants
 - ii. Initial training from GARE and learning COHORT process.
 - iii. Train the trainer approach.
 - iv. Management & supervisors time to attend trainings and complete assignments outside of training.
- d. Resources
 - i. Budget
 - ii. Community partners
 - iii. Employee commitment
 - iv. Full-time diversity, equity, and inclusion position
- e. Cross-organizational teams
 - i. Facilitation

VII. APPENDIX

APPENDIX D. EVALUATION AND ACCOUNTABILITY SUBCOMMITTEE

PURPOSE: The Evaluation and Accountability Committee will develop an Evaluation Plan based on the principles of <u>the Results-Based Accountability ("RBA") framework</u>. RBA is a national model and provides a disciplined, data-driven, decision-making process to help local governments take action to solve problems. The approach delineates between community conditions/ results and performance accountability/outcomes. Our Evaluation Plan will help us apply racial equity principles embedded into the Results-Based Accountability (RBA) methodology into the Orange County Racial Equity Action Plan.

Results and Community Indicators that Create Outcomes

- 1. What needs or opportunities were identified during the research and assessment phase of this process?
- **2.** What needs to be different in our jurisdiction's culture, workforce, policies, practices, and procedures?
- 3. What change do we ideally want (not just for what we would settle)?

JUNE 15, 2021

- **4.** What does our jurisdiction define as the most important racially equitable outcomes? (Should be answered by the Community)
- **5.** What are some known racial inequities in your jurisdiction? What does population level data reveal about root causes or factors influencing the racial inequity?
- 6. What are the root causes or factors creating these racial inequities?
- 7. How does your jurisdiction's relationship with communities of color need to change?
- 8. How can those most adversely affected by an issue be actively involved in solving it?
- **9.** How will proposed outcomes address root causes of racial disparities and advance institutional and/or systemic change?
- **10.** What government programs will this proposal impact? What are the opportunity areas? I.e. budget, health, jobs, social services, criminal justice?
- **11.** How do you ensure your proposal is working and sustainable over time?

Creating Actions to Achieve Outcomes

- 1. Were actionable solutions identified during the information gathering phase of this process by communities of color?
- 2. Which actions were identified as priorities by the communities of color?
- 3. What is a specific change in policy, practice, or procedure that could help produce more equitable outcomes? Are these changes working together, in a complementary way?
- 4. How will an action decrease racial disparities?
- 5. Are there any unintended consequences? Who benefits; who will be burdened? Can they be mitigated?
- 6. Will the proposal impact specific geographic areas and what are the racial demographics of those areas?
- 7. What capacity is needed to successfully implement the action? Is it adequately funded?
- 8. How will an action be implemented and by whom?
- 9. Is the action achievable within the lifetime of the plan?
- 10. Is the action measurable and how will it be measured?
- 11. What performance level data is available for the proposal? Are there gaps in the data that need to be filled and/or tell us about the racial inequity in our community.
- 12. How will the racial equity plan be communicated, internally and externally? Is the communication reaching the intended audience?
- 13. How can the plan be systematized?

Who is Responsible or Accountable for Completion of Each Action (Stewardship Plan)

- 9. Ongoing coordination
 - a. What is needed?
 - b. Who is accountable?
 - c. How will they be held accountable?
 - d. Is the plan durable?
 - e. Does the plan allow for continuity and succession?
- 10. Ongoing, Racially Equitable and Relevant Engagement

- a. Community Engagement
- b. Stakeholder Engagement
- c. Staff Engagement
- d. Boards and Commissions
- e. Elected Officials
- 11. Annual Progress Reporting prior to the Budget Process
 - a. Are there outcomes and actions that are receiving less attention than others?
 - b. Is there a need to change the plan? (Process Improvements annually)
 - c. Have plan actions been implemented or are in progress? What do the results indicate as to how to improve?
 - d. If there are unmet or blocked actions, is there an explanation and/or proposal for resolving the issue?
 - e. Are racially diverse staff working on the plan over the year(s)? How many?
 - f. Are residents of color engaged in the implementation of the plan over the year(s)? How many?
 - g. Are measures being recorded and updated as actions change or are completed?
 - h. How many citizens are engaged?
 - i. Each jurisdiction reports on challenges and success annually to elected officials.
- 4. What are the resource gaps?
- 5. How will we prioritize the needs?
 - a. What is needed?
 - b. Who is accountable?
 - c. How will they be held accountable?
 - d. Is the plan durable?
 - e. Does the plan allow for continuity and succession?



Agenda Item Abstract

File Number:21-217

Agenda Date: 6/15/2021

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Authorization to Expend Up an Additional \$250 to Support the Town of Carrboro and Town of Chapel Hill Pride Food Truck Rodeo

PURPOSE: The purpose of this item is to authorize the expenditure of an additional \$250 from the Town Council contingency fund for the purposes of supporting Carrboro Pride Food Truck Rodeo.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Dorando

INFORMATION: Mayor Lavelle is working with the Town of Chapel Hill to plan a joint celebration of Pride month in June. A food truck rodeo at Town Commons is being planned for June 24. On May 11, the Town Council authorized up to \$500 for the event. Since that time, Council Member Haven-O'Donnell has requested that the Town contribute supplies and artist fees for the painting of a commemorative picnic table that will be placed at Town Hall for all to see and use. This request is for an additional \$250 for a total funding requested of \$750.

FISCAL & STAFF IMPACT: The fiscal impact will result in the appropriation of up to \$750 from the Town Council Contingency Fund.

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

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE TOWN COUNCIL CONTINGENCY FUND

NOW, THERFORE BE IT RESOLVED BY THE CARRBORO TOWN COUNCIL THAT:

Section 1: That staff may expend up to \$750 to support the costs associated with the Town of Carrboro and Town of Chapel Hill Pride Food Truck Rodeo at Town Commons on June 24.

Section 2: That the Town Clerk shall file a copy of this resolution with the Finance Director.

Section 3: This resolution is effective immediately.



Agenda Item Abstract

File Number:21-188

File Type: Agendas

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1

TITLE:

Authorization for Stormwater Infrastructure Improvements along High and West Main Streets **PURPOSE:** The purpose of this item is for the Town Council to approve public stormwater infrastructure improvements along High and West Main Streets.

DEPARTMENT: Public Works, Finance

CONTACT INFORMATION: Randy Dodd, Stormwater Utility Manager 919-918-7341; Joe Guckavan, Public Works Director, 919 918-7427; Cary McNallan, Budget Analyst 919-918-7301; Arche McAdoo, Finance Director, 919-918-7439

INFORMATION: In 2019, the Council directed staff to study the High St., Dillard St., Goldston Ave, and W. Main St. drainage system and identify potential improvements. Sungate Design Group completed a study (7/2020, attached) which identifies two alternatives. The first redirects some of the runoff from High Street, all of which currently flows down along Goldston Drive, to West Main Street, thereby reducing the impacts along and downstream of Goldston Drive. The second alternative pursues further improvements along and downstream of Goldston Drive, with a good deal of required improvements entirely on private property. Staff would like to move forward with Alternative 1 at this time since a) this project has a clear public purpose and benefit; b) this alternative is substantially less expensive and Enterprise funds are immediately available; and b) the improvements are relatively straightforward and do not require much more extensive and complex coordination with private property owners, and associated uncertainty. Alternative 1 will likely require temporary and permanent easements for roadside ditches for two residential properties at 119 High Street and 814 West Main Street. Staff have reviewed the study with NCDOT since the improvements would direct more water to the West Main Street underground stormwater infrastructure, and determined that the West Main system is adequately sized and in suitable condition to accept the additional drainage. If approved, engineering work is planned for this summer and construction work would be bid and pursued in the fall. The procurement policy for involving Minority- and Women-owned Business Enterprises (MWBE) for construction projects (2020) will be followed. Staff intend to also pursue additional outreach to neighborhood residents and further study Alternative 2 to determine the feasibility and potential costs and benefits in the coming months.

FISCAL & STAFF IMPACT: It is estimated that up to \$35k is needed for the preliminary engineering work and an additional \$100k for construction. Staff time for project coordination with contractors and residents in the neighborhood will also be needed. Staff have pursued some neighborhood outreach, and plan to do more before and during construction.

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type: Agendas

RECOMMENDATION: Staff recommends that the Council adopt the resolution (Attachment A) authorizing infrastructure improvements along High and West Main Streets with funding from the Stormwater Enterprise Fund and authorizing the Town Manager to enter into an engineering services contract with Sungate Design Group, and a construction contract once the engineering services and an informal construction bid process are complete

ATTACHMENT A

CAPITAL PROJECT ORDINANCE FOR INFRASTRUCTURE IMPROVEMENTS TO REDUCE DRAINAGE IMPACTS FOR WEST MAIN STREET NEIGHBORHOOD

WHEREAS, in April 2019, the Carrboro Board of Aldermen directed Town staff to study drainage in a catchment along Dillard, Goldston, High, and West Main Streets to identify potential improvements; and,

WHEREAS, Sungate Design Group has completed a study of the area and identified alternatives for the Town to consider; and,

WHEREAS, Town and Sungate staff have conferred with NCDOT since West Main Street is a State road, and have also performed a CCTV study of the underground infrastructure to determine its condition at NCDOT's request; and

WHEREAS, based on Sungate and NCDOT recommendations, Town staff recommends that the Town undertake Alternative 1 identified in the Sungate report (July, 2020) for improvements along High Street and West Main Street; and

WHEREAS, implementation of Sungates's Alternative 1 will result in less runoff and associated impacts along and downstream of Goldston Drive; and

WHEREAS, to complete the project it could be necessary to obtain temporary and permanent easements for roadside drainage improvements at 814 West Main Street and 119 High Street, and

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO THAT:

Section 1: The Council authorizes infrastructure improvements to reduce drainage impacts for the West Main Street Neighborhood in an amount not to exceed \$155,000 as follows:

Preliminary Engineering	\$ 35,000
Easements	\$ 20,000
Construction	\$ 100,000.

Section 2. The funding in Section 1 above is hereby appropriated from the Stormwater Utility Enterprise Fund.

Section 3: The Town Manager is authorized to solicit a firm for engineering services for the project. Any contract for construction services will be awarded after completion of the engineering services and a construction bid process.

Section 4: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

WEST MAIN STREET FLOOD STUDY

Preliminary Hydrologic Report

FOR

THE TOWN OF CARRBORO PUBLIC WORKS DEPARTMENT



UT to Toms Creek at 1100 W. Main Street

PREPARED BY:





7/1/2020

905 Jones Franklin Road Raleigh, NC 27606 Engineering Firm License No. C-890

WEST MAIN STREET FLOOD STUDY

I. Study Location

The West Main Street study area includes approximately 80 acres of urban watershed (See Appendix A & B) that is comprised mostly of single and multi-family residential. The drainage basin is generally bounded by Simpson Street on the west, North Greensboro Street to the north, High Street on the east, and West Main Street to the south. The study area drains to West Main Street and terminates at the outlet of an existing 54" pipe under West Main Street, between Simpson Street and Pine Hill Drive, into an Unnamed Tributary to Tom's Creek.

II. Project Background

The purpose of this study is to create a hydrologic model (HydroCAD) for use in the investigation of existing stormwater collection systems and analysis of alternatives for improving and optimizing drainage within several sub-basins of the larger watershed. The hydrologic model extends downstream to the confluence with an Unnamed Tributary to Tom's Creek and simulates past and present conditions for the purpose of analyzing the effects of development on the existing stormwater infrastructure. The current conditions model can be used as a baseline for simulating future improvements and analyzing the impacts of those improvements at points of interest throughout the study area.

In October of 2014, Sungate Design Group drafted a Preliminary Engineering Report for the Town of Carrboro Public Works Department in response to ongoing flooding complaints in the area of 1000 West Main Street. The preliminary report detailed specific complaints and provided possible corrective measures for reducing the frequency of flooding around the affected properties. The existing stormwater infrastructure in this vicinity is privately owned and maintained, and the private property owners have not chosen to make subsequent improvements.

Since the time of the 2014 report, instances of flooding in the vicinity of lower Goldston and Dillard Drive have continued to be reported. Regular maintenance along Goldston Drive has also been required, in part due to drainage systems that appear to be inadequate based on current Town of Carrboro standards. This report serves to develop the foundation for looking holistically at the potential of future drainage and stormwater infrastructure improvements throughout the 80 acre watershed.

III. Preliminary Data Gathering

Sungate obtained property, street, topographic and orthographic data available on the Town of Carrboro GIS and North Carolina Floodplain Mapping websites to generate base mapping used in the analysis and reporting. Sungate also reviewed the FEMA DFIRM for the study area. There are no FEMA regulated streams within the studied watershed, and no properties in the study area are within a regulated floodplain. The NRCS Soil Survey information for Orange County was referenced to determine the hydrologic soil types for the watershed area. Orthographic imagery from 1998, 2003 and 2019 was obtained and referenced to aid in the analysis of development within the study area (**See Appendix C & D**). Further, the Town of Carrboro provided a map showing the 6 homes/buildings that have been constructed within the study area since 1988. According to the Town, the residence at 106 High Street, constructed in 1988, was the only new structure built between 1988 and 2002. Based on current zoning, the watershed now appears to be fully developed.

IV. Field Reconnaissance and Survey

Sungate conducted thorough field reconnaissance of the contributing drainage area in February and March of 2020. The purpose of the field reconnaissance was to verify drainage areas and obtain supplemental survey data necessary to complete the hydrologic model and develop alternatives for optimizing existing drainage systems. The vertical datum for the project is NAVD 1988, which corresponds with datum used to generate existing contours. All existing drainage systems were observed to confirm that none diverted stormwater outside or into the watershed. Based on the reconnaissance, there was no significant diversion of stormwater into or out of the watershed.

Development within the watershed was also observed to determine whether any significant impervious area had been added. Increase in impervious area evaluation was limited to sub-catchments 1S through 8S. Observation of orthographic images within the areas of sub-catchment 9S, 10S and 11S did not indicate any new development. Based on inspection of past and present orthographic imagery, and information provided by the Town of Carrboro, increases in impervious area due to development was determined for the time frames of 1988 to 2002 and 2002 to 2019 (See Appendix C & D). Demolition of existing structures on lots that were improved was taken into account when determining net increase in impervious area. Also, in alignment with the Town of Carrboro's latest land use ordinance, all gravel surfaces were tabulated as impervious surface. In 1988, the total impervious area for sub-catchments 1S through 8S was 7.3 acres, and approximately 26% of the total 27.9 acre drainage area. See Table 1 below for total impervious area and percentage increases over the duration of the study period.

Timeframe	Increase in IA (acres)	Total IA (acres)	% Impervious Area
Prior to 1988	N/A	7.25	26.0 %
1988 to 2002	0.07	7.32	26.2 %
2002 to 2019	0.57	7.89	28.3 %

Table 1: Impervious Area (1S - 8S)

V. Preliminary Engineering Evaluation

Hydrologic Study:

The drainage area of the entire watershed was first delineated using the latest available LiDAR contours, along with available GIS property data and supplemental surveys performed by Sungate. The watershed was then subdivided into smaller subcatchments. The base maps in appendix A and B include the locations and number of each sub-catchment. The soil types were then determined for each sub-catchment, referencing NRCS Soil Survey data for Orange County. For sub-catchments 1S through 11S, GIS data and orthographic imagery was used to delineate past and present ground cover within each sub-catchment. Since sub-catchment 12S is largely disconnected from a majority of the watershed, the sub-areas within the larger sub-catchment were divided by lot size and considered to be fully developed for the purposes of this study.

A hydrologic model of the drainage basin was completed using HydroCAD software. HydroCAD is a computer aided design tool that uses local NOAA rainfall data to model hydrology and hydraulics of stormwater runoff. The program is based on hydrology techniques developed by the SCS/NRCS and models complex watersheds to determine peak flows for a given rainfall event. These techniques are used to generate hydrographs throughout the watershed.

For the purpose of comparing the effects of development on peak flow rates, three separate HydroCAD models were set up to simulate watershed conditions from 1988, 2002 and 2019. Further, the model from 2019 was utilized as a baseline for comparing the effects of drainage system upgrades at multiple points of interest throughout the watershed.

Results of Hydrologic Study:

Three points of interest, within the watershed, were selected to determine the effects of increased impervious area on peak flow rates. The first point of intertest is at the dead end of Goldston Drive, where sub-catchments 1S through 5S converge at an existing 24" pipe on private property. The second point of interest is in the area of 1000 West Main Street, where sub-catchments 1S through 9S converge at a 42" pipe junction at the existing West Main Street drainage system. The third point of interest is at the outfall of the West Main Street drainage system, where all 12 sub-catchments converge and discharge through a 54" pipe to the Unnamed Tributary to Tom's Creek. See Table 2 for a summary of peak discharge at each point of interest for 1988, 2002 and 2019 watershed conditions. The 25-year storm event is used for comparisons throughout report.

Point of Interest	25yr - 1988 (cfs)	25yr – 2002 (cfs)	25yr - 2019 (cfs)
#1 (Goldston Dr)	70.6	71.4	73.0
#2 (W. Main St)	98.7	99.6	101.2
#3 (UT to Tom's Cr)	218.2	219.0	220.7

Table 2: Peak Discharge - 25 Year Storm Event

Based on the results of the study, development within the watershed, since 1988, has not had a significant impact on peak discharge at the noted points of interest.

Optimization of Existing Drainage Systems:

Alternative #1

This design directs stormwater from the east side of High Street, sub-catchment 5S, to the existing drainage system at West Main Street (See Appendix E). This alternative will allow for 3.9 acres of drainage area to bypass Goldston Drive, where inadequate drainage has required ongoing maintenance within public right of way. Further, flooding due to undersized drainage systems on private properties just downstream of Goldston Drive has been well documented. See Table 3 for a summary of effect on peak discharge, at the three points of interest, if alternative #1 is implemented.

Point of Interest	25yr – Existing	25yr – Alt. #1	% Decrease			
	(cfs)	(cfs)				
#1 (Goldston Dr)	73.0	59.8	18%			
#2 (W. Main St)	101.2	101.2	0%			
#3 (UT to Tom's Cr)	220.7	220.0	0.3%			

Table 3: Alternative #1 Effect on Peak Discharge - 25 Year Storm Event

Based on the modeling results of alternative #1, the 25-year peak discharge at point of interest #1 (Goldston Drive) can be reduced by approximately 18%, while peak discharge at points of interest #2 and #3 are maintained or slightly reduced. Implementation of alternative #1 would require excavation of approximately 185ft of new ditch, upsizing of approximately 85ft of existing 18" pipe to 24" and replacement or adjustment of 2 drop inlets and 2 catch basins at the intersection of High Street and West Main Street. It is also anticipated that easement along the east side of High Street will be required for construction and maintenance of these improvements. Property surveys performed during a final design stage will determine extent of easement needed, and the cost of easements are not included in the probable cost of construction estimate. Further, coordination with NCDOT will be required for any alterations to the existing drainage system on West Main Street. The preliminary probable cost of construction for alternative #1 is \$93,830 (See Appendix F).

Alternative #2

This design improves the drainage system at Goldston Drive by increasing capacity of the existing roadway ditch, upsizing the existing cross pipe under Goldston Drive and improving downstream conveyance, through several private parcels, to the existing drainage system at West Main Street (See Appendix G). Implementing improvements detailed in alternative #2 will also significantly reduce the occurrence of flooding at point of interest #1. See Table 4 for a summary of effect on peak discharge, at the three points of interest, if alternative #2 is implemented.

Point of Interest	25yr – Existing	25yr – Alt. #2	% Decrease
	(cfs)	(cfs)	
#1 (Goldston Dr)	73.0	73.0	0%
#2 (W. Main St)	101.2	94.0	7.1%
#3 (UT to Tom's Cr)	220.7	215.9	2.2%

Table 4: Alternative #2 Effect on Peak Discharge - 25 Year Storm Event

Based on the modeling results of alternative #2, the 25-year peak discharge at point of interest #1 (Goldston Dr) is maintained, while peak discharge at points of interest #2 and #3 are reduced as a result of drainage improvements. Implementation of alternative #2 would require excavation of approximately 760ft of new ditch and installation of approximately 80ft of 24", 200ft of 30" and 60ft of 42" pipe. Finally, successful implementation of alternative #2 would require that improvements either be pursued by private property owners on private properties, or easements be offered to and accepted by the Town of Carrboro for construction and maintenance. Financial responsibility and possibility of cost sharing has yet to be determined. The preliminary probable cost of construction for alternative #2 is \$194,866 (See Appendix H).

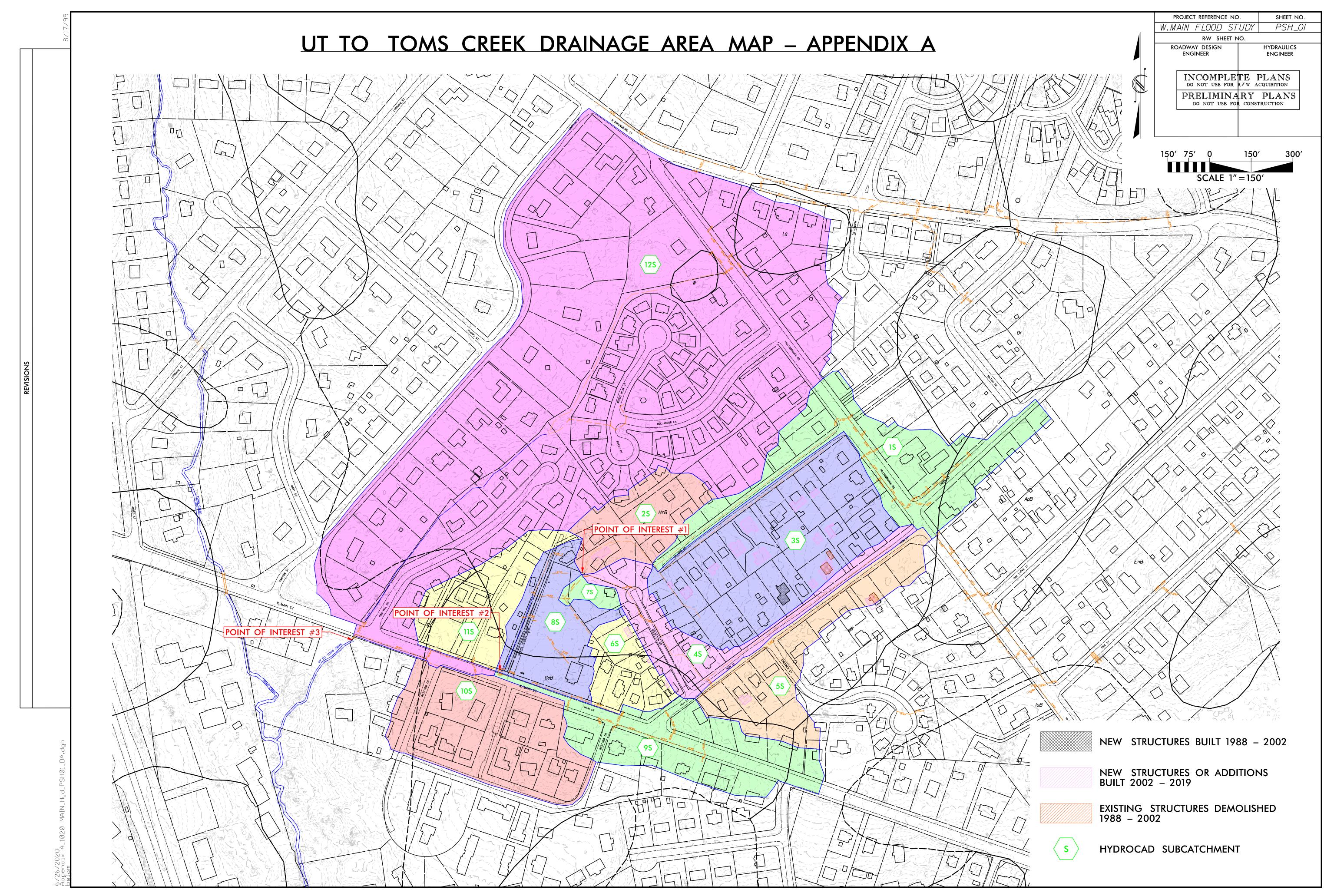
Alternative #3

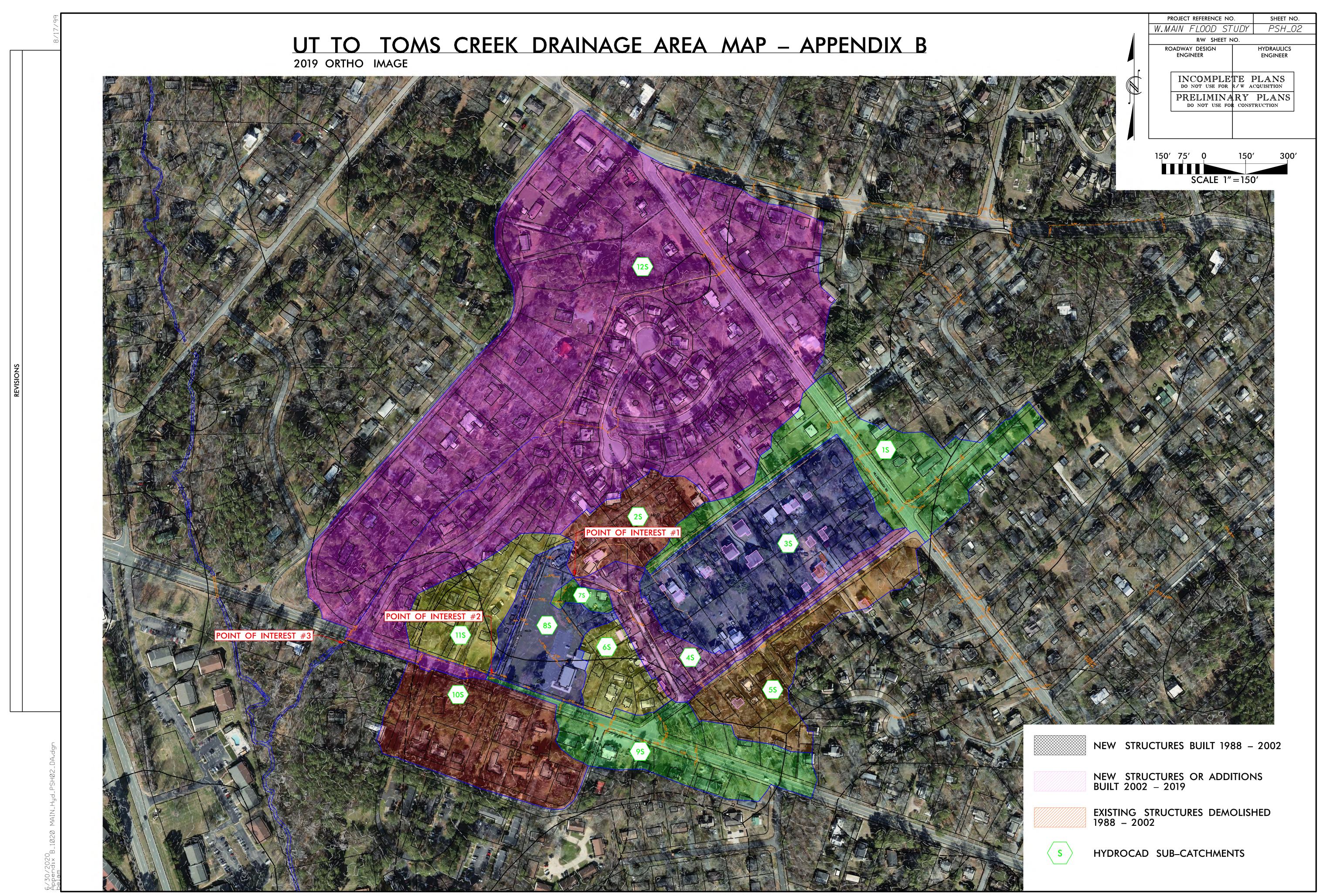
This design involves implementing both alternative #1 and alternate #2, where the drainage area east of High Street is directed to the West Main Street drainage system, and drainage improvements are made along and downstream of Goldston Drive (See Appendix I). See Table 5 for a summary of effect on peak discharge, at the three points of interest, if alternative #3 is implemented.

Point of Interest	25yr – Existing	25yr – Alt. #3	% Decrease			
	(cfs)	(cfs)				
#1 (Goldston Dr)	73.0	59.8	18%			
#2 (W. Main St)	101.4	93.4	7.9%			
#3 (UT to Tom's Cr)	220.7	215.4	2.4%			

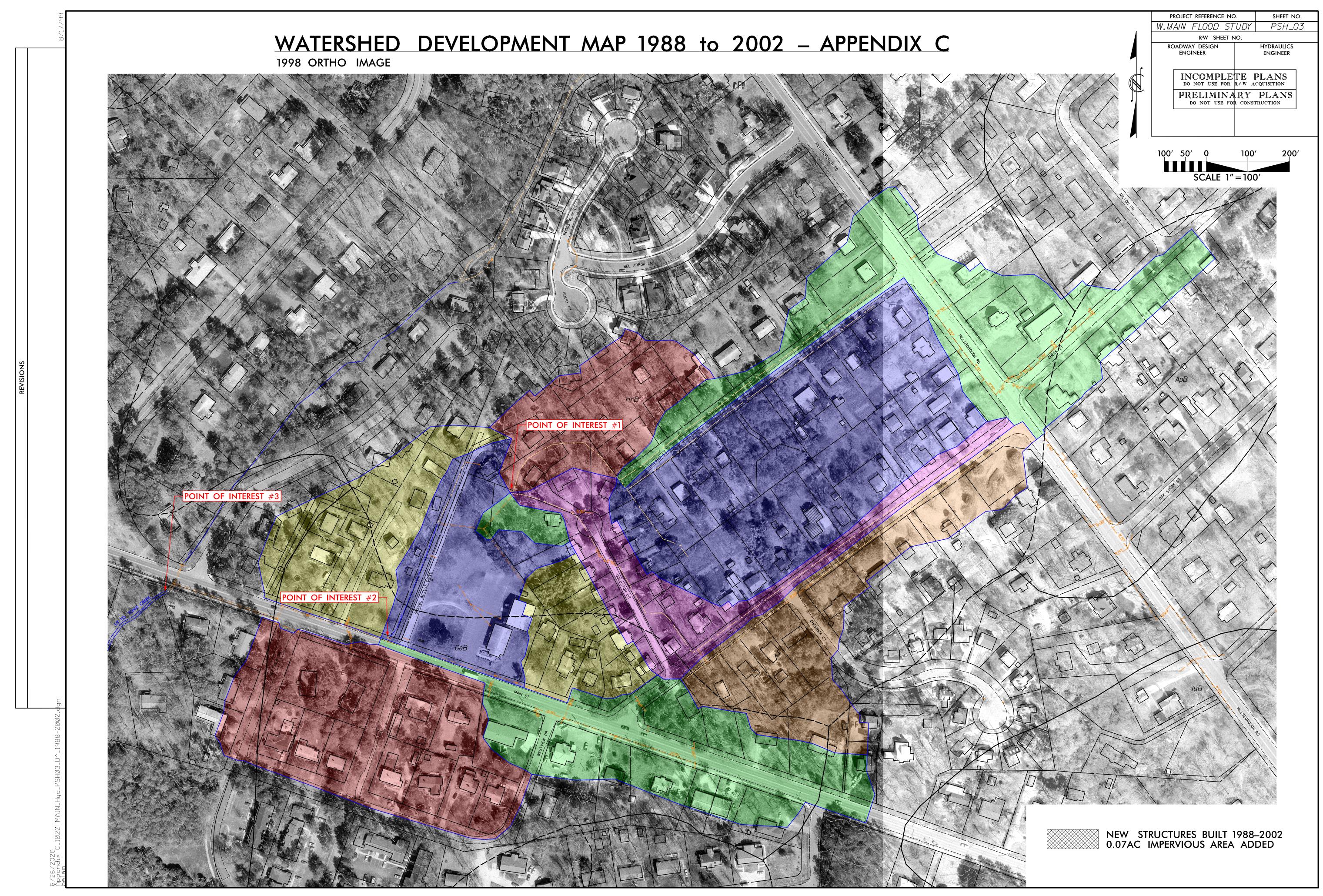
Table 5: Alternative #3 Effect on Peak Discharge - 25 Year Storm Event

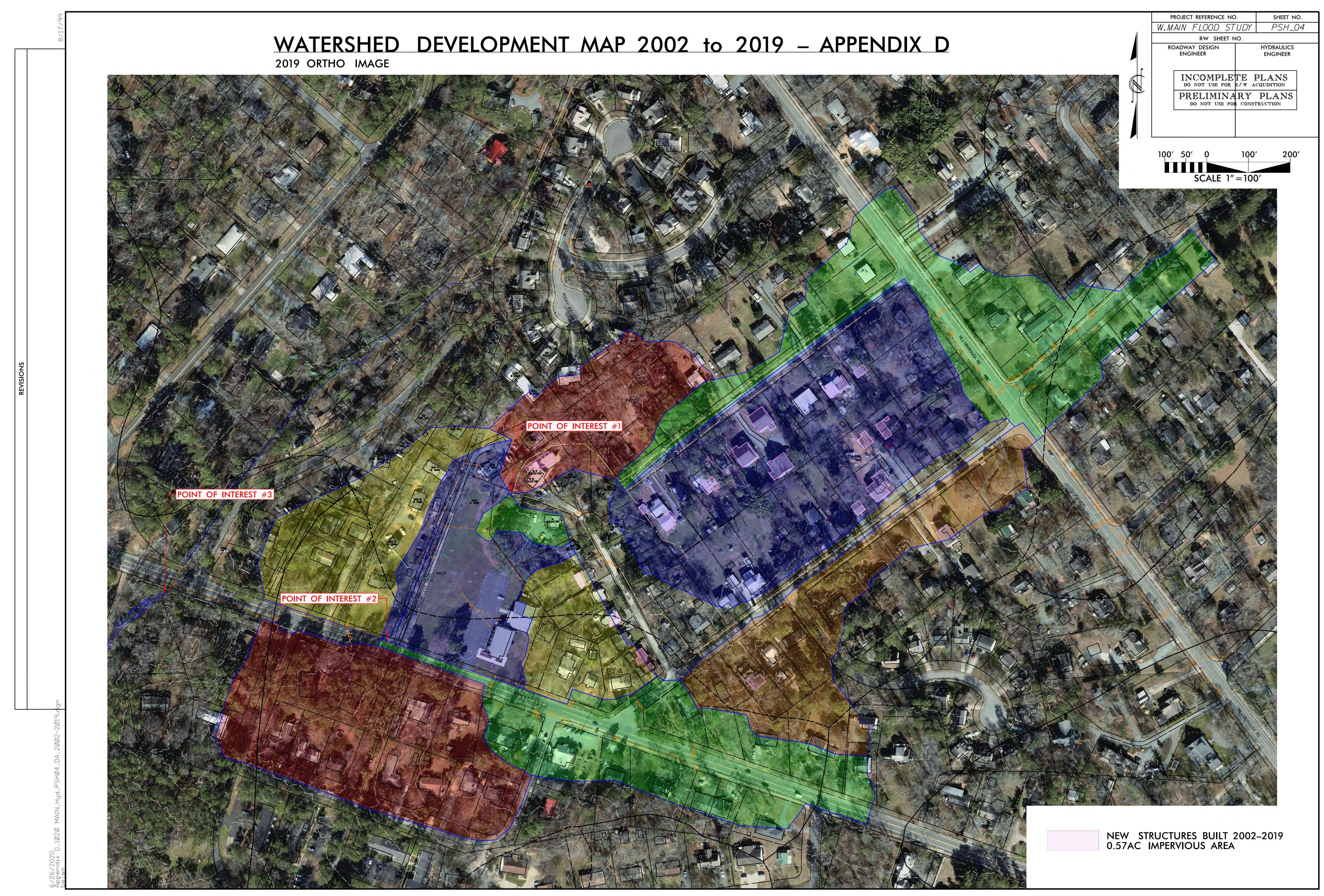
Based on the modeling results of alternative #3, the 25-year peak discharge at point of interest #1 (Goldston Drive), can be reduced by approximately 18%, while peak discharge at points of interest #2 and #3 are reduced by 7.9% and 2.4% respectively. The preliminary probable cost of construction for alternative #3 is \$288,696.

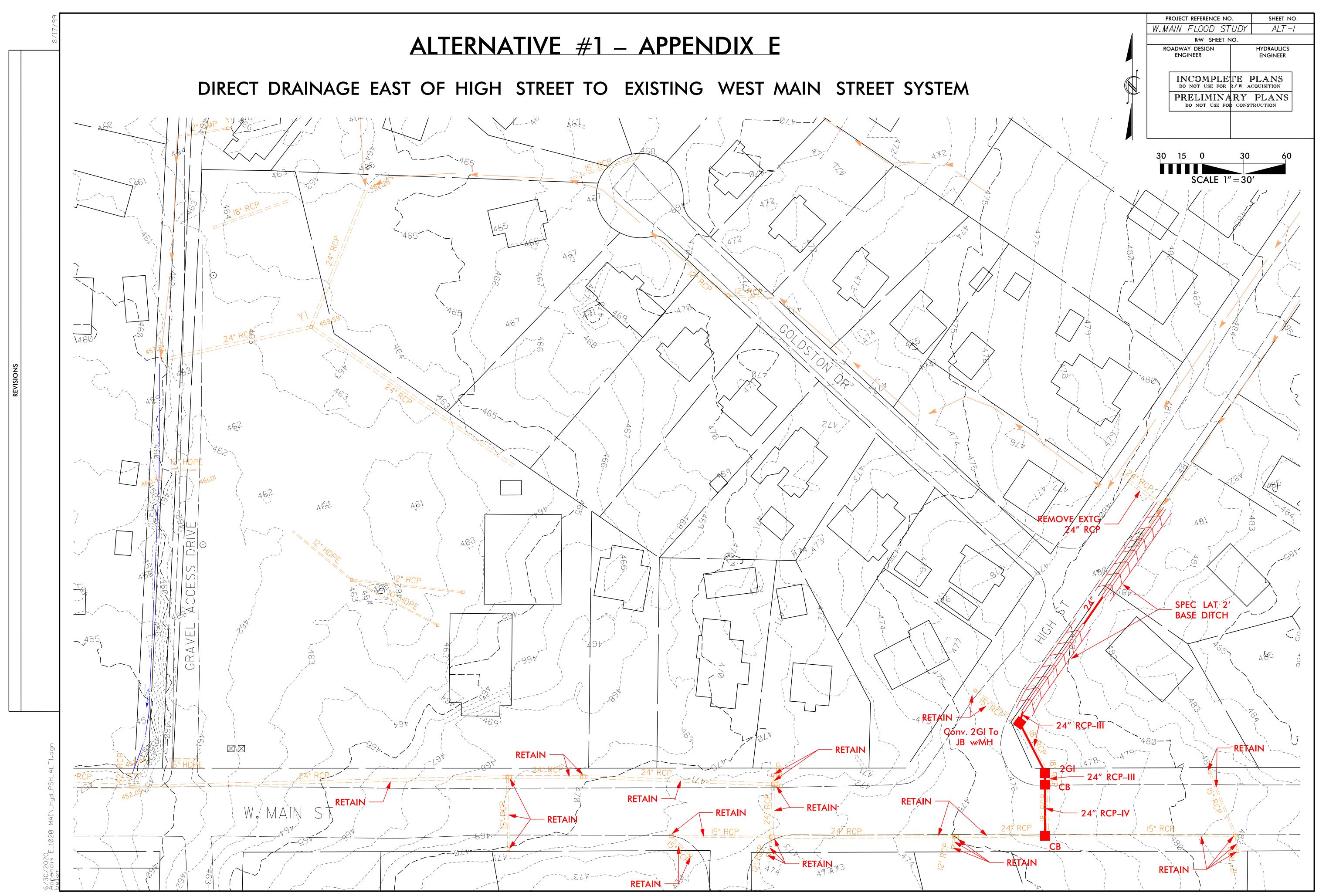




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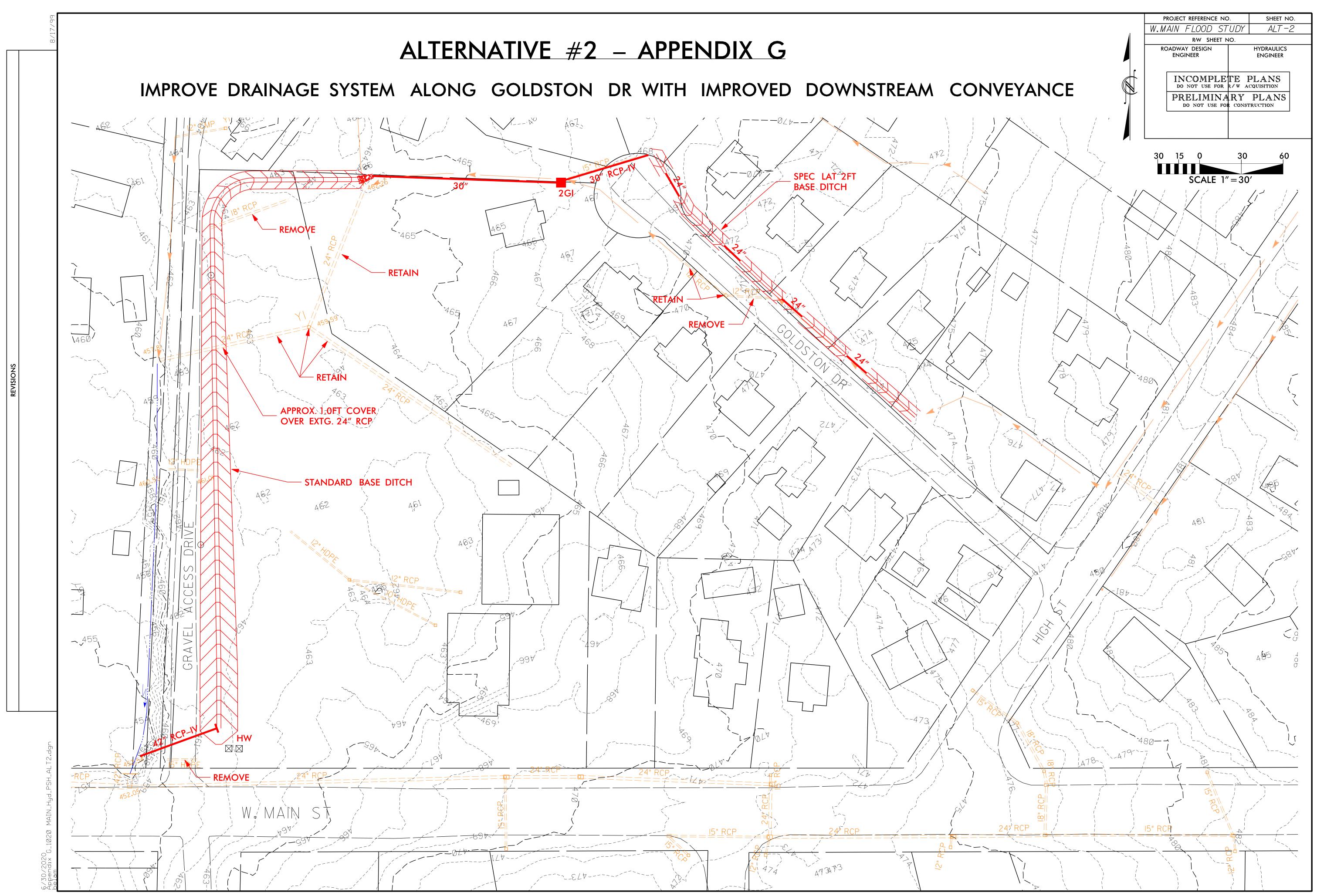


PRELIMINARY PROBABLE COST OF CONSTRUCTION - APPENDIX F

West Main Street Flood Study Alternative #1 - Ditch East of High Street and W. Main System Improvements

6/26/2020

ITEM DESCRIPTION	QUANTITY	COST PER UNIT	TOTAL COST
1. Site Demolition			
A. Tree Protection Fence	200 LF		800.0
B. Pipe Removal	40 LF		1,400.0
C. Select Tree Removal	5 E/	A 2500.00 EA	12,500.0
	S	ubtotal Site Demolition:	14,700.0
			14,700.0
2. Earthwork			
A. Clearing & Grubbing	0.05 A0	1	750.0
B. Foundation Conditioning Material (Pipe Bedding & Backfill)	15 TC		600.0
C. Drainage Ditch Excavation	165 C`	Y 40.00 CY	6,600.0
		Subtotal Earthwork:	7,950.0
8. Erosion Control			
A. Seeding & Mulching	0.10 A0	,	600.0
B. Silt Fence	150 LF		600.0
C. Coir Fiber Wattle	60 LF		900.0
D. Sediment Control Stone	25 TC		1,000.0
E. 1/4" Hardware Cloth	120 LF	= 8.00 LF	960.0
			4 000 0
	Su	btotal Erosion Control:	4,060.0
. Construction Surveying, Layout & As-Built	1 LS	6 2,000.00 LS	2,000.0
	Subtot	al Surveying & Layout:	2,000.0
5. Storm Drainage			
A. 24" R.C. Pipe Culvert, Class IV	32 LF	= 100.00 LF	3,200.0
B. 24" R.C. Pipe Culvert, Class III	56 LF		5,320.0
C. 24" Drainage Pipe	24 LF	= 85.00 LF	2,040.0
D. Convert 2GI to JB w/ MH	1 E/		1,900.0
E. Masonry Drainage Structure	3 E/		9,600.0
F. Frame w/ Cover (840.54)	1 E/		550.0
G. Frame w/ 2 Grates (840.24)	1 E/	A 650.00 EA	650.0
H. Frame, Grates and Hood (840.03)	2 E/		1,500.0
	Su	Subtotal Storm Drainage:	
5. Curb, Stone Base and Paving			
A. Patching Existing Pavement	12 TOI	NS 145.00 TONS	1,740.0
	Subtotal Curb, S	Subtotal Curb, Stone Base and Paving:	
'. Utilities			
A. Utility Coordination	1 LS	S 2,500.00 LS	2,500.0
	Subtotal Curb, S	Stone Base and Paving:	2,500.0
3. Miscellaneous			
A. Mobilization (5% Max)	1 LS		3,000.0
B. Traffic Control	1 LS	6 4,000.00 LS	4,000.0
	S	Subtotal Miscellaneous:	7,000.0
		Subtotal of Items 1 - 8:	\$64,710.0
		25% Engineering:	\$16,177.5
		20% Contingency:	\$12,942.0
ΤΟΤΑΙ	OF PROBABLE COS	T OF CONSTRUCTION:	\$93,829.5



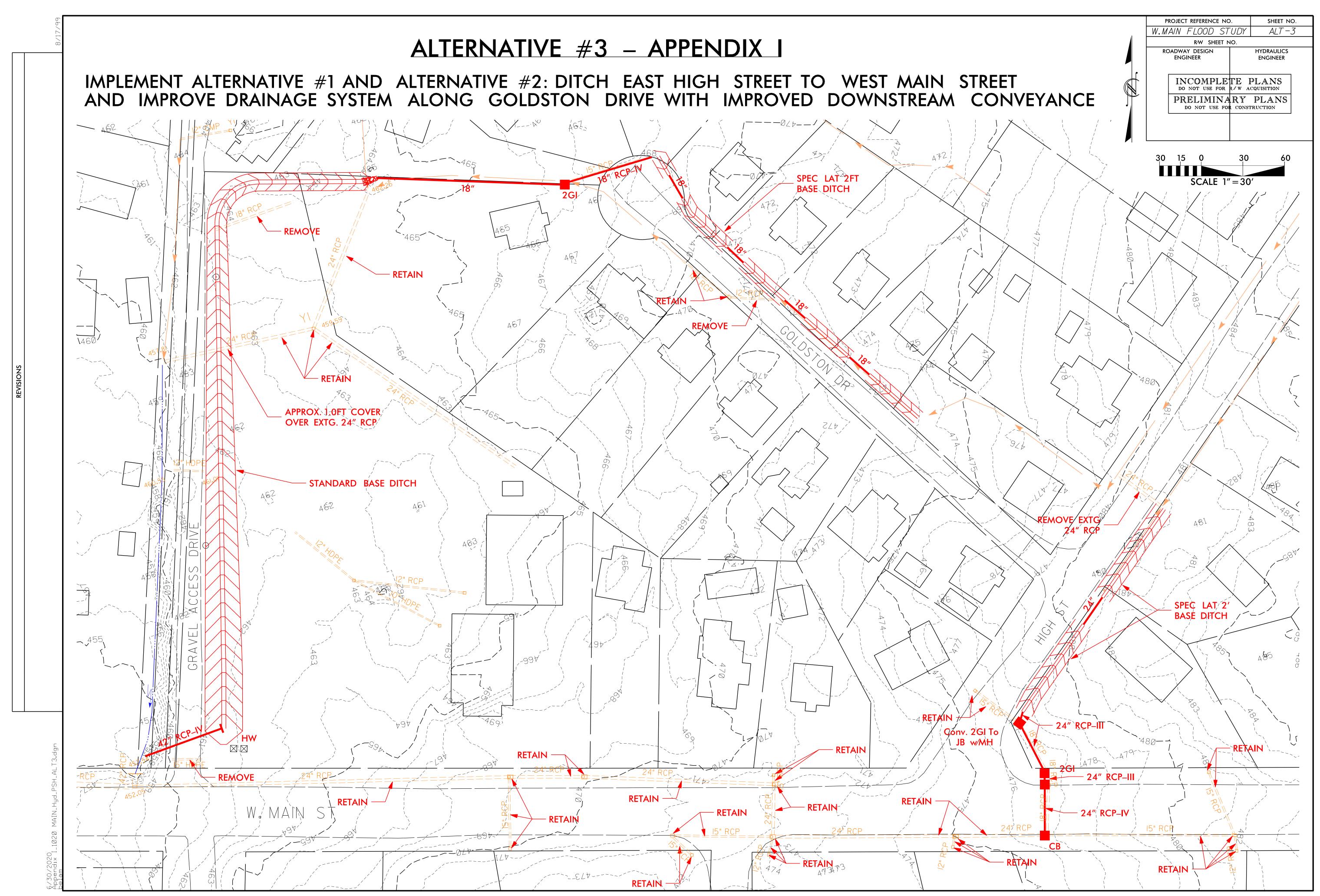
PRELIMINARY PROBABLE COST OF CONSTRUCTION - APPENDIX H

West Main Street Flood Study

Alternative #2 - Goldston Drive Drainage and Downstream Improvements

6/26/2020

ITEM DESCRIPTION	QUANTITY	′	COST PER	UNIT	TOTAL COST
1. Site Demolition					
A. Tree Protection Fence	250	LF	4.00	LF	1,000.00
B. Pipe Removal		LF	35.00	LF	3,150.00
C. Select Tree Removal	4	EA	2500.00	EA	10,000.00
	S	Subto	tal Site Demo	olition:	14,150.00
2. Earthwork					
A. Clearing & Grubbing		AC	15,000.00	AC	4,500.00
B. Foundation Conditioning Material (Pipe Bedding & Backfill)	40 T	ON	40.00	TON	1,600.00
C. Drainage Ditch Excavation	930	CY	40.00	CY	37,200.00
		S	Subtotal Eart	hwork:	43,300.00
3. Erosion Control					
A. Seeding & Mulching	0.30	AC	6,000.00	AC	1,800.00
B. Silt Fence		LF	4.00	LF	1,000.00
C. Coir Fiber Wattle			15.00	LF	1,500.00
D. Sediment Control Stone		ON	40.00	TON	600.00
E. Erosion Control Stone, Class B		ON	60.00	TON	2,400.00
F. 1/4" Hardware Cloth			8.00	LF	400.00
		LI	0.00	LI	400.00
	S	ubtot	al Erosion C	ontrol:	7,700.00
4. Construction Surveying, Layout & As-Built	1	LS	2,000.00	LS	2,000.00
t. Construction Surveying, Layout & As-built			,		,
	Subto	otal S	urveying & L	ayout:	2,000.00
5. Storm Drainage					
A. 30" R.C. Pipe Culvert, Class IV	68	LF	120.00	LF	8,160.00
B. 42" R.C. Pipe Culvert, Class IV	60	LF	250.00	LF	15,000.00
C. 24" Drainage Pipe	76	LF	85.00	LF	6,460.00
D. 30" Drainage Pipe	136	LF	90.00	LF	12,240.00
E. Reinforced Concrete Headwall	5 (CY	1,500.00	CY	6,750.00
F. Masonry Drainage Structure	1	EA	3,200.00	EA	3,200.00
G. Frame w/ 2 Grates (840.24)	1	EA	650.00	EA	650.00
H. Class 'B' Rip Rap	8 T	ON	60.00	TON	480.00
	s	ubto	tal Storm Dra	inage:	52,940.00
6. Curb, Stone Base and Paving					
A. Gravel Surface Repair - #57 Stone	30 T	ON	120.00	TON	3,600.00
	Subtotal Curb,	Ston	e Base and F	Paving:	3,600.00
7. Utilities A. Utility Coordination	1	LS	2,500.00	LS	2,500.00
	Subtotal Curb,	Stor	a Base and D	Paving	2,500.00
		5.01		aving.	2,300.00
8. Miscellaneous			6 000 00		0.000.00
A. Mobilization (5% Max) B. Traffic Control		LS LS	6,200.00 2,000.00	LS LS	6,200.00 2,000.00
			-		
		Subt	otal Miscella	neous:	8,200.00
		Sub	ototal of Item		\$134,390.00
			25% Engine 20% Contin		\$33,597.50 \$26,878.00
				gency:	φ∠0,070.0 U
ΤΟΤΑΙ	OF PROBABLE CO	ST O	F CONSTRU	CTION:	\$194,865.50





Agenda Item Abstract

File Number:21-228

Agenda Date: 6/15/2021

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Review of a Minor Modification Request to a Conditional Use Permit for a Mixed Use Building at 1001 Homestead Road

PURPOSE: The purpose of this item is for the Board of Aldermen to consider approving a resolution authorizing residential use on the first floor of a previously approved mixed use building at 1001 Homestead Road.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Marty Roupe, Development Review Administrator, 919-918-7333, <u>mroupe@townofcarrboro.org <mailto:mroupe@townofcarrboro.org></u>

INFORMATION: Parker Louis, LLC, has submitted an application for a Minor Modification to the previously approved Conditional Use Permit (CUP) allowing for construction of a mixed use building within the B-3 zoned portion of the Planned Unit Development for Claremont South Subdivision, Phase 4 located at 1001 Homestead Road. The subject property is a B3 zoning district containing 1.23 acres (53,418sf) and is listed on the Orange County Parcel Identification Numbers 9779-37-0476.

The original Planned Unit Development (PUD) was approved in April 2012 and the CUP for the commercial portion of the PUD was granted in February 2018, see *Attachment B*. As approved, the building will be 6,797 square feet on the ground floor and 4,879 square feet on the second floor, The approved permit allows for office uses on the first floor and four residential units on the second floor of the building.

At this time the applicant is requesting to modify the permit to allow residential uses on the first floor as well. As described in the message from the applicant, see *Attachment C*, they have found that current market conditions will not allow for construction of an office building at this location. The request, in short, is to allow eleven residential units in total, while retaining the right to use the first floor for office uses in the future. Accordingly, the applicant does plan to build the first floor in a manner that would support an easy conversion to office uses in the future.

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type: Agendas

FISCAL & STAFF IMPACT: Plan review fees have been paid. The conversion of office space to residential use may have some tax base implications but the applicant is asking to retain the right to use the first floor of the building for office use in the future.

RECOMMENDATION: Town staff recommends that the Town Council adopt the attached resolution, *Attachment A*, approving the Minor Modification to the CUP.

A RESOLUTION APPROVING THE MINOR MODIFICATION TO THE CUP FOR THE CLAREMONT SOUTH MIXED USE BUILDING LOCATED ON HOMESTEAD ROAD ALLOWING THE DEVELOPER TO USE THE FIRST FLOOR OF THE BUILDING FOR EITHER RESIDENTIAL OR OFFICE USES.

WHEREAS, the Carrboro Town Council approved a Conditional Use Permit for the Claremont South Mixed Use Building in February 2018; and

WHEREAS, the Town of Carrboro Land Use Ordinance requires that any modification of an existing Conditional Use Permit that does not substantially impact neighboring properties, the general public, or the intended occupants of the project, constitutes a minor modification to the original Conditional Use Permit; 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 CUP is hereby approved, allowing the developer to use the first floor of the building for either residential or office uses.

This the 15th day of June 2021.

PREPARED BY AND RETURN TO:

TOWN CLERK TOWN OF CARRBORO 301 West Main Street CARRBORO, NORTH CAROLINA 27510



ORANGE COUNTY NORTH CAROLINA

TOWN OF CARRBORO CONDITIONAL USE PERMIT GRANTED 1001 Homestead Road - Claremont South Subdivision - Mixed Use Building

On the date(s) listed below, the Board of Aldermen of the Town of Carrboro met and held a public hearing to consider the following application:

APPLICANT: Parker Louis, LLC

OWNERS: Parker Louis, LLC

PROPERTY LOCATION (Street Addresses): 1001 Homestead Road

TAX MAP, BLOCK, LOT(S): PIN #: 9779-37-0476

PROPOSED USE OF PROPERTY: Mixed Use Building – 1st floor to be office space (use 3.120) and 2nd floor to be four (4) residential units

CARRBORO LAND USE ORDINANCE USE CATEGORY: 3.120

MEETING DATES: February 27, 2018

Having heard all the evidence and arguments presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Carrboro Land Use Ordinance for the development proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Land Use Ordinance and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Development Review Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance.

2. If any of the conditions affixed hereto or any part thereof be held invalid or void, then this permit shall be void and of no effect.

3. That the applicant must obtain a driveway permit from NCDOT prior to construction plan approval.

4. That the applicant shall provide to the Zoning Division, prior to the recordation of the final plat for the project or before the release of a bond if some features are not yet in place at the time of the recording of the final plat, Mylar and digital as- builts for the stormwater features of the project. Digital as-builts shall be in DXF format and shall include a base map of the whole project and all separate plan sheets. As-built DXF files shall include all layers or tables containing storm drainage features. Storm drainage features will be clearly delineated in a data table. The data will be tied to horizontal controls.

5. That the construction plans must be revised to incorporate the adjusted location of the storm drain system to further minimize impacts to the root zone to the 52 inch Oak Tree, as specifically shown on the site plan exhibit presented during the February 27, 2018 meeting.

6. That during construction plan review, the Town of Carrboro and Orange County Staff shall further review any feasible locations for waste and recycling services to occur in the least intrusive manner related to the Oak Tree. If an alternative location is identified, then it shall be approvable without further review by the Board of Aldermen.

This permit shall automatically expire within two years of the date of issuance if the use has not commenced or less than 10 percent (10%) of total cost of construction has been completed or there has been non-compliance with any other requirements of Section 15-62 of the Carrboro Land Use Ordinance.

All street construction on those streets proposed for acceptance by the Town of Carrboro shall be certified by an engineer. Engineering certification is the inspection by the developer's engineer of the street's subgrade, base material, asphalt paving, sidewalks and curb and gutter, when used. The developer's engineer shall be responsible for reviewing all compaction tests that are required for streets to be dedicated to the town. The developer's engineer shall certify that all work has been constructed to the town's construction specifications.

If this permit authorizes development on a tract of land in excess of one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the Town of Carrboro the attached acknowledgment of the issuance of this permit so that the town may have it recorded in the Orange County Registry.

NORTH CAROLINA

ORANGE COUNTY

IN WITNESS WHEREOF, the Town of Carrboro has caused this permit to be issued in its name, and the undersigned being all of the property above described, do hereby accept this Conditional Use Permit, together with all its conditions, as binding upon them and their successors in interest.

THE TOWN OF CARRBORO

BY_

ATTEST:

(SEAL)

Town Manager

Town Clerk

I, ______, a Notary Public in and for said County and State, do hereby certify that Catherine Dorando, Town Clerk for the Town of Carrboro, personally came before me this day and being by me duly sworn says each for himself that she knows the corporate seal of the Town of Carrboro and that the seal affixed to the foregoing instrument is the corporate seal of the Town of Carrboro, that David Andrews, Town Manager of said Town of Carrboro and Catherine Dorando, Town Clerk for the Town of Carrboro subscribed their names thereto; that the corporate seal of the Town of Carrboro was affixed thereto, all by virtue of a resolution of the Board of Aldermen, and that said instrument is the act and deed of the Town of Carrboro.

IN WITNESS THEREOF, I have hereunto set by hand and notarial seal this the _____ day of _____, 20____.

(SEAL)

Notary Public

My Commission Expires:_____

IN TESTIMONY WHEREOF, the undersigned Limited Liability Company Grantor has caused this instrument to be executed in the appropriate partnership name by the duly authorized general partner, and has adopted as its seal the word "Seal" appearing beside its name and their signature(s), this sealed instrument being executed and delivered on the date first above written.

(SEAL)	Parker Louis, LLC
	By:
	Title:
(STATE	2)
(COUN	TY)
aforesaid, certify that	, a Notary Public of the County and State personally appeared before me of and that by authority duly given and as the act of the trument was signed in its name by him as
	on behalf of the limited partnership as
Witness my hand and official seal, th	is, 20
(SEAL)	Notary Public
My commission expires:	
(Not valid until f	fully executed and recorded)

PREPARED BY AND RETURN TO:

TOWN CLERK TOWN OF CARRBORO 301 West Main Street CARRBORO, NORTH CAROLINA 27510

Martin Roupe

From: Sent: To: Subject: Attachments: adam@zinncompanies.com Thursday, May 13, 2021 1:49 PM Martin Roupe Bellamy Place Bellamy Place land use application.pdf

Hi Marty –

As we have discussed due to current market conditions for commercial space we are requesting that Bellamy Place become all residential. We do recognize the reduction in the commercial tax base and are building the units to have the ability to alter them to commercial in the future if the market changes.

Thank you.

Adam Zinn 301 Montclair Way Chapel Hill, NC 27516 (919) 422-6477 adam@zinncompanies.com

	1,685 sf. 6.797 sf.	Existing Building Footprint Area: Proposed Building Footprint Area:
	34,655 sf. (0.80 acres)	Disturbed Area Proposed:
	5,327 sf. (0.12 acres) = 10.0% of site rea: 23,024 sf. (0.53 acres) = 42.9% of site	Existing Impervious Surface Area: Total Proposed Impervious Surface Area:
	1.23 Acres ± (53,418 sf ±)	Total Property Area:
e (1.320)	Single Family Residential (1.111) Non-Customer Attracting Office (3.120) ≰ Multi-Family Residence (1.320) Number of Residential Units Proposed = 11 Number of Bedrooms Proposed in each Unit: One @ 1 and 10 @ 2	SITE SUMMARY INFORMATION: Existing Use: Proposed Use:
PFA Q Q Q	win of Carrboro Zoning Ordinance of Carrboro Zoning: R10B3PUD Boundary Setback - 12' (R10) or 15' (B3) Right of Way Setback - 55' (R10) or 15' (B3) Road Centerline Setback - 55' (R10) or 45' (B3) Road Centerline Setback shall be measured from the strence to a d map, set irons, or other means), the setback shall be d from such right-of-way line. If the right-of-way line is not so nable, the setback shall be measured from the street centerline. LDATA e County Tax Information (Per Orange County GIS) s Included in this Project:: 1: 1: 1: 1: 1: 1: 1: 1: 1: 1: 1: 1: 1	 Per Town of Carrboro Zoming Ordinance Town of Carrboro Zoming: R10B3PUD Boundary Setback - 12' (R10) or 15' (B3) Right of Way Setback - 25' (R10) or 15' (B3) Road Centerline Setback - 25' (R10) or 45' (B3) Setback Note: (Per Town of Carrboro Ordinance, Article XII Section 15-184) 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: 9779370476 Property Address: 1001 Homestead Road, Chapel Hill, N Township: Chapel Hill Township Watershed: Jordan Lake River Basin: Cape Fear Deed Reference: DB 4140, Pg 156 Town of Carrboro Zoning: R10B3PUD Owner: Parker Louis, LLC 301 Montclair Way Chapel Hill, North Carolina 27516 Contact: Adam Zinn at 919-422-6477
		MINIMUM BUILDING SETBACKS

Rate: For Residential Use 1.320 - 1 Number of Residential Units Proposed Number of Bedrooms Proposed = 23 Parking Required: 2 Vehicular Parking Requirements (Per Section 15-291):Rate: For Office Use 3.120 - 1 space per 400 square feet of gross floorPossible Office Floor Area:6,797 sf.Parking Required:17 office spaces required 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. Existing Building Footprint Area: Proposed Building Footprint Area: Proposed Building Floor Areas: This project will be a single-phase development Proposed Building Height: I space for each bedroom in each unit plus I additional space for every 4 units in the develo ed = 11Less 6,797 sf. 4,879 sf. Residential <u>6,797 sf. Business</u> I 1,676 sf. Total than 28 ft. (2 stories) area

ment

² arkıng Required:	22 + 3 = 25 residential spaces required
Total Parking Required:	17 + 9 = 26 spaces required total
Total Residential Parking Reguired:	25 spaces required

-

Bicycle Parking Requirements (Per Section 15-291): Rate: For Office Use 3.100 - 1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces Rate: For Residential Use 1.300 - 1.5 spaces per unit Bicycle Spaces Required (Office Use) = 17 office auto spaces required × (1 space /10 required auto spaces) = 1.7 spaces Therefore, Minimum controls = 5 spaces required for office use

Bicycle Spaces Required (Residential Use) = 1.5 spaces per unit x 11 units = 16 spaces required for residential use

Total Bicycle Spaces Required = (Maximum Controls) 16 (residential) = 16 Bicycle Spaces Required Total

Bicycle Spaces Provided = 16 spaces (8 covered spaces, 8 spaces outside)

ED UNIT DEVELOPMENT, NSTRUCTION PLANS AREMONT SOUTH

Chapel Hill, North Carolina 1001 Homestead Road,

Town of Carrboro

- <u>SHEET INDEX:</u> Cover Sheet 1) Existing Conditions Plan

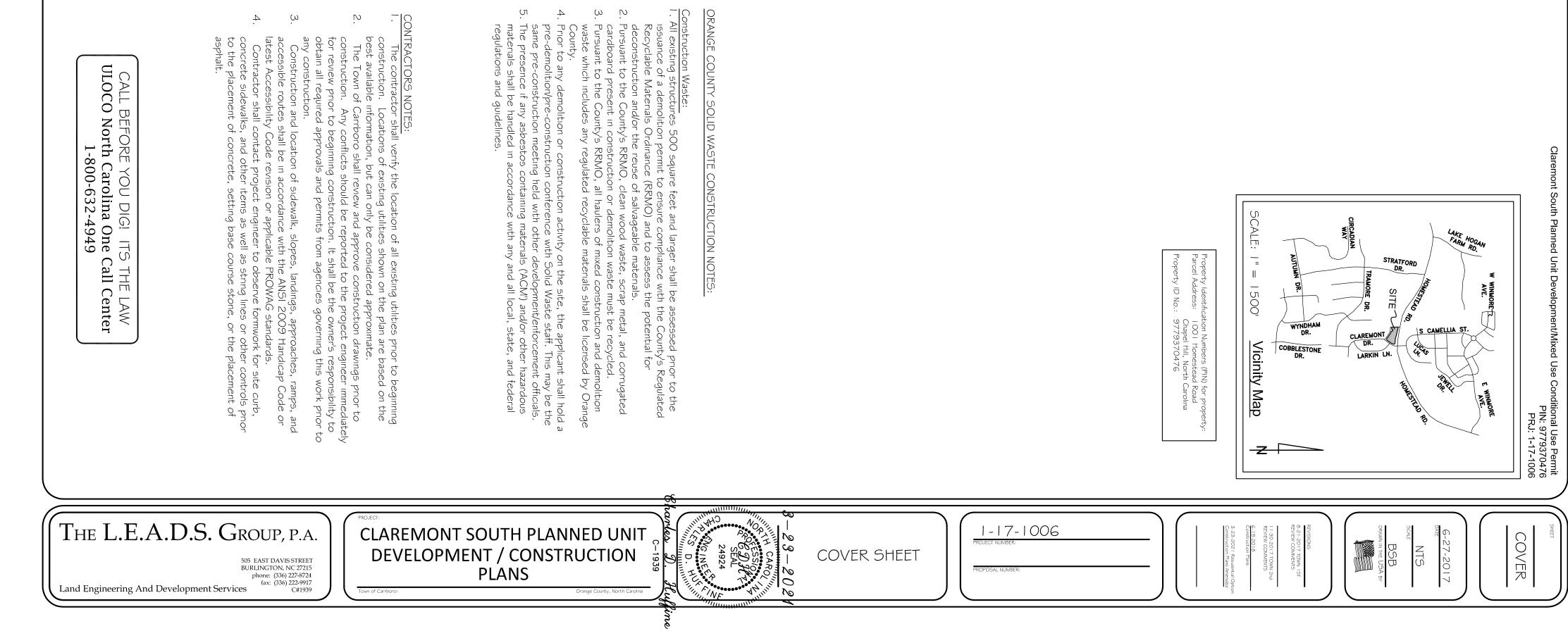
- Site and Utility Plan Truck Turning Analysis Plan Grading and Stormwater Plan
- Landscaping Plan Site Lighting Plan Site Lighting Details Erosion Control Plan Erosion Control Details

- -70
- Construction Details Construction Details Building Plans (as attached or under separate cover)

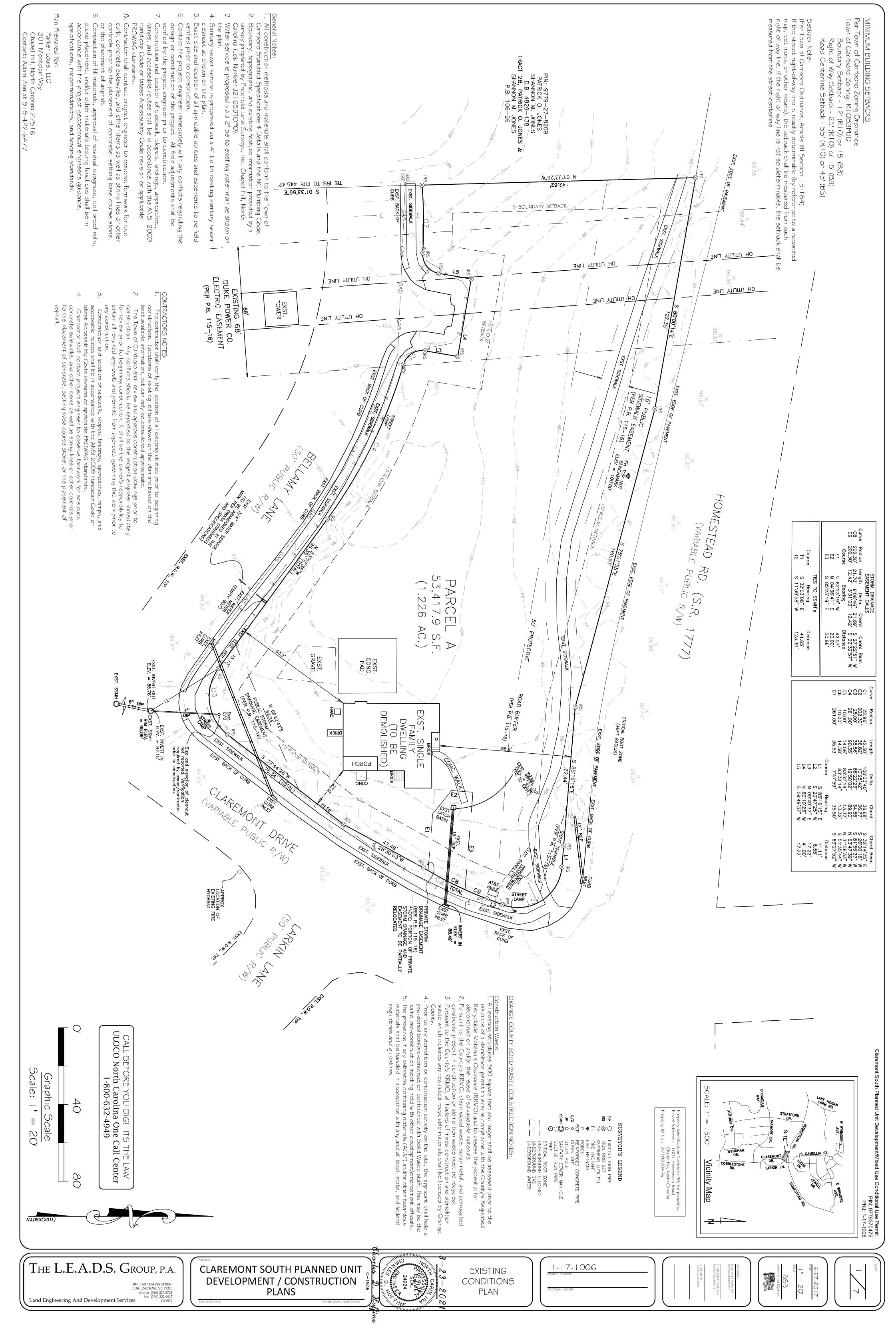
- General Notes:
 1. All construction methods and materials shall conform to the Town of Carrboro Standard Specifications & Details and the NC Plumbing Code.
 2. Boundary, topographic, and existing feature information provided by a survey prepared by Freehold Land Surveys, Inc. Chapel Hill, North Carolina (Job Number J2 I 653TOPO).
 3. Water service is proposed via a 2" tie to existing water main as shown on plan.
 4. Sanitary sewer service is proposed via a 4" tie to existing sanitary sewer cleanout as shown on
- 5. Exact size and location of all applicable utilities and easements to be field verified prior to construction. с С
- 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.
- 7.
- 9 00 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.

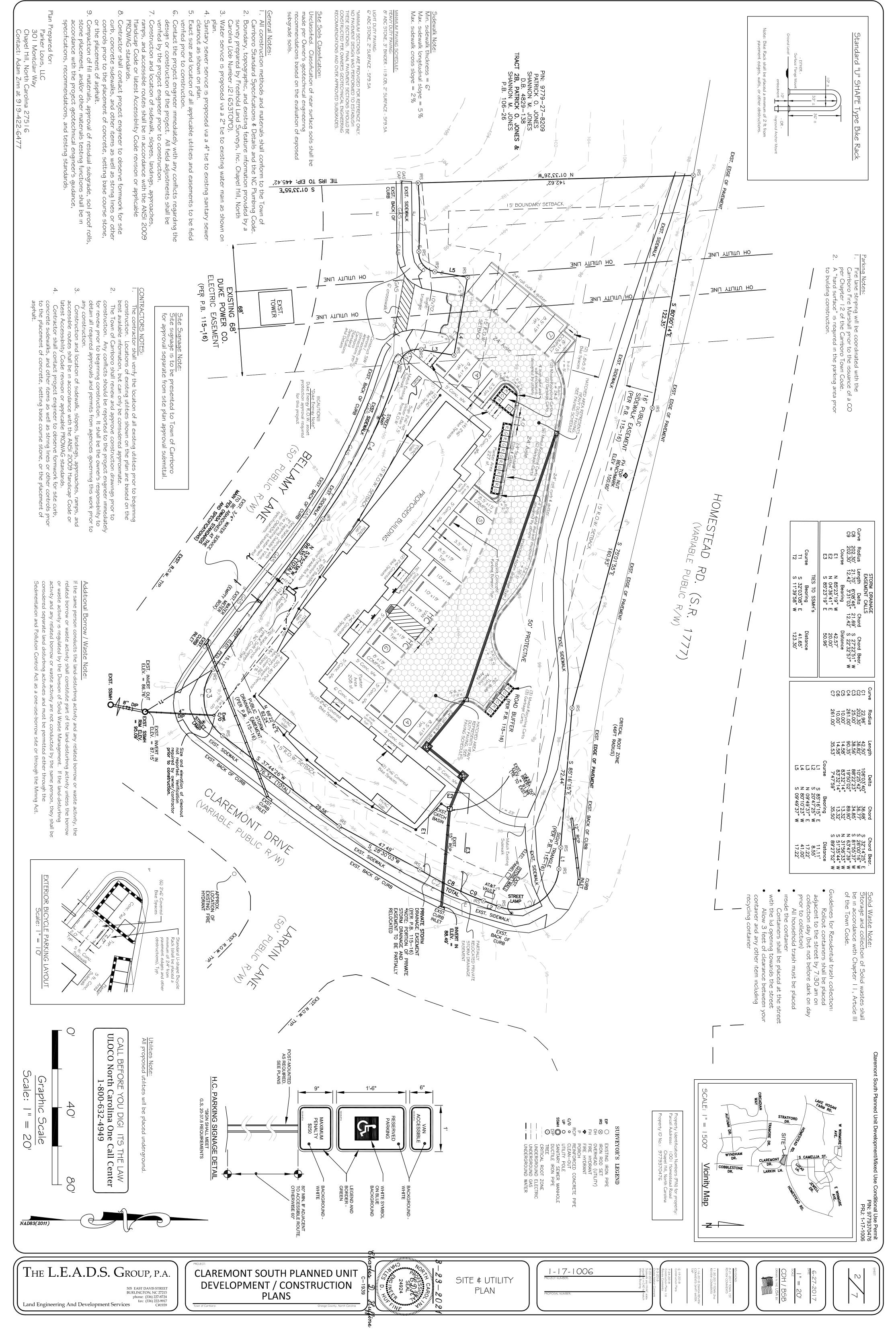
Plan

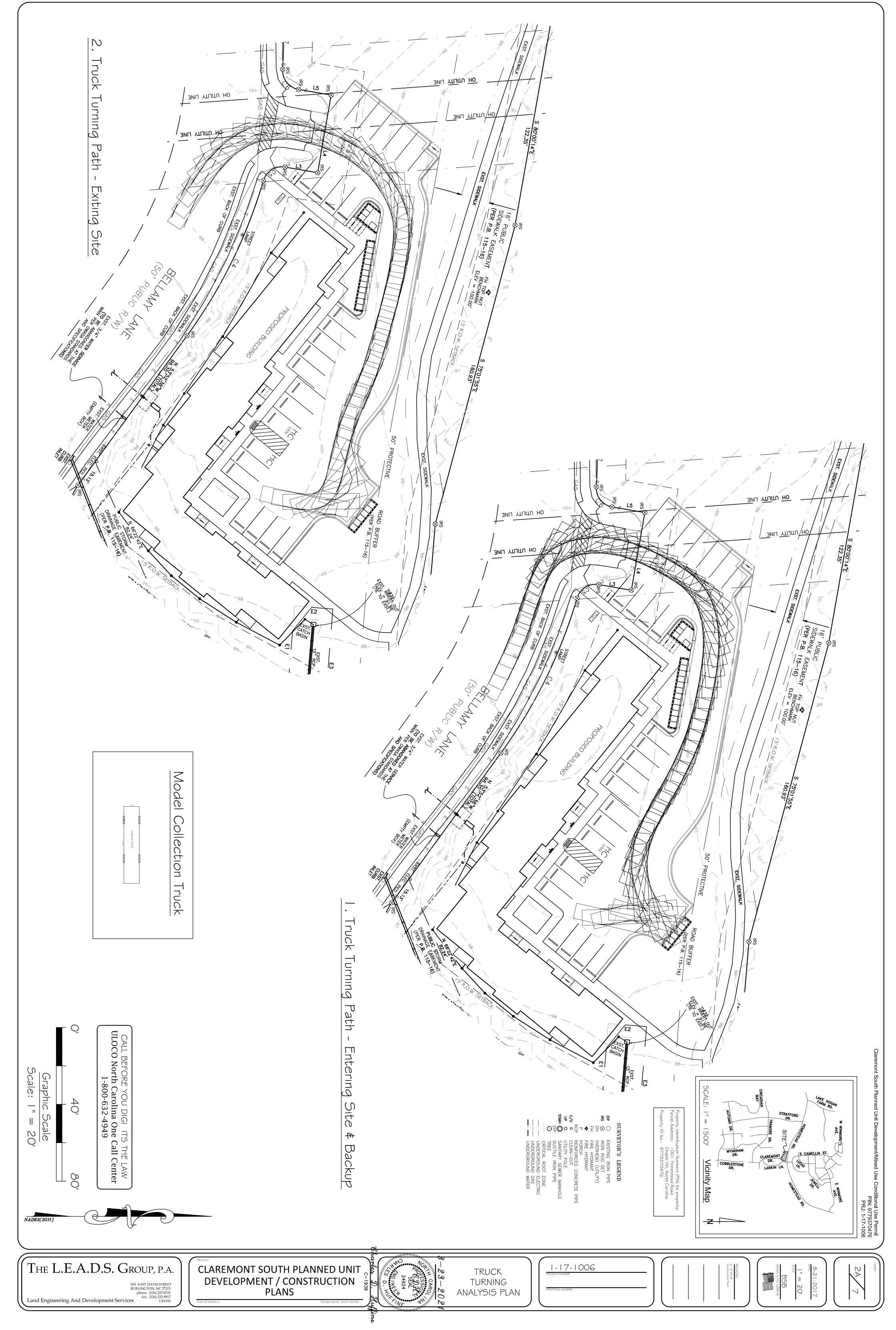
an Prepared for: Parker Louis, LLC 301 Montclair Way Chapel Hill, North Carolina 27516 Contact: Adam Zinn at 919-422-6477

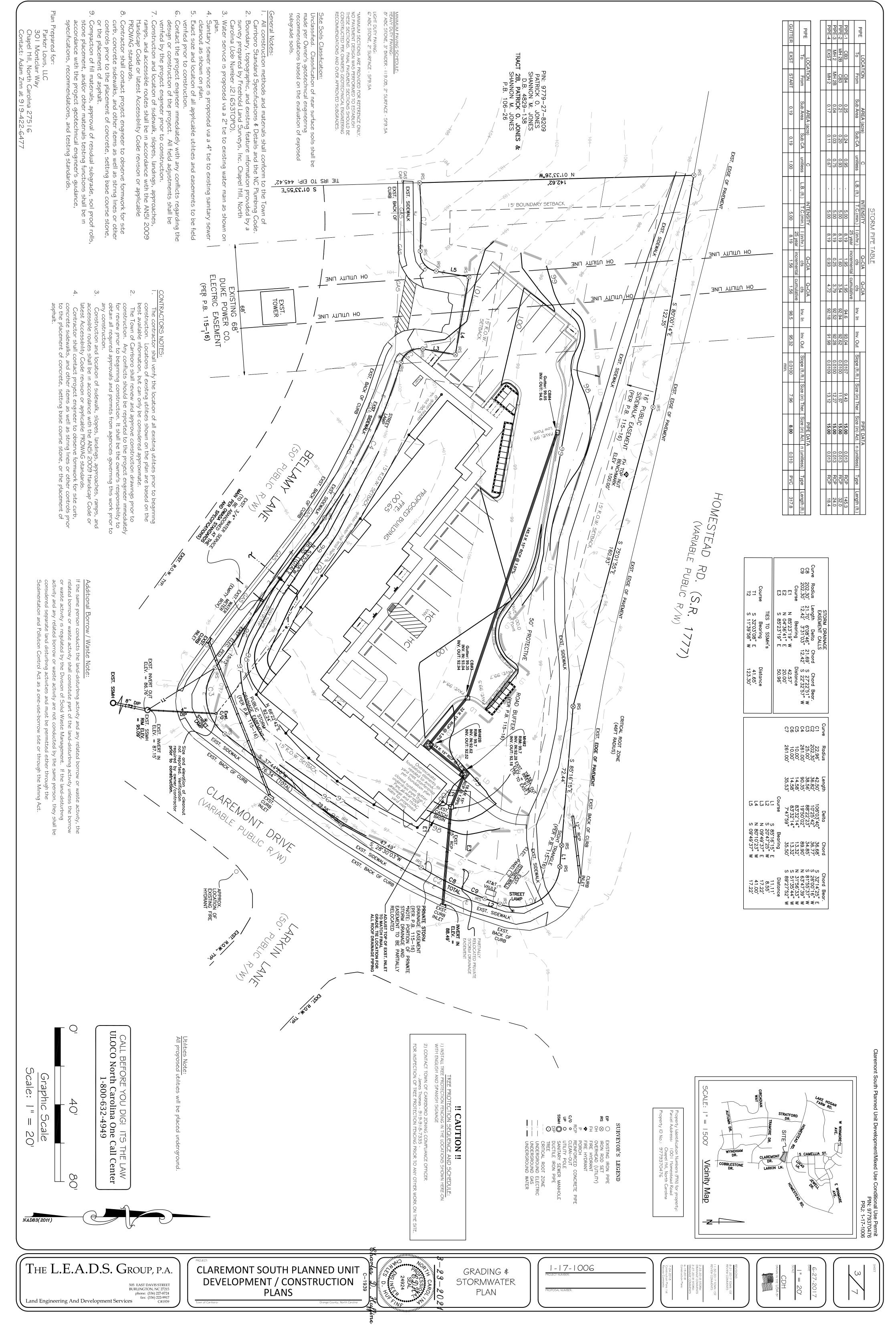


78











Agenda Item Abstract

File Number:21-218

File Type: Agendas

Agenda Date: 6/15/2021 In Control: Board of Aldermen

Version: 1

TITLE:

Appointments to the Northern Transition Area Advisory Committee **PURPOSE:** The purpose of this agenda item is for the Town Council to make appointments to the Northern Transition Area Advisory Committee. **DEPARTMENT:** Town Clerk

CONTACT INFORMATION: Cathy Dorando, 919-918-7309

INFORMATION: The Northern Transition Area Advisory Committee currently has two seats available for appointment with one of those being a first term expiration seat.

One new application was received from Lisa Brown. Analid Vrana has served her maximum appointments but has submitted an application asking that the Town Council reappointed her as an exception. Due to the lack of applications and the existing trouble sustaining quorum, staff recommends that the appointments be made.

Anahid Vrana is the chair of the Northern Transition Area Advisory Committee and provided the chair forms for the Council's review. Chair forms are located directly in front of the application.

Town Council members are encouraged to review the <u>Advisory Board Recruitment and Appointment Policy</u> <<u>http://townofcarrboro.org/DocumentCenter/View/5358/Town-of-Carrboro-Advisory-Board-Recruitment-and-Appointment-Policy-></u>.

All applicant and chair information is attached.

A matrix is also included.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: It is recommended that the Mayor and Council review the applications and consider making appointments.

A RESOLUTION MAKING AN APPOINTMENT TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE

THE TOWN COUNCIL HEREBY APPOINTS THE FOLLOWING APPLICANT(S) TO THE NORTHERN TRANSITION AREA ADVISORY COMMITTEE:

Appointee 7	Cerm Expiration
Linda Bowerman	2/2024

Section 2. The Town of Carrboro Town Council requests that the Orange County Board of Commissioners appoint/reappoint (**INSERT NAME**) to a three year term on the Northern Transition Area Advisory Committee.

Section 3. This resolution shall become effective upon adoption.

Current makeup of the NTAAC:

NAME	ADDRESS	TERM EXPIRATIO N	DOB	RACE	SEX	OCCUPATION
Rachel Dirito	1617 Lucy Lane	2/2021	3/1980	Caucasian	Female	Physical Therapist
Meg McGurk	108 Dublin Rd.	2/2023	8/1973	Caucasian	Female	Executive Dirctor
Edward Witkin Orange County Rep.	420 Britton Drive	2/2023	10/1960	White	Male	Solar Energy Design/Install
Anahid Vrana (Reapplied) Orange County Rep.	8217 Old NC 86	2/2021	1/1951	White	Female	Art Consultant/Morehe ad House BB Manager
Deborah Eaker- Rich Orange County Rep.	8125 Old NC 86	2/2023	10/1956	Caucasian	Female	Professor

Applicant summary information (full detail in application):

NAME	ADDRESS	DOB	RACE	SEX	OCCUPATION
Lisa Brown	1006 Karen Woods	2/1968	White	Female	Consultant-Self Employed

Print

Advisory Board Application - Submission #5203

Date Submitted: 2/12/2021

	Last Name*	Date*	
Anahid	Vrana	12/15	5/2020
		Select	today's date
Address1*			
8217 Old NC 86			
Address2			
City*		State	Zip*
Chapel Hill		NC	27516
Please select Yes or No. Telephone (111)-111-1111*	Email Address*		
Telephone (111)-111-1111*	Fmail Address*		
9192150329	anahid.vrana@gmail.com		
Please enter your primary contact phone number.	Enter your primary email add	ress.	
Please enter your primary contact phone number. The demographic information boards to reflect the diversit	on provided below is of interes	ress. at because your elected officials applicant pool is a priority of th Sex*	
Please enter your primary contact phone number. The demographic information boards to reflect the diversit Current Age*	on provided below is of interes ty of the Town. Diversity of the	t because your elected officials applicant pool is a priority of th	
Please enter your primary contact phone number. The demographic information	on provided below is of interes ty of the Town. Diversity of the Race*	t because your elected officials applicant pool is a priority of th Sex*	
Please enter your primary contact phone number. The demographic informatic boards to reflect the diversit Current Age* 1/5/1951 Occupation*	on provided below is of interes ty of the Town. Diversity of the Race* White	t because your elected officials applicant pool is a priority of th Sex* Female	
Please enter your primary contact phone number. The demographic information boards to reflect the diversit Current Age*	on provided below is of interest ty of the Town. Diversity of the Race* White Please enter your race. Are you a registered	t because your elected officials applicant pool is a priority of th Sex* Female Please enter your sex. Length of Residence in	Length of Residence in

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

	∇
Affordable Housing Advisory Commission	Northern Transition Area Advisory Committee
Appearance Commission/NPDC	OWASA Board of Directors
Arts Committee	Planning Board
Board of Adjustment	Racial Equity Commission
Climate Action Team	Recreation and Parks Commission
Economic Sustainability Commission	Stormwater Advisory Commission
Environmental Advisory Board	Tourism Development Authority*
Human Services Commission	Transportation Advisory Board
Greenways Commission	
Diagon note that membership is limited to one of issue he	pard at a time. You aball not be considered for appointment to
another board unless you resign before filing an applicatio	pard at a time. You shall not be considered for appointment to nor you are in the last six months of your current term.

Other (advisory board not listed):

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

**Employer/Self Employed

Morehead-Cain Foundation

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

Advisory Board Preference*

NTAAC

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

Number of Years Employed

4.5

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

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

while on NTAAC served on signage and bike /walking connectivity committees. Task Force member on Carrboro Connects As manager of Inn on campus often referring out of town guests to locations for shopping, dining and other activities in Carrboro.

Required only for the Tourism Development Authority Application.

Community Activities/Organizational Memberships*

NTAAC Carrboro Connects task force. Church membership/ StThomas More and Newman Center

Please enter the requested information.

Relevent Experience:*

I have been a member of NTAAC for six years and have great knowledge of the area. Was on the 20 20 forward vision planning 20 years ago and participated in the charettes concerning the development of this area many years ago.

Reasons You Wish to be Appointed*

My committee has been working aggressively to find new members and we have not had much luck. Our alderman Susan Romaine has reached out to the African American community on Rogers road to recruit some diverse representation. Committee members too have reached out to others in various neighborhoods of the NTA. We are coming to the conclusion that this is a difficult time for folks to take on new responsibilities . In light of Covid many folks are helping children with on line schooling and rejuggling jobs at home etc etc. I am hoping that I can possibly extend my appointment for a third term. I know this is not the norm but our committee needs someone with longevity on it and also I am the liason to our committee for the Carrboro Connects program so it seems rather important that I continue for at least another year. Even if I am given just and extended half term that would help? We currently have an opening on our committee that we have not been able to fill. If I leave that would give us a committee of only three folks. One of our members currently cannot join in on our monthly zoom meetings because her husband teaches a computer coarse on zoom every Thursday night and she does not have access to their computer that night. So during Covid times our committee just meets as a threesome. If I leave in February the meeting folks will only be 2 and that would not give us enough folks to vote with a quorumâ€! basicially we will be nonfunctional in terms of voting decisions. I do believe after the Covid scenario starts to settle down in the spring or next fall we can find a replacement for me, but folks seem to be too stressed to join in on other obligations now. Below I am including comments from Susan Romaine and my other committee members who feel the need for me holding on to a third term is important. I too would love to see Anahid re-appointed to a third term with the NTAAC, even though she has already served two full terms. A very sincere effort has been made to recruit new members to NTAAC, especially members of color. But given COVID and various other reasons, it has been extremely challenging to fill even the one empty seat. Without Anahid's appointment to a third term, the NTAAC would be at risk of not meeting quorum, which in and of itself is a good reason to make an exception to the two-term limit. Thank you for keeping me in the loop. Please let me know how I can best support Anahid's request to continue serving as chair of the NTAAC. The advisory board and the northern transition area truly need her continued leadership. Thanks, all. Susan Susan Romaine Carrboro Town Council sromaine@townofcarrboro.org (919) 619-3408 Also below are comments from two of the NTAAC current members As the next longest serving committee NTAAC member, I would like to "secondâ€ this request from Anahid. I'm the person who has had the Zoom issue this fall so have not been able to attend although I have communicated with Anahid about matters before the committee. It is imperative for Anahid to remain if the committee is to remain viable. I agree that we may have more luck getting members after the COVID restrictions are eased. Thank you, Deb Rich I am the newest member of the NTAAC committee and I agree with the request that Anahid be granted an exemption in order to remain on the committed for a third term. Thanks to all of you for all the work you do. Ed Witkin Carrboro Solar Works, LLC United Solar Initiative www. Unitedsolarinitiative.org NABCEP certified PV installation professional.

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.*

I am 3/4 armenian, and second generation American. My armenian heritage has taught me the ultimate importance of acknowledging and supporting all people of races, ethnicity, and religious beliefs. The Armenians suffered a massive extermination of millions at the hands of the ottoman empire early in the 20th Century. My Grandparents were fortunate survivors of this holocaust. They instilled in me the messages that ill treatment of all people should never be permitted. I come to the table with a clear desire for inclusivity, humanity and opportunity for all. It is the way I was raised.

Have you ever served on any Town of Carrboro	If yes, which one(s)?		
Committee or Board?*	NTAAC		
Yes			

Are you currently serving on a Town Board or
Committee?*
Yes
No

If yes, are you applying for a third consecutive	_
term?*	
Yes	
No	

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

I have listed in great detail above the importance of my staying on this committee for another term. I am Armenian/American not sure that fits your category of diversity but with this ethnic background it enhances my pledge for diversity. Our biggest problem is our inability to find applicants. We have spent several months working on this and have not succeed. We even enlisted the help of Susan Romaine who reached out to the ministers in The Rogers Road neighborhood hoping they could find an interested candidate. Also contacted the reverends in the Won Buddist Temple. We have found folks are too stressed with their obligations during Covid to take on a new volunteer role. If I am not reappointed our committee will be down two members. We will not be able to reach a quorum. I hope I will be able to serve another term. Also I am the committees task force member to Carrboro Connects and I would like to see this process thru to completion. Thanks for your consideration.

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

Print

Advisory Board Chair Report (Complete One Per Applicant) - Submission #5202

Date Submitted: 2/12/2021

Advisory Board Name:*	Chair Name*
Northern Transition Area Advisory Committee NTAAC	Anahid Vrana
Applicant First Name:*	Applicant Last Name:
Lisa	BIOWI
1. Has the applicant previously served on this or another advisory board?*	 2. If yes, how many total years have they served? This should be available on the application or by asking the applicant.
No	
3. Is the applicant already serving on this advisory board and seeking reappointment to their second, full term?	4. Is the applicant already serving on this advisory board and completed their two full terms?
 5. Is the applicant applying for a special or expert seat on the adviso Yes No 	ory board?* 6. If yes, which seat?
 7. Did the applicant attend an advisory board meeting?* Yes No 	8. If applicant did not attend an advisory board meeting, did you contact them via phone or email? Yes No

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

the advisory board:		
Yes		
No		

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

Diversity
Occupation, Experience, or Special Skills
Other

If other, please explain:

This applicant has attended our meetings faithfully for over 2 years as a citizen of the area. She regularly reaches out to her neighbors in the Rogers Road area and has tried to recruit some of them to our committee. She has not been successful with recruiting efforts as this is a very difficult time with parents and children all working from home. She serves as a nice liaison to that community and I am anxious for her to become an official member of the NtAAC. Susan Romaine has been involved in these communications as welll.

Print

Advisory Board Application - Submission #5210

Date Submitted: 2/12/2021

	Last Name*	Date*	
Lisa	Brown	2/12/	2021
		Select	today's date
Address1*			
1006 KAREN WOODS RD			
Address2			
City*		State	Zip*
CHAPEL HILL		NC	27516-5199
Please select Yes or No. Telephone (111)-111-1111*	Email Address*		
9198125796	DOWNTOWNLB@GMAIL.CO		
Please enter your primary	Enter your primary email add	ress.	
contact phone number.			
The demographic informati boards to reflect the diversi		st because your elected officials applicant pool is a priority of th Sex*	
The demographic informati boards to reflect the diversi Current Age*	ty of the Town. Diversity of the Race*	applicant pool is a priority of th Sex*	
The demographic informati boards to reflect the diversi	ty of the Town. Diversity of the	applicant pool is a priority of th	
The demographic informati boards to reflect the diversi Current Age* 2/28/1968	Race* White Please enter your race. Are you a registered	applicant pool is a priority of the Sex* female Please enter your sex. Length of Residence in	Length of Residence in
The demographic informati boards to reflect the diversi Current Age*	Race* white Please enter your race.	applicant pool is a priority of the Sex*	ne Board.

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

Affordable Housing Advisory Commission	Northern Transition Area Advisory Committee
Appearance Commission/NPDC	OWASA Board of Directors
Arts Committee	Planning Board
Board of Adjustment	Racial Equity Commission
Climate Action Team	Recreation and Parks Commission
Economic Sustainability Commission	Stormwater Advisory Commission
Environmental Advisory Board	Tourism Development Authority*
Human Services Commission	Transportation Advisory Board
Greenways Commission	
Disconnets that membership is limited to any other to	and at a time. You shall not be considered for anneistre ant to
another board unless you resign before filing an applicatio	pard at a time. You shall not be considered for appointment to nor you are in the last six months of your current term.

Other (advisory board not listed):

Г

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

**Employer/Self Employed

Self- Creative Collaborations, LLC Fundraising and Marketing

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

Advisory Board Preference*

Northern Transition Area

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

Number of Years Employed

2
Enter the number of years you have been employed at the
organization listed to the left.

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

Required only for the Tourism Development Authority Application.

Community Activities/Organizational Memberships*

PORCH participation, NTA meeting attendance for the last 2 years, reading the emails, and watching the business of Carrboro town I am a non-profit fundraising professional and have worked in this area for more than 20 years for small and large organizations, including Kidzu Children's Museum, UNC Chapel Hill (@ UNC Global), Wesley Campus Ministry at UNC, to name but a few nearby. I have also worked at the Nasher at Duke, Durham Arts Council, and Urban Ministries of Durham.

Please enter the requested information.

Relevent Experience:*

For the past 2 years, I have participated in the NTA meetings to ensure representation and understanding of the NTA. I have done neighborly outreach in my area and participate in community-building activities to ensure the health, safety, and hopeful happiness of my community. I am non-profit fundraising professional with marketing, communications, and philanthropy experience. I understand the importance of good communications, good relationships, and community building. I am well-organized, ask questions, do research, and believe in awareness and understanding for communities for many topics, but connectivity, green space, and careful improvements for road and development are also interesting to me. Sustainability is key as we face climate change. Carrboro is forward-thinking and it would be an honor to serve on NTA.

Reasons You Wish to be Appointed*

I wish to continue to participate with the NTA committee and already do. Service and volunteerism is part of my value system, I believe in creating community. Btw-I did outreach to try to bolster more diversity on the NTA, but we are in a sparsely populated area and I was unable to recruit anyone. I am now concerned about the committee being viable and having energy on it to support its mission. I will continue to seek to diversify the committee as well, but this year we are in need of members. Anahid and others on the committee could vouch for my involvement and participation.

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.*

As stated above, I reached out to my contacts Revs. Larry Reid and Robert Campbell regarding service on the NTA. I believe in diversity, equity, and inclusion, and have done deeper dives into study regarding anti-racism work. (Books and online study groups with people of color, not just self-study.) Change must occur in our society around diversity, equity and inclusion. I continue to listen and learn to be ever-aware of bias and inequality. I support and agree with the efforts Carrboro is carrying out, and I hope to be of service in this regard.

Have you ever served on any Town of Carrboro Committee or Board?*	If yes, which one(s)?		
No			
Are you currently serving	on a Town Board or	 If yes, are you applying for a third consecutive	
Committee?*		term?*	
Yes		Yes	
No		No	
Committee?*	on a Town Board or	term?* □ Yes ☑	ve

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

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



Agenda Item Abstract

File Number:21-235

File Type: Agendas

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1

TITLE:

Budget Amendment - Grant Award to Fire Department

PURPOSE: The purpose of this item is to recognize and appropriate \$6,116.50 contribution made to the Fire Department as a result of being awarded a grant by the North Carolina League of Municpalities. **DEPARTMENT:** Fire

CONTACT INFORMATION: Chief David Schmidt, (919) 918-7349

INFORMATION: The Fire Department has been awarded two grants for the total of \$6,116.50 by the North Carolina League of Municipalities. The first grant is for \$5,000 and was awarded from the Workers Compensation pool and is designed to support initiatives that reduce Workers Compensation claims by creating a safer work environment. The grant funding will help offset the costs of protective gear extractor and protective gear dryer. This equipment is used after a structure fire to clean the firefighters protective gear and reduce the risk of cancer by removing carcinogens.

The second grant is for \$1,116.50 and was awarded from the Property & Liability pool and is designed to reduce the risk of traffic accidents in fire apparatus by installing a wired headset in the apparatus. The headsets allow the crew to communicate over the sound of the motor and help the driver navigate during emergency responses.

These contributions are restricted to the purpose(s) as stated by the donor. They cannot be used for any other purpose, unless authorized by the donor.

FISCAL & STAFF IMPACT: These contributions are restricted to the purpose(s) stated by the donors.

RECOMMENDATION: Staff recommends that the Town Council approve the attached budget amendment (Attachment A).

_ _

FIRE EQUIPMENT GRANT PROJECT ORDINANCE

WHEREAS, the Fire and Rescue Department has a need to acquire certain equipment to maintain its efficiency and effectiveness; and,

WHEREAS, the North Carolina League of Municipalities (NCLM) has awarded up to \$6,116.50 to assist with the purchase of this equipment.

NOWTHEREFORE, BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO THAT IN ACCORDANCE WITH N.C.G.S. 159-13.2 THAT:

- 1. The grant award of \$6,116.50 from the NCLM is hereby accepted and appropriated for the purpose of purchasing equipment for the Fire and Rescue Department.
- 2. These grant funds shall be used in conjunction with Town funds to purchase the following equipment:

	<u>Total Cost</u>
Firefighter Protective Gear Dryer	\$ 5,889.00
Firefighter Protective Gear Extractor & Soap	\$ 7,628.00
Head Set	\$ 2,233.00
Total	\$ 15,750.00
North Carolina League of Municipals Grant	\$ 6,116.50
Town Share	\$ 9,633.50

- 3. Funds in the amount of \$9,653.50 are hereby appropriated from the Fire and Rescue Department's FY 2020-21 General Fund budget appropriation to assist with the purchase of equipment in Section 3 above.
- 4. All grant and Town funds shall remain available until all equipment has been purchased.
- 5. The Town Manager is authorized execute a grant agreement and other required documents with the NCLM to secure these grant funds.
- 6. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.



Agenda Item Abstract

File Number:21-237

Agenda Date: 6/15/2021

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Request to Set the Public Hearing for a Conditional Use Permit to allow an Office Building at 1716 Smith Level Road

PURPOSE: Town Council is asked to set a public hearing date of September 28, 2021 for consideration of a Conditional Use Permit application for an office building at 1716 Smith Level Road. A resolution is included as Attachment A setting the hearing date.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Marty Roupe, 919-918-7333 or <u>mroupe@townofcarrboro.org</u>

INFORMATION: Trent Stewart, of Arcadia Consulting Engineers, has submitted a Conditional Use Permit application seeking to build a 2,850 square foot office building at 1716 Smith Level Road. The application consists of a 2,000 square foot structure along with an 850 square foot accessory garage building. The parcel is identified by Orange County PIN 9776-59-5932. A vicinity map is included as Attachment B.

FISCAL & STAFF IMPACT: None associated with setting the public hearing. Applicable fees have been paid by the applicant.

RECOMMENDATION: Town staff recommends that the Council adopt the attached resolution setting the public hearing for this project on September 28, 2021 (Attachment A).

A RESOLUTION CALLING A PUBLIC HEARING ON CONDITIONAL USE PERMIT APPLICATION FOR A PROPOSED OFFICE BUILDING AT 1716 SMITH LEVEL ROAD

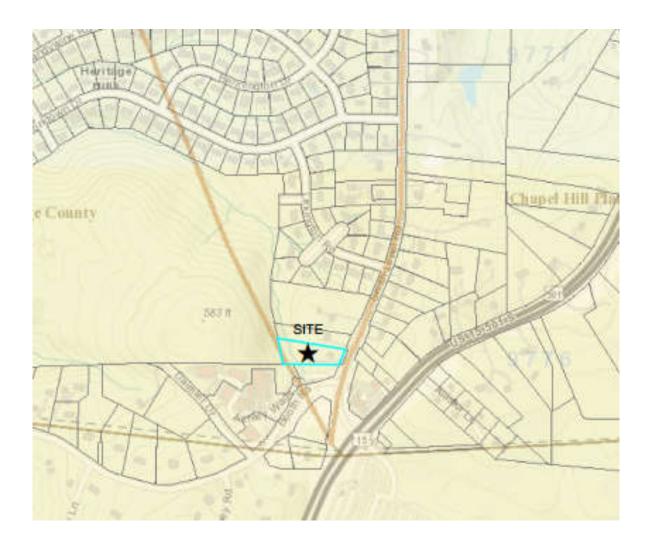
WHEREAS, the Carrboro Town Council seeks to provide ample opportunities for the public to comment on proposed projects; and

WHEREAS, an application has been received for a Conditional Use Permit authorizing the construction of an office building at 1716 Smith Level Road, further identified as Orange County PIN number 9776-59-5932.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that a public hearing will be held on September 28, 2021 to discuss the CUP application for a proposed office building at 1716 Smith Level Road.

This the 15th day of June 2021.

ATTACHMENT B





Agenda Item Abstract

File Number:21-239

Agenda Date: 6/15/2021

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Authorization for Orange County Board of Elections to Consider the use of Town Hall and **Bim Street Building for Voting Purposes**

PURPOSE: The purpose of this item is to authorize the Orange County Board of Elections the option of hosting voting at the recently donated Bim Street property or in Council Chambers.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Dorando

INFORMATION: The Town recently received the donation of the Bim Street building from the Carrboro Civic Club. During early internal discussions on the possible uses of the building, staff thought that it would be a great location for voting. This would open up the Council Chambers and allow the Town Council to continue to meet onsite during early voting.

The Orange County Elections Director toured the building last week and said that it is a perfect location to host voting.

The attached resolution does not guarantee that the space will be used but will allow us to offer both the Town Hall Council Chambers and the Bim Street Community Building as places to vote in Carrboro. There would only be one location that is chosen.

FISCAL & STAFF IMPACT: There is no fiscal impact associated with this item.

RECOMMENDATION: Staff recommends that the Town Council approve the resolution.

AUTHORIZATION FOR ORANGE COUNTY BOARD OF ELECTIONS TO HOST EARLY VOTING IN THE COUNCIL CHAMBERS OR THE BIM STREET COMMUNITY BUILDING

NOW THEREFORE, BE IT RESOLVED, THAT THE TOWN OF CARRBORO TOWN COUNCIL hereby authorized the Orange County Board of Elections to select to use either the Council Chambers or the Bim Street Community Building for voting purposes.



Agenda Item Abstract

File Number:21-234

File Type: Agendas

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1

TITLE:

Appointment to the Orange Water and Sewer Authority (OWASA) Board of Directors **PURPOSE:** The purpose of this item is for the Town Council to consider making an appointment to one of the Town's seats on the OWASA Board of Directors. **DEPARTMENT:** Town Clerk

CONTACT INFORMATION: Cathy Dorando, 918-7309

INFORMATION: A nine-member Board of Directors governs OWASA. The Chapel Hill Town Council appoints five, the Carrboro Town Council appoints two, and the Orange County Board of Commissioners appoints two Board Members. The OWASA Board adopts the annual budget; sets rates, fees and charges based on cost-of-service principles; approves bond issues to fund capital projects; makes policy decisions; and appoints the Executive Director, General Counsel and independent auditor.

The Town of Carrboro has two seats on the Orange Water and Sewer Authority Board of Directors. Currently, Yinka Ayankoya and Robert Morgan are serving as Carrboro's representatives. Robert Morgan's second and last term expires on June 30, 2021 and is ineligible for reappointment. Appointments to full terms are for three years.

Applications were received from Melody Kramer, Emily Oglesby, and Robert Campbell. After review of applications, it was noted that Robert Campbell lives outside of Town of Carrboro and does not qualify for the appointment.

Ballots will be emailed to the Town Council.

Current OWASA demographics are included as attachment B.

FISCAL & STAFF IMPACT: N/A

RECOMMENDATION: Staff recommends that the Town Council adopt the attached resolution making an appointment to the OWASA Board of Directors.

A RESOLUTION MAKING AN APPOINTMENT TO THE ORANGE WATER AND SEWER AUTHORITY BOARD OF DIRECTORS

WHEREAS, The Town of Carrboro has two seats on the Orange Water and Sewer Authority Board of Directors; and,

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF CARRBORO HEREBY RESOLVES:

Section 1: _______ is hereby appointed as the Town's representative on the OWASA Board of Directors for a term to expire on June 30, 2024.

Section 2: A copy of this resolution shall be forwarded to OWASA.

Section 3. This resolution shall become effective upon adoption.

CURRENT OWASA BOARD DEMOGRAPHIC INFORMATION

Non-Board Specific Criteria	Current Membership
	Composition/Factors
Age	[0] 18-25
	[0] 25-34
	[2] 35-54
	[7] Over 55
Race/Ethnicity	[1] African American
	[0] American Indian/Alaskan Native Aleutian
	[0] Asian or Pacific Islander
	[7] Caucasian/Non-Hispanic
	[0] Hispanic
	[0] (Other, Unknown, Prefer not to Answer)
Gender Identification	[2] Female
	[7] Male
	[0] Non-binary or third gender
	[0] Prefer to self-describe
	[0] Prefer not to say

Print

Advisory Board Application - Submission #5153

Date Submitted: 1/22/2021

	Last Name*	Date*	
Melody	Kramer	1/22/	2021
		Select	today's date
Address1*			
103 Richard Dixon Court			
Address2			
City*		State	Zip*
Carrboro		NC	27510
Yes v Please select Yes or No. Telephone (111)-111-1111*	Email Address*	Unsure 💌	
2159641992	mjkramer@email.unc.edu	ress	
Please enter your primary contact phone number.	Enter your primary email add		
contact phone number. The demographic informati	ion provided below is of interes	st because your elected officials	
contact phone number. The demographic informati boards to reflect the diversi	ion provided below is of interes	st because your elected officials	
contact phone number. The demographic informati boards to reflect the diversi Current Age*	ion provided below is of interes ity of the Town. Diversity of the	st because your elected officials applicant pool is a priority of th	
contact phone number. The demographic informati boards to reflect the diversi	ion provided below is of interes ity of the Town. Diversity of the Race*	st because your elected officials applicant pool is a priority of th Sex*	
contact phone number. The demographic informati boards to reflect the diversi Current Age* 7/31/1984	ion provided below is of interest ity of the Town. Diversity of the Race* White Please enter your race. Are you a registered	st because your elected officials applicant pool is a priority of th Sex* Female Please enter your sex. Length of Residence in	
contact phone number. The demographic informati boards to reflect the diversi Current Age*	ion provided below is of interestity of the Town. Diversity of the Race*	st because your elected officials applicant pool is a priority of th Sex* Female Please enter your sex.	Length of Residence in

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

Affordable Housing Advisory Commission	Greenways Commission
Appearance Commission/NPDC	Northern Transition Area Advisory Committee
Arts Committee	OWASA Board of Directors
Board of Adjustment	Planning Board
Climate Action Team	Recreation and Parks Commission
Economic Sustainability Commission	Stormwater Advisory Commission
Environmental Advisory Board	Tourism Development Authority*
Human Services Commission	Transportation Advisory Board

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

Other (advisory board not listed):

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

**Employer/Self Employed

University of North Carolina at Chapel Hill, Carolina Population Center

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

Advisory Board Preference*

OWASA

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

Number of Years Employed

2

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

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

Required only for the Tourism Development Authority Application.

Community Activities/Organizational Memberships*

Student, UNCG Employee, UNC-CH

Please enter the requested information.

Relevent Experience:*

I have worked for 15 years in communications roles and love my town. I would be happy to supply a CV.

Reasons You Wish to be Appointed*

Г

Г

I have worked for 15 years in communications roles and love my town. I have worked in public service and would love to serve my community in this way, and show my children that public service is important.

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.*

Have you ever served on any Town of Carrboro Committee or Board?*	If yes, which one(s)?	
No		
Are you currently serving Committee?*) on a Town Board or	If yes, are you applying for a third consecutive term?*
) on a Town Board or	
) on a Town Board or	term?*
Committee?*	g on a Town Board or	term?*

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

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

Print

Advisory Board Application - Submission #5344

Date Submitted: 4/25/2021

Address1* 504 Oak Ave Address2 Apt B City* State Carrboro NC Is this address located within the corporate limits of the Is this address located within	2021
Address1* 504 Oak Ave Address2 Apt B City* State Carrboro NC Is this address located within the corporate limits of the Town of Carrboro?* Yes Please select Yes or No. Telephone (111)-111-1111* Email Address* 9196198819 epoglesby@gmail.com Please enter your primary Enter your primary email address.	
504 Oak Ave Address2 Apt B City* State Carrboro NC Is this address located within the corporate limits of the Town of Carrboro?* Is this address located within Jurisdiction, or Northern Tra Yes No Please select Yes or No. No Telephone (111)-111-1111* Email Address* 9196198819 epoglesby@gmail.com Please enter your primary Enter your primary email address.	today's date
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9196198819epoglesby@gmail.comPlease enter your primaryEnter your primary email address.	
Please enter your primary Enter your primary email address.	
The demographic information provided below is of interest because your elected officials boards to reflect the diversity of the Town. Diversity of the applicant pool is a priority of th	
Current Age* Race* Sex*	Ethnicity*
6/1/1990WhiteFemalePlease enter your race.Please enter your sex.	Not Hispanic/Latino
Occupation* Are you a registered Length of Residence in Orange County Voter?* Orange County*	Length of Residence in the Town of Carrboro*
Communications and Yes 21 years total; most	3 years
Please enter your occupation. Please answer Yes or No recently 5 consecutively How long have you been a resident of Orange County?	How long have you been a resident of the Town of Carrboro?

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

Affordable Housing Advisory Commission	Northern Transition Area Advisory Committee
Appearance Commission/NPDC	OWASA Board of Directors
Arts Committee	Planning Board
Board of Adjustment	Racial Equity Commission
Climate Action Team	Recreation and Parks Commission
Economic Sustainability Commission	Stormwater Advisory Commission
Environmental Advisory Board	Tourism Development Authority*
Human Services Commission	Transportation Advisory Board
Greenways Commission	
Please note that membership is limited to one advisory bo	pard at a time. You shall not be considered for appointment to

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

Other (advisory board not listed):

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

Advisory Board Preference*

Most interested in OWASA but would like to be considered for Environmental if that doesn't work out.

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

**Employer/Self Employed

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North Carolina Botanical Garden

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

Number of Years Employed

|--|

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

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

Required only for the Tourism Development Authority Application.

Community Activities/Organizational Memberships*

I enjoy biking around town, going to the Carrboro Farmers Market, looking for new plants and critters in the Adams Tract, and supporting local restaurants and shops.

Please enter the requested information.

Relevent Experience:*

lâ€[™]m a communications professional with interests in environmental conservation, community building, and social equity. I grew up in Chapel Hill, then moved to Providence, RI for college, where I earned my Bachelorâ€[™]s degree in Classics from Brown University. After graduating, I worked in non-profit communications and in the food service industry before moving back to the area and beginning work at the North Carolina Botanical Garden. I moved to Carrboro three years ago, a longtime dream of mine. I have experience in digital communications, particularly in interpreting complicated scientific topics to the public. I'm knowledgeable about the botany and ecology of our area, and I have experience working with non-profit boards. More than anything, I can offer enthusiasm, dedication, and a deep desire to learn. lâ€[™]ve read the (very impressive) bios of the current OWASA board members -- clearly, I donâ€[™]t have a PhD or decades of business experience. But I like to listen to people, work to understand their concerns, and think through solutions with them. I would seek to represent the Town of Carrboro and its people, serve as a bridge between the Town and the Board and OWASA, and contribute to the success of all three entities in whatever way I could. (A small, unrelated note for the future: relevant is misspelled in this question title.)

Reasons You Wish to be Appointed*

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I care deeply about the people and land of this area, and lâ€[™]d like to be a part of a board thatâ€[™]s working to protect and lift up our community and natural resources. lâ€[™]ve watched several OWASA board meeting recordings, both virtual pandemic meetings and in-person ones from before the pandemic. In every instance, lâ€[™]ve learned something new about how OWASA or the town operates - it has been fascinating.

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.*

Diversity in any setting is a good thing: it makes organizations stronger, opens us up to new perspectives, and deepens the bonds of community. But it's especially critical in government. A government that purports to serve the whole community must lift up voices from across the community at every level of the process, whether it's in an advisory board or a council meeting. If it's missing out on the voices and perspectives of marginalized groups, it doesn't just make it harder for the government to serve those groups – it hurts everyone. We really are all in this together, sink or swim.

Have you ever served on any Town of Carrboro Committee or Board?*	If yes, which one(s)?		
No			
Are you currently serving Committee?*	on a Town Board or	If yes, are you applying for a third cons term?*	æcutive
Yes		Yes	
No		No	

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

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



Agenda Item Abstract

File Number:21-226

Agenda Date: 6/15/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Public Hearing for the 203 South Greensboro Project - Consideration of Site Plan and Design Development Cost Estimate

PURPOSE: The purpose of this item is to hold a public hearing on the site plan for the 203 Project and design development costs for the project as well.

DEPARTMENT: Town Manager, Planning, Finance

CONTACT INFORMATION: David Andrews, 919-918-7315, <u>dandrews@townofcarrboro.org</u> <<u>mailto:dandrews@townofcarrboro.org</u>>; Patricia McGuire 919-918-7327, <u>pmcguire@townofcarrboro.org <mailto:pmcguire@townofcarrboro.org</u>>; Arche McAdoo, 919-918-7439, <u>amcadoo@townofcarrboro.org <mailto:amcadoo@townofcarrboro.org</u>>; Ben Schmadeke, 919-918-7424, <u>bschmadeke@townofcarrboro.org <mailto:bschmadeke@townofcarrboro.org</u>>; Marty Roupe, 919-918-7333, <u>mroupe@townofcarrboro.org <mailto:mroupe@townofcarrboro.org</u>>

INFORMATION: Work on the design development phase of the project is nearing completion and Town Council is asked to consider approving the site plan for the project as well as design development costs for the project.

Site Plan Information:

The site plan for the project has been reviewed and found to comply with applicable Land Use Ordinance regulations pertaining to permissible uses, supplementary use, density and dimensions, streets and sidewalks, utilities, stormwater, and parking. A few topics follow that Council is asked to endorse by way of approving the site plan for the project:

-Flexibility in administration of the screening requirements is requested. Specifically, the presumptive required screening from the parking deck portion of the site adjacent to a public street is Type B. The plans indicate a Type C screen instead along Carr Street, and a vegetative area along Maple Avenue that will include plants but may not constitute a Type C screen. The consultants have indicated to town staff that putting a Type B screen in place along Carr Street seems to run contrary to civic and welcoming nature of the building itself, and the proposed trees along Carr Street will provide substantial screening. A mural is indicated for a portion of the façade along Maple Avenue as a way to soften and mitigate the visual impact of the parking deck. Other included design features such as the access point for refuse facilities prevent full compliance from being

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type: Agendas

achieved along Maple Avenue. This flexibility is authorized under LUO Section 15-309.

-The tree canopy coverage portion of the ordinance is being substantially achieved by providing 8 percent of the 15 percent requirement. This flexibility is authorized under LUO Section 15-319(b) by way of provision of improved stormwater management.

Also of note:

-Brick edged sidewalks, common in parts of downtown Carrboro, are not included in the project plans at this point. This is not required by the LUO but is noted here in case Town Council would like to ask the consultants to add this element to the project.

-A meeting of the Appearance Commission is being scheduled now for a final review of the architecture, in accordance with LUO Section 15-178(b)(1).

-South Greensboro Street will be constructed with a fourteen foot travel lane painted with a bike sharrow symbol in lieu of the small portion of bike lane previously shown on the site plan.

-Final details regarding the lighting plan are still under discussion and review. The final plan to be approved by staff will comply with the applicable LUO regulations.

-The formerly adopted Roberson Street right of way plan is not being utilized in favor of an updated streetscape plan for the project.

Budget Update / Design Development Status:

Barnhill Construction Company provided a construction estimate of \$27,249,733.00 to the Project team on May 2nd. This estimate was based on the Design Development (DD) drawing and specification document set completed by Perkins & Will staff in April. Barnhill largely used subcontractor pricing to develop the construction cost estimate, however some items were estimated using metrics and recently completed project data. This estimate is approximately \$3.4M over the previous estimate based on Schematic Design (SD) documents. The reason for this large increase has largely been attributed to material and labor escalation and the increased detail of the project documents. Through a Value Engineering (VE) process, the project team has been able cut approximately \$1.2M from the project cost.

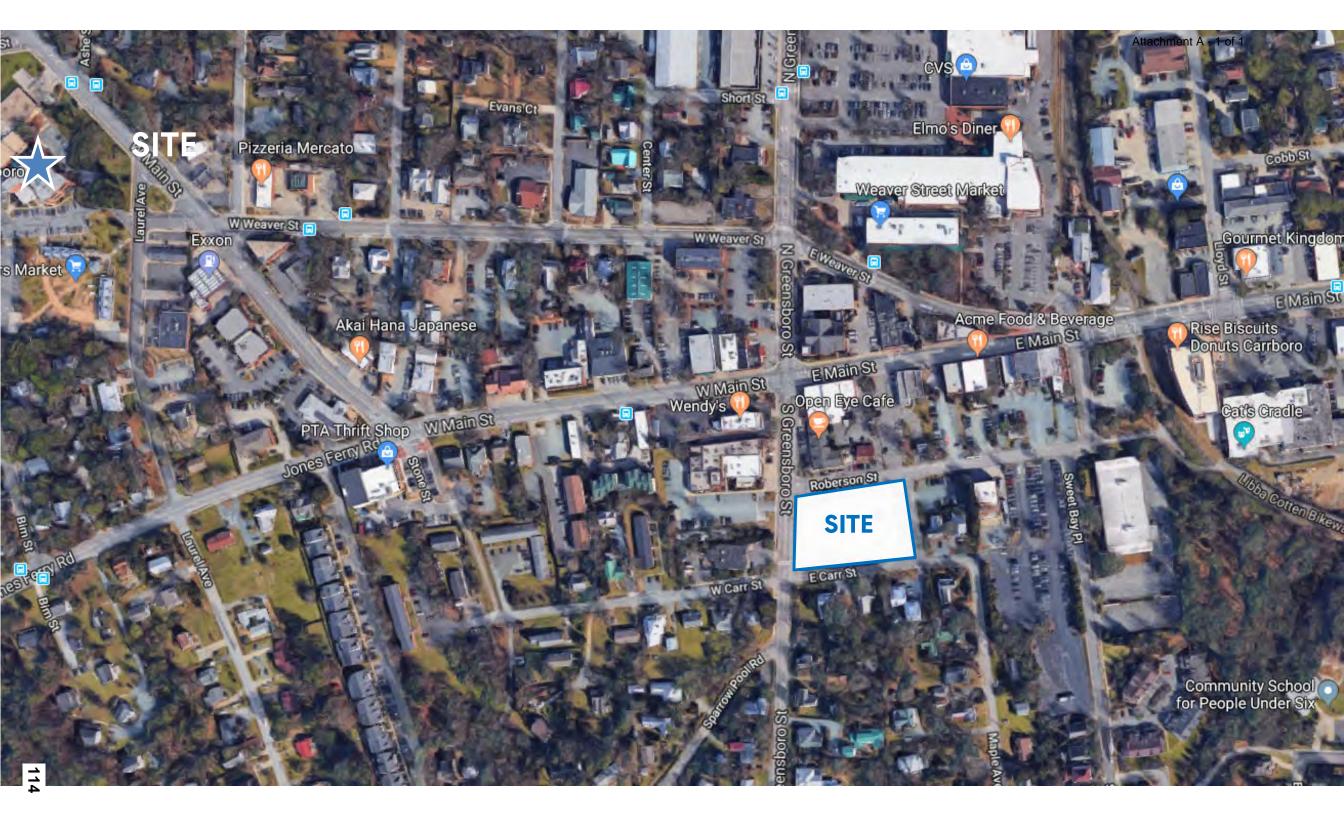
The current construction estimate after VE is \$26,071,297.00. Including costs for professional services, the project is estimated to be approximately \$1M over the current project budget of \$27,638,255.00. The shared cost of this amount is roughly even between Orange County and the Town.

Staff from Carrboro and Orange County as well as consultant team members from Barnhill and Perkins + Will will be available to answer questions.

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type: Agendas

FISCAL & STAFF IMPACT: As described, the current DD plan set cost estimate exceeds the project budget. Value engineering review continues. The final project cost will be determined through and in the construction bidding process.

RECOMMENDATION: Staff recommends that the Town Council receive comments and questions. A resolution of approval will be provided on the consent agenda on June 22nd.



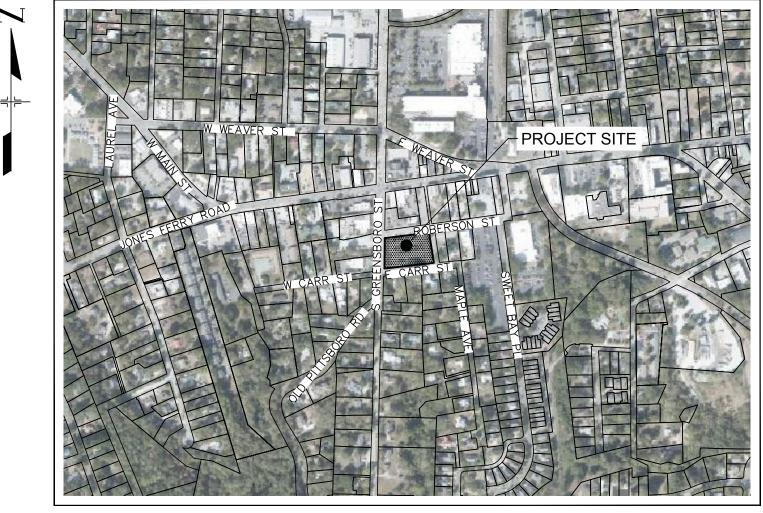
SUMMARY INFORMATION			
TRACT SIZE:	0.90 AC/39,228 SF		
TOTAL NUMBER OF PROPOSED LOTS:	1		
EXISTING FLOOR AREA:	N/A		
PROPOSED GROSS BUILDING SQUARE FOOTAGE:	50,798 SF		
EXISTING USE CATEGORY:	10.100 AUTOMOBILE PARKING FACILITY		
PROPOSED USE CATEGORY:	5.32 – LIBRARIES, MUSEUMS, ART GALLERIES, AND SIMILAR USES IN ANY OTHER BUILDING		
REQUIRED PARKING SPACES:	153 (SEE PARKING CALCULATION TABLE BELOW)		
EXISTING PARKING SPACES:	86		
PROPOSED PARKING SPACES:	173		
TOTAL IMPERVIOUS AREA:	0.90 AC/ 39,228 SF		
ALLOWABLE BUILDING HEIGHT:	4 STORIES (15–185(A)(3a))		
PROPOSED BUILDING HEIGHT:	4 STORIES		
TAX MAP REFERENCE NUMBER:	PIN: 9778857932		
PROPERTY ADDRESS:	203 SOUTH GREENSBORO STREET CARRBORO, NC 27510		
ZONING DISTRICT:	B-1(G)		

Sheet List Table

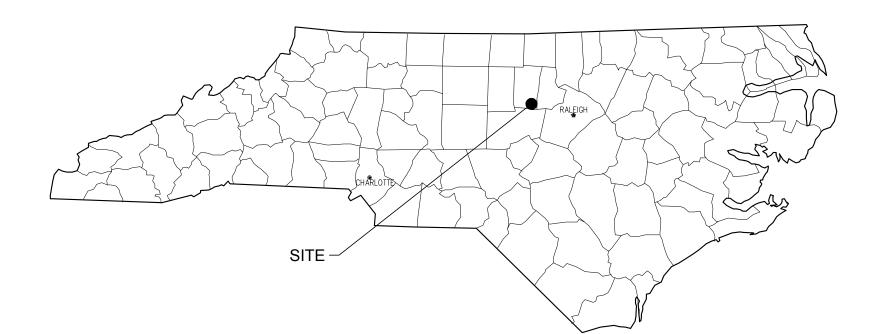
Shoot Nurshar	
Sheet Number	Sheet Title
C0.0	COVER SHEET
C0.1	GENERAL NOTES
C1.0	EXISTING CONDITIONS PLAN
C1.1	DEMOLITION PLAN
C2.0	PHASE 1 EROSION CONTROL PLAN
C2.1	PHASE 2 EROSION CONTROL PLAN
C3.0	SITE PLAN
C3.1	STREET CROSS SECTIONS
C4.0	GRADING AND DRAINAGE PLAN
C5.0	UTILITY PLAN
C6.0	SITE DETAILS
C7.0	EROSION CONTROL DETAILS
C8.0	STORM DETAILS
C9.0	SEWER DETAILS
C10.0	WATER DETAILS
L00-00	GENERAL NOTES AND SHEET INDEX
L01-01	MATERIAL & LAYOUT PLAN
L01-03	MATERIAL & LAYOUT PLAN
L04-01	MATERIAL & LAYOUT PLAN
L04-02	MATERIAL & LAYOUT PLAN
L-EX 01	MATERIAL & LAYOUT PLAN
A10-01	OVERALL FLOOR PLAN - LEVEL 01
A10-02	OVERALL FLOOR PLAN - LEVEL 02/P
A10-03	OVERALL FLOOR PLAN - LEVEL 03/P
A10-04	OVERALL FLOOR PLAN - LEVEL P3
A10-05	OVERALL FLOOR PLAN - LEVEL P4
A20-00	EXTERIOR CONCEPT RENDERINGS
A20-01	EXTERIOR ELEVATIONS
A20-02	EXTERIOR ELEVATIONS
A20-03	EXTERIOR ELEVATIONS
G01-01	VEHICLE AND BICYCLE PARKING CALCULATIONS
G01-02	CODE COMPLIANCE-ALLOWABLE AREA
G01-03	LUO ZONING REQUIREMENTS
AL100	LIGHTING LAYOUT - SITE

Use Туре	Use Type	Parking Calc	Gross floor area	Parking Spaces	Bike Parking Calc	Bike Spaces
	(LUO pp. 192-198)	(LUO pp. 417-421)	(net + share of	REQUIRED	(LUO pp. 421-422)	REQUIRED
					5 min. for office use	
Level 1						
Offices	3.120	1 space/400gsf	3,918	10	1 bike/ 10 car	1
Library	5.320	1 space/300gsf	8,210	27	no requirement	0
Community Center	6.140	1 space/200gsf	4,248	21	no requirement	0
Storage	10.210	1 space/5000gsf	4,858	1	no requirement	0
Circulation (office space use)	3.120	1 space/400gsf	6,110	15	1 bike/ 10 car	2
		Total Net SF	27,344			
Level 2						
Offices	3.120	1 space/400gsf	984	2	1 bike/10 car	0
Community College	5.130	1 space/150gsf	3,378	2 23	1 space/10 students + 1 space/10 employees	0
Community Center	6.140	1 space/200gsf	2,949	15	no requirement	
Storage	10.210	1 space/5000gsf	1,075	0	no requirement	0
Circulation (office space use)	3.120	1 space/400gsf	4,565	11	1 bike/ 10 car	1
0			12,951			
Level 3						
Office	3.120	1 space/400gsf	7,563	19	1 bike/ 10 car	2
Community Center	6.140	1 space/200gsf	682	3	no requirement	2
Storage	10.210	1 space/5000gsf	425	0	no requirement	
Circulation (office space use)	3.120	1 space/400gsf	1,610	4	1 bike/ 10 car	0
			10,280	2		
TOTAL REQUIRED			50,575	152		18
TOTAL PROVIDED				171		72

SITE DEVELOPMENT PLANS FOR THE 203 PROJECT **203 SOUTH GREENSBORO STREET** CARRBORO, ORANGE COUNTY, NC ZONING PERMIT #____



SCALE: 1" = 500'



GOVERNING AGENCIES CONTACTS:

TOWN PLANNING

STORMWATER

905 JONES FRANKLIN ROAD

RALEIGH, NC 27606

PHONE: 919-859-2243

SUNGATE DESIGN GROUP, P.A.

CONTACT: JOSH DALTON, PE, CPESC

EMAIL: JDALTON@SUNGATEDESIGN.COM

TOWN OF CARRBORO, ZONING & INSPECTIONS DEPARTMENT 100 PUBLIC WORKS DRIVE

CARRBORO, NORTH CAROLINA 27510 PHONE: 919-918-7333 CONTACT: MARTIN ROUPE EMAIL: MROUPE@TOWNOFCARRBORO.ORG UTILITIES ORANGE WATER AND SEWER AUTHORITY 400 JONES FERRY ROAD CARRBORO, NORTH CAROLINA 27510 CONTACT: NICK PARKER EMAIL: NPARKER@OWASA.ORG

NCDOT

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION 2122 CLARENCE WALTERS ROAD HILLSBOROUGH, NORTH CAROLINA 27278 CONTACT: CHUCK EDWARDS EMAIL: CNEDWARDS@DOT.STATE.NC.US

Perkins&Will

Legacy Tower 411 W Chapel Hill Street, Suite 200 Durham, North Carolina 27701 t 919.433.5300 f 919.433.5301 perkinswill.com

CONSULTANTS

LANDSCAPE ARCHITECTURE Perkins & Will

411 West Chapel Hill, Suite 200, Durham, NC 27701 CIVII

Kimley Horn 421 Fayetteville Street, Suite 600, Raleigh, NC 27601 STRUCTURAL Lynch Mykins 415 Hillsboorugh Street, Suite 101

Raleigh, NC 27603 Engineered Design Inc.

1151 SE Cary Parkway, Suite 200, Cary, NC 27518 THEATER DESIGN Theater Consultant Collaborative 6325 Old NC 86 Chapel Hill, NC 27516 AUDIO VISUAL AND ACOUSTICS DESIGN

> The Sextan Group/NV5 3300 Regency Parkway Cary, NC 27518

> > PROJECT

SITE PLAN SUBMITTAL 11.16.2020	OR	ANG 203 So PROGRE THES DES INTENI BIDDIN THEY UN W	ESS SET FOR SIGN REVIEW DED FOR CC G, OR PERM	CARR JNTY/ nsboro Str rboro, NC R REVIEW ON ITS ARE FOR VAND NOT IT PURPOSE PARED BY OF VISION OF: REWER 039196	27510 ILY N, S.
				ISSL	IE CHART
	MARK Job N	lumber			DATE 830608.000 TITLE
			VERS	SHEE Sheet	I NUMBER

LIMITS OF DISTURBANCE: 1.25 AC

IMPROVEMENTS AND TOPOGRAPHICAL INFORMATION TAKEN FROM: SURVEY PROVIDED BY SUNGATE DESIGN GROUP, P.A., 905 JONES FRANKLIN ROAD, RALEIGH, NC 27606, 919–859–2243, DATED 7/20/18, REVISED 8/19/20.

PLANS TITLED "ROBERSON SQUARE" BY SGI TECHNICAL SERVICES, 200 NORTH GREENSBORO STREET, SUITE B-13A, CARRBORO, NC 27510, 919-942-7612 DATED 11/20/07.

CURRENT AVAILABLE AERIAL INFORMATION OBTAINED FROM TOWN OF CARRBORO/ORANGE COUNTY GIS DATABASE.

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	<u>ENERAL NOTES:</u> CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR PRECISE BUILDING DIMENSIONS, BUILDING UTILITY ENTRANCE LOCATIONS, AND EXACT LOCATIONS AND DIMENSIONS OF EXIT PORCHES, RAMPS, DOWNSPOUTS, GRAVEL	<u>U</u> - 1.	TILITY NOTES ALL MATERIALS & CONS STANDARDS & SPECIFIC
	AREAS ADJACENT TO BUILDING WALLS, UTILITY ENTRANCE LOCATIONS, AND BOLLARDS IN BUILDING SIDEWALKS. ANY DISCREPANCIES FOUND BETWEEN THE BUILDING AND CIVIL PLANS SHALL BE IMMEDIATELY REPORTED TO THE ENGINEER.	2.	ALL WATER JOINTS ARE DETAILS.
	NO WORK WITHIN NCDOT RIGHT OF WAY SHALL TAKE PLACE WITHOUT ALL REQUIRED PERMITS. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES,	3.	WATER AND SEWER MAI CLEARANCE (OUTSIDE E
	STORM DRAINAGE, SIGNS, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BASE BID. AREAS TO BE DISTURBED SHALL BE IMPROVED PER THE CIVIL PLANS OR RESTORED TO THEIR ORIGINAL OR BETTER CONDITION. CONTRACTOR SHALL REPAIR ANY EXISTING FEATURES THAT ARE DAMAGED DURING CONSTRUCTION TO THE EXISTING OR BETTER CONDITION.	4.	WHEN A WATER MAIN C SEPARATION. IF THE W/ DUCTILE IRON FOR A D VERTICAL SEPARATION. INCHES OF VERTICAL SI DIAMETER.
	ACCESSIBLE PARKING SIGNS WITH A "VAN" MARKING SHALL HAVE ADDITIONAL SIGN MOUNTED BELOW THE SYMBOL OF ACCESSIBILITY SIGN DENOTING VAN ACCESSIBILITY; REFER TO CONSTRUCTION DETAIL SHEETS.	5.	WHEN A WATER LINE P
	REFER TO SITE DETAIL SHEETS FOR DETAILS OF ON-SITE SIGNAGE, STRIPING, AND PAVEMENT MARKING. REFER TO SITE PLAN FOR ADDITIONAL DIMENSIONAL INFORMATION. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY, COUNTY, AND STATE REGULATIONS AND CODES AND		BE MAINTAINED UNLESS CONCRETE PAD SHALL TO OUTSIDE DIAMETER.
	O.S.H.A. STANDARDS. SURVEY PROVIDED BY SUNGATE DESIGN GROUP, P.A., 905 JONES FRANKLIN ROAD, RALEIGH, NC 27606,	6.	CONTRACTOR SHALL MA
	919-859-2243, DATED 7/20/18, REVISED 8/19/20. PLANS TITLED "ROBERTSON SQUARE" BY SGI TECHNICAL SERVICES, 200 NORTH GREENSBORO STREET, SUITE B-13A, CARRBORO, NC 27510, 919-942-7612 DATED 11/20/07.CURRENT AVAILABLE AERIAL INFORMATION OBTAINED FROM TOWN OF CARRBORO/ORANGE COUNTY GIS DATABASE.	7.	LINES (EXISTING AND P JOINTS AT LEAST 10 FE WITH APPROPRIATE THE
8.	THE CONTRACTOR SHALL FURNISH AND INSTALL ALL NECESSARY BARRICADES, SIGNS, FENCES, FLASHING LIGHTS, TRAFFIC MEN, ETC. FOR MAINTENANCE AND PROTECTION OF TRAFFIC AS REQUIRED BY NCDOT AND THE TOWN OF CARRBORO INSPECTIONS.	8.	C-151) (CLASS 50). ANY NECESSARY FIELD PROFILE BY OWASA.
	THE CONTRACTOR SHALL PROTECT ALL MONUMENTS, IRON PINS, AND PROPERTY CORNERS DURING CONSTRUCTION. THE CONTRACTOR SHALL REPLACE EXISTING CONCRETE CURBS, SIDEWALK, PAVING, AND GUTTER AS INDICATED ON PLANS AND AS NECESSARY TO CONNECT TO EXISTING INFRASTRUCTURE, INCLUDING ANY DAMAGE CAUSED BY THE CONTRACTOR.	9.	CONTRACTOR SHALL MA BUSINESSES THROUGHO PRECEDED BY A 72 HC
11.	CONTRACTOR SHALL ADJUST AND/OR CUT EXISTING PAVEMENT AS NECESSARY TO ASSURE A SMOOTH FIT AND CONTINUOUS GRADE		3.0' MINIMUM COVER IS BE USED WHERE 3.0' M PRESSURE REDUCING V
12.	APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS		VALVES ARE REQUIRED ABOVE THE NEXT UPST
13.	WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNERS AND TEMPORARY CONSTRUCTION EASEMENTS MAY BE REQUIRED. CONTRACTOR AGREES TO REPAIR ANY DAMAGE TO PRIVATE PROPERTY AND THE PUBLIC RIGHT-OF-WAY IN		NCDOT ENCROACHMENT &/OR SERVICE TAPS)
	ACCORDANCE WITH THE STANDARDS OF THE NCDOT AND THE TOWN OF CARRBORO. COORDINATE ALL CURB AND STREET GRADES IN INTERSECTIONS WITH TOWN AND/OR NCDOT INSPECTORS.		OR BE ON THE UNIVER AND TESTED (BOTH INI RECOMMENDATIONS OR
15.	THE CONTRACTOR SHALL IMMEDIATELY REPORT TO THE OWNER ANY DISCREPANCIES FOUND BETWEEN THE ACTUAL FIELD CONDITIONS AND THE CONSTRUCTION DOCUMENTS AND SHALL WAIT FOR INSTRUCTION PRIOR TO PROCEEDING.		ALL FILL MATERIAL IS ⁻ CONTRACTOR SHALL NO
	ALL SITE DIMENSIONS ARE REFERENCED TO THE FACE OF CURB OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED. ALL BUILDING DIMENSIONS ARE REFERENCED TO THE OUTSIDE FACE OF THE STRUCTURE.	16.	WATER LINES SHALL BE 4" AND LARGER – SC
17.	THE CONTRACTOR SHALL CONSTRUCT ACCESSIBLE RAMPS AT ALL INTERSECTIONS IN ACCORDANCE WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARDS MANUAL (LATEST REVISIONS FOR ACCESSIBLE RAMP DETAILS).	17.	SEWER LINES SHALL BE
	SIGHT TRIANGLES SHOWN ARE THE MINIMUM REQUIRED. ALL OFF-SITE CONSTRUCTION MUST BE PERFORMED IN ACCORDANCE WITH CURRENT NCDOT STANDARD	18	4"-12" - SCHEDULE 4
	SPECIFICATIONS AND DETAILS. ALL ON-SITE CONSTRUCTION MUST BE PERFORMED IN ACCORDANCE WITH TOWN OF CARRBORO STANDARD SPECIFICATIONS AND DETAILS.	19.	ALL WATER JOINTS ARE
20.	ALL WORK MUST COMPLY WITH NORTH CAROLINA STATE BUILDING CODE AND NORTH CAROLINA ACCESSIBILITY CODE CHAPTER 11 AS WELL AS FEDERAL, STATE, AND LOCAL ACCESSIBILITY REQUIREMENTS.		
21.	ADJACENT STREETS SHALL BE KEPT CLEAN AT ALL TIMES.		
	ADJACENT STREETS SHALL BE KEPT CLEAN AT ALL TIMES. CONTRACTOR MUST INSTALL CONSTRUCTION FENCE AROUND THE PERIMETER OF THE PROPERTY UNTIL THE BUILDING IS SECURE WITH TEMPORARY DOORS AND LOCKS.	22. 23.	ALL CONCRETE FOR EN EXISTING UTILITIES SHA
22. 23.	CONTRACTOR MUST INSTALL CONSTRUCTION FENCE AROUND THE PERIMETER OF THE PROPERTY UNTIL THE BUILDING IS SECURE WITH TEMPORARY DOORS AND LOCKS. CONTRACTOR SHALL POST ASSIGNED BUILDING PERMIT NUMBER AND ADDRESS ON BUILDING.	22. 23. 24.	ALL CONCRETE FOR EN EXISTING UTILITIES SHA REFER TO ARCHITECTUP THE CONTRACTOR IS SI UTILITIES AS SHOWN OF
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- TO BE MECHANICAL JOINTS WITH THRUST BLOCKING AS CALLED OUT ON UTILITY
- SHALL BE KEPT TEN (10') APART (PARALLEL) OR WHEN CROSSING 18" VERTICAL SE OF PIPE TO OUTSIDE EDGE OF PIPE).
- DSSES OVER A SEWER MAIN, THERE MUST BE EIGHTEEN INCHES OF VERTICAL ER MAIN MUST GO UNDER THE SEWER MAIN, BOTH THESE LINES MUST BE OF TANCE OF TEN FEET ON EITHER SIDE OF THE CROSSING WITH A TWELVE INCH HE CROSSING OF OTHER UNDERGROUND PIPE REQUIRES A MINIMUM OF TWELVE ARATION. ALL DISTANCES ARE MEASURED FROM OUTSIDE DIAMETER TO OUTSIDE
- SES OVER OR UNDER A STORM SEWER, VERTICAL SEPARATION OF 18 INCHES SHALL VATER LINES ARE OF DUCTILE IRON OR ENCASED IN CONCRETE. A MINIMUM 6" POURED BETWEEN THE TWO. DISTANCES ARE MEASURED FROM OUTSIDE DIAMETER
- TAIN A MINIMUM OF 3.0' COVER ON ALL WATERLINES.
- TICAL CONFLICT BETWEEN WATERLINES, SANITARY LINES, STORM LINES AND GAS POSED), THE SANITARY LINE SHALL BE DUCTILE IRON PIPE WITH MECHANICAL ON BOTH SIDES OF CROSSING, THE WATERLINE SHALL HAVE MECHANICAL JOINTS ST BLOCKING, MEETING REQUIREMENTS OF ANSI A21.10 OR ANSI 21.11 (AWWA
- EVISIONS ARE SUBJECT TO REVIEW & APPROVAL OF AN AMENDED PLAN &/OR
- TAIN CONTINUOUS WATER & SEWER SERVICE TO EXISTING RESIDENCES & CONSTRUCTION OF PROJECT. ANY NECESSARY SERVICE INTERRUPTIONS SHALL BE ADVANCE NOTICE TO ORANGE WATER AND SEWER AUTHORITY.
- EQUIRED ON ALL WATER MAINS & SEWER FORCEMAINS. DUCTILE IRON PIPING MAY IIMUM COVER IS NOT ACHIEVED.
- VES ARE REQUIRED ON ALL WATER SERVICES EXCEEDING 80 PSI; BACKWATER ALL SANITARY SEWER SERVICES HAVING BUILDING DRAINS LOWER THAN 1.0' EAM MANHOLE.
- GREEMENTS ARE REQUIRED FOR ANY UTILITY WORK (INCLUDING MAIN EXTENSIONS THIN STATE ROW PRIOR TO CONSTRUCTION.
- CES SHALL MEET AMERICAN SOCIETY OF SANITARY ENGINEERING (ASSE) STANDARDS Y OF SOUTHERN CALIFORNIA APPROVAL LIST. THE DEVICES SHALL BE INSTALLED AND PERIODIC TESTING THEREAFTER) IN ACCORDANCE WITH THE MANUFACTURER'S E LOCAL CROSS-CONNECTION CONTROL PROGRAM, WHICHEVER IS MORE STRINGENT.
- BE IN PLACE, AND COMPACTED BEFORE INSTALLATION OF PROPOSED UTILITIES. FY THE OWASA MANAGER 72-HOURS BEFORE CONNECTING TO ANY EXISTING LINE. AS FOLLOWS:
- DULE 40 PVC
- AS FOLLOWS:
- HALL BE 2 FEET.
- TO BE MECHANICAL JOINTS WITH THRUST BLOCKING.
- ALL BE INSTALLED, INSPECTED AND APPROVED BEFORE BACKFILLING.
- S SHOWN ARE APPROXIMATE.
- ASEMENTS SHALL HAVE A MINIMUM 28 DAY COMPRESSION STRENGTH AT 3000 P.S.I. BE VERIFIED IN FIELD PRIOR TO INSTALLATION OF ANY NEW LINES.
- DRAWINGS FOR BUILDING TIE-IN LOCATION AND ELEVATION OF ALL UTILITIES. CIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING HESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND REMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS E. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST
- XCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. SIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES CHARTED OR LICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
- ROPOSED TO BE RELOCATED ON THESE PLANS SHALL BE PLACED UNDERGROUND. IONS AND/OR CERTIFICATIONS AND/OR TESTING REQUIRED BY CODES AND/OR ES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE
- RDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION REQUIREMENTS AND
- WATER DISTRIBUTION SYSTEM WORK TO BE INSTALLED BY A LICENSED UTILITY
- PS, PIPING BRANCHES, UNAPPROVED BYPASS PIPING, HYDRANTS, FIRE I POINTS OR OTHER WATER-USING APPURTENANCES CONNECTED TO THE ANY WATER METER AND ITS REQUIRED BACKFLOW PREVENTER.
- NTER ASSEMBLY IS REQUIRED TO BE TESTED BY AN APPROVED CERTIFIED ING THE WATER SYSTEM INTO SERVICE. CONTRACTOR SHALL PERFORM WITH OWASA.
- ORM TRAFFIC CONTROL DEVICES (LATEST EDITION) FOR DETAILS OF STANDARD TRAFFIC
- NAGE AND PRACTICES SHALL ADHERE TO THE MANUAL ON UNIFORM TRAFFIC CONTROL, OF THE NCDOT "STANDARD SPECIFICATION FOR ROADWAY STRUCTURES", NCDOT ING MANUAL", AND THE NCDOT SUPPLEMENT TO THE MUTCD.

RETAINING WALL NOTES:

- . STRUCTURAL AND SUBSURFACE DRAINAGE DESIGN FOR RETAINING WALLS ARE NOT ADDRESSED IN CIVIL PLANS BY KIMLEY-HORN AND ASSOCIATES, REFER TO RETAINING WALL SHEETS IN THIS PLAN SET.
- 2. BOTTOM OF WALL ("BW") GRADES SHOWN ON THESE PLANS REPRESENT FINISHED GROUND ADJACENT TO LOW SIDE OF WALL. TOP OF WALL ("TW") ELEVATIONS ASSUME FINISHED GROUND ADJACENT TO HIGH SIDE OF WALL. REFER TO GRADING PLANS IN THIS PLAN SET FOR ALL TW AND BW ELEVATIONS.
- 3. RETAINING WALLS WITH ELEVATION DROP EXCEEDING 2'-6" IN HEIGHT SHALL HAVE GUARDRAILS OR FENCING FOR FALL PROTECTION. **DEMOLITION NOTES:**
- THE CONTRACTOR SHALL COORDINATE ALL REMOVAL EFFORTS WITH THE OWNER. COORDINATION ITEMS ARE ANTICIPATED TO INCLUDE SITE ACCESS, TRAFFIC CONTROL, MAINTENANCE OF ACCESS AND UTILITIES FOR EXISTING BUILDINGS TO REMAIN, AND EROSION
- CONTROL. ALL FEATURES MARKED TO BE ABANDONED IN PLACE SHALL REMAIN IN EXISTING CONDITION
- UNLESS REMOVED THROUGH EFFORTS FOR OTHER FEATURES. 3. SPECIAL CARE SHALL BE TAKEN TO PROTECT AND MAINTAIN ALL EXISTING FEATURES NOT MARKED FOR REMOVAL. IN THE EVENT OF ANY IMPACT TO SUCH FEATURES. THE CONTRACTOR SHALL PERFORM REPAIR AND/OR RESTORATION TO ORIGINAL CONDITION AS OF START OF WORK
- WHERE PAVEMENT REMOVAL AREAS ABUT OTHER PAVEMENT AREAS TO REMAIN, THE EXISTING PAVEMENT SHALL BE SAW CUT TO PROVIDE A BOUNDARY WHICH IS STRAIGHT AND CLEAN IN APPEARANCE.
- 5. ALL SANITARY SEWER MAIN FEATURES WILL GENERALLY BE PROTECTED IN PLACE UNLESS SPECIFICALLY MARKED FOR REMOVAL.
- 6. THE CONTRACTOR SHALL PROPERLY AND LEGALLY DISPOSE OF ALL DEMOLITION DEBRIS OFF OF THE CONSTRUCTION SITE. FINE GRADING NOTES (PRIVATE PROPERTY):
- SIDEWALKS TO HAVE A MAXIMUM 2% CROSS SLOPE AND A MAXIMUM 5% LONGITUDINAL SLOPE.
- 2. PEDESTRIAN CROSSWALKS TO HAVE MAXIMUM 2% CROSS SLOPE AND MAXIMUM 5% LONGITUDINAL SLOPE WITHIN STRIPED AREA.
- ADA PARKING AREAS AND ACCESSIBLE AREAS TO HAVE A MAXIMUM 2% SLOPE IN ALL DIRECTIONS.
- 4. SIDEWALK INTERSECTIONS AND RAMP LANDINGS TO HAVE A MAXIMUM 2% SLOPE IN ALL DIRECTIONS.
- GRADING
- 1. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
- 2. THE CONTRACTOR SHALL CLEAR AND GRUB THE SITE AND PLACE, COMPACT, AND MOISTURE CONDITION ALL FILL PER THE PROJECT GEOTECHNICAL ENGINEERS SPECIFICATIONS. FILL MATERIAL SHALL BE APPROVED BY THE GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT.
- 3. THE CONTRACTOR SHALL IMMEDIATELY REPORT TO OWNER ANY DISCREPANCIES FOUND BETWEEN ACTUAL FIELD CONDITIONS AND CONSTRUCTION DOCUMENTS AND SHALL WAIT FOR INSTRUCTION PRIOR TO PROCEEDING.
- 4. THE CONTRACTOR SHALL COORDINATE WITH THE GEOTECHNICAL ENGINEER FOR APPROPRIATE SLOPE STABILIZATION ON ALL SLOPES STEEPER THAN 3:1.
- 5. ALL AREAS WITH 2:1 SLOPE OR ERODABLE SLOPES SHALL BE COVERED WITH ERONET MATTING OR APPROVED EQUAL INSTALL PER MANUFACTURER'S INSTRUCTIONS.
- 6. ALL CUT OR FILL SLOPES SHALL BE 3:1 OR FLATTER UNLESS OTHERWISE NOTED.
- 7. EXISTING AND PROPOSED GRADE CONTOUR INTERVALS SHOWN AT 1 FOOT.
- 8. CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE GOVERNING CODES AND BE CONSTRUCTED TO SAME.
- 9. ALL CONTOURS AND SPOT ELEVATIONS REFLECT FINISHED GRADES. SPOT ELEVATIONS AT CURB AND GUTTER LOCATIONS ARE TO THE GUTTER FLOW LINE, UNLESS OTHERWISE NOTED.
- 10. CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE SO THAT RUNOFF WILL DRAIN BY GRAVITY FLOW ACROSS NEW PAVEMENT AREAS TO NEW OR EXISTING DRAINAGE INLETS OR SHEET OVERLAND.
- 11. ALL ELEVATIONS ARE IN REFERENCE TO THE BENCHMARK, AND THIS MUST BE VERIFIED BY THE GENERAL CONTRACTOR PRIOR TO GROUND BREAKING.
- 12. THE PROPOSED CONTOURS SHOWN IN DRIVES AND PARKING LOTS AND SIDEWALKS ARE FINISHED ELEVATIONS INCLUDING ASPHALT. REFER TO PAVEMENT CROSS SECTION DATA TO ESTABLISH CORRECT SUBBASE OR AGGREGATE BASE COURSE ELEVATIONS TO BE COMPLETED UNDER THIS CONTRACT.
- 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING EXISTING UTILITIES, AND SHALL REPAIR ALL DAMAGE TO EXISTING UTILITIES THAT OCCUR DURING CONSTRUCTION. 14. CONTRACTOR SHALL BLEND NEW EARTHWORK SMOOTHLY TO TRANSITION BACK TO EXISTING
- GRADE. 15. ALL UNSURFACED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE 4 INCHES OF
- TOPSOIL 16. CONTRACTOR SHALL SEED AREAS UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
- 17. LIMITS OF CLEARING SHOWN ON GRADING AND DRAINAGE PLAN ARE BASED UPON THE
- APPROXIMATE CUT AND FILL SLOPE LIMITS, OR OTHER GRADING REQUIREMENTS. 18. ANY GRADING, BEYOND THE LIMITS OF CONSTRUCTION AS SHOWN ON THE GRADING PLAN IS CONSIDERED A VIOLATION OF THE GRADING PERMIT AND SUBJECT TO A FINE.
- 19. THE CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND IMPLEMENTATION OF ALL SHEETING, SHORING, BRACING, AND SPECIAL EXCAVATION MEASURES REQUIRED TO MEET OSHA, FEDERAL STATE, AND LOCAL REGULATIONS PURSUANT TO THE INSTALLATION OF THE WORK INDICATED ON THESE DRAWINGS. THE DESIGN ENGINEER ACCEPTS NO RESPONSIBILITY FOR THE DESIGN(S) TO INSTALL SAID ITEMS.
- 20. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS, DOOR LOCATIONS, AND EXACT UTILITY ENTRANCE LOCATIONS AND ELEVATIONS.
- 21. ALL FILL MATERIALS, EXISTING BUILDING FOUNDATIONS, PAVEMENT AND UTILITY STRUCTURES. TOPSOIL, AND ANY OTHER DELETERIOUS MATERIALS SHALL BE COMPLETELY REMOVED FROM WITHIN THE BEARING ZONE BELOW THE STRUCTURE.
- 22. ALL FOUNDATION AND UTILITY EXCAVATION SHALL BE INSPECTED BY A QUALIFIED GEOTECHNICAL REPRESENTATIVE TO DETERMINE WHETHER UNSUITABLE MATERIAL MUST BE REMOVED. ALL UNDESIRABLE MATTER SHALL BE REMOVED, BACKFILLED AND COMPACTED WITH SUITABLE MATERIAL AS REQUIRED BY THE GEOTECHNICAL REPRESENTATIVE AT CONTRACTOR'S EXPENSE.
- 23. THE CONTRACTOR SHALL INCLUDE IN THE CONTRACT PRICE ANY DEWATERING AND MOISTURE CONDITIONING NECESSARY TO CONSTRUCT THE PROJECT AS SHOWN ON THE PLANS.
- 24. GRADES, ELEVATIONS, AND LOCATIONS SHOWN ARE APPROXIMATE. AS DIRECTED BY THE ENGINEER, THEY MAY BE ADJUSTED TO ACCOMMODATE UNFORESEEN CONDITIONS. STATIONS, OFFSETS, AND ELEVATIONS REFER TO THE CENTER OF DROP INLETS, MANHOLES AND JUNCTION BOXES, AND THE MIDPOINT OF THE LIP FOR CATCH BASINS.
- 25. BEFORE ANY EARTHWORK IS DONE, THE CONTRACTOR SHALL STAKE OUT AND MARK THE LIMITS OF PAVEMENT AND OTHER ITEMS ESTABLISHED IN THE PLANS. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY ENGINEERING AND SURVEYING FOR LINE AND GRADE CONTROL POINTS RELATED TO EARTHWORK.

LOD

PVC

RCP

SCM

SSCO

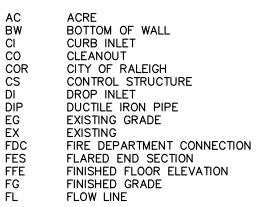
SSMH

TCA

TYP

ΤW

ABBREVIATIONS:



HIGH POINT JUNCTION BOX LINEAR FEET LIMITS OF DISTURBANCE LOW POINT POLYVINYL CHLORIDE PIPE REINFORCED CONCRETE PIPE STORMWATER CONTROL MEASURE SANITARY SEWER CLEANOUT SANITARY SEWER MANHOLE SQUARE FEET TREE CONSERVATION AREA TOP OF WALL TYPICAL

DRAINAGE

- NECESSARY

1. STORM PIPE SHALL BE AS FOLLOWS UNLESS OTHERWISE NOTED:

15" DIAMETER AND LARGER: RCP, CLASS III PER ASTM C-76, WITH FLEXIBLE PLASTIC BITUMEN GASKETS AT JOINTS.

LESS THAN 15" DIAMETER: PVC SCHEDULE 40 OR HDPE - AASHTO DESIGNATION M252 TYPE S, M294 TYPE S AND MP7-97 TYPE S, SMOOTH INTERIOR/AMMULAR EXTERIOR. ONLY SPECIFICALLY INDICATED ON THE CONSTRUCTION DRAWINGS. PIPE SHALL PERMITTED WHEN BE INSTALLED IN ACCORDANCE WITH PIPE MANUFACTURER'S INSTALLATION GUIDELINES OR NCDOT SPECIFICATION. WHICHEVER IS MORE STRINGENT. PIPE JOINTS AND FITTINGS SHALL CONFORM TO AASHTO M252 AND M294.

ALL STORM DRAINAGE WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE CLASS III REINFORCED CONCRETE PIPE UNLESS OTHERWISE SPECIFIED AS CLASS IV.

2. ALL PIPE LENGTHS AND SLOPES ARE APPROXIMATE. 3. ALL PIPES SHALL BE LAID ON STRAIGHT ALIGNMENTS AND EVEN GRADES USING A PIPE LASER OR OTHER ACCURATE METHOD.

4. ADDITIONAL SUBSURFACE DRAINAGE MAY RE REQUIRED IN THE STREET RIGHT-OF-WAY IF DEEMED NECESSARY BY THE INSPECTOR.

5. UNDERGROUND UTILITY LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING STANDARDS IN ADDITION TO OTHER APPLICABLE CRITERIA:

5.1. NO MORE THAN 500 LF OF TRENCH MAY BE OPENED AT ONE TIME. 5.2. EXCAVATED MATERIAL SHALL BE PLACED ON THE UPHILL SIDE OF TRENCHES.

5.3. EFFLUENT FROM DEWATERING OPERATIONS SHALL BE FILTERED OR PASSED THROUGH AN APPROVED

SEDIMENT TRAPPING DEVICE, OR BOTH, AND DISCHARGED IN A MANNER THAT DOES NOT ADVERSELY AFFECT FLOWING STREAMS OR OFF-SITE PROPERTY.

5.4. MATERIAL USED FOR BACK-FILLING TRENCHES SHALL BE PROPERLY COMPACTED IN ORDER TO MINIMIZE EROSION AND PROMOTE STABILIZATION PER GEOTECHNICAL RECOMMENDATIONS. 5.5. DESTABILIZATION SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THE EROSION AND SEDIMENT

CONTROL REGULATIONS. 5.6. APPLICABLE SAFETY REGULATIONS SHALL BE COMPLIED WITH.

6. IF ANY EXISTING STRUCTURES TO REMAIN ARE DAMAGED DURING CONSTRUCTION, IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO REPAIR AND/OR REPLACE THE EXISTING STRUCTURE AS NECESSARY TO RETURN IT TO EXISTING CONDITIONS OR BETTER.

7. ALL STORM PIPE ENTERING STRUCTURES SHALL BE GROUTED TO ASSURE CONNECTION AT STRUCTURE IS WATERTIGHT

8. ALL STORM STRUCTURES SHALL HAVE A SMOOTH UNIFORM POURED MORTAR INVERT FROM INVERT IN TO INVERT OUT.

9. PRECAST STRUCTURES MAY BE USED AT CONTRACTORS OPTION. CATCH BASINS, MANHOLES, FRAMES, GRATES. ETC. SHALL MEET THE REQUIREMENTS OF THE LATEST EDITION OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARD DETAILS AND SPECIFICATIONS.

10. THIS PLAN DETAILS PIPES UP TO 5FT FROM THE BUILDING FACE. REFER TO DRAWINGS BY OTHERS FOR BUILDING CONNECTIONS. CONTRACTOR SHALL SUPPLY AND INSTALL PIPE ADAPTERS AS NECESSARY. 11. ALL STORM SEWER MANHOLES IN PAVED AND UNPAVED AREAS SHALL BE FLUSH WITH PAVEMENT, AND

SHALL HAVE TRAFFIC BEARING RING & COVERS. LIDS SHALL BE LABELED "STORM SEWER". 12. STRUCTURE RIM ELEVATIONS SHOWN HERE IN ARE APPROXIMATE. CONTRACTOR SHALL ADJUST AS

13. RIM ELEVATIONS AS SHOWN ON THE CONSTRUCTION DRAWINGS REFLECT FINISHED GRADES. RIM ELEVATIONS REFER TO THE CENTER OF DROP INLETS, MANHOLES, AND JUNCTION BOXES, AND THE GUTTER FLOW LINE FOR CURB INLETS, UNLESS OTHERWISE NOTED.

OCSW CONSTRUCTION WASTE REQUIREMENTS:

1. 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. CONTACT THE ORANGE COUNTY SW ENFORCEMENT OFFICER AT 919-968-2788 TO ARRANGE FOR THE ASSESSMENT.

2. PURSUANT TO THE COUNTY'S RRMO, CLEAN WOOD WASTE, SCRAP METAL, AND CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.

3. 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.

4. 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.

5. THE PRESENCE IF 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.

LIMITS OF DISTURBANCE:

1.25 AC

IMPROVEMENTS AND TOPOGRAPHICAL INFORMATION TAKEN FROM: SURVEY PROVIDED BY SUNGATE DESIGN GROUP, P.A., 905 JONES FRANKLIN ROAD, RALEIGH, NC 27606, 919-859-2243, DATED 7/20/18, REVISED 8/19/20.

PLANS TITLED "ROBERSON SQUARE" BY SGI TECHNICAL SERVICES, 200 NORTH GREENSBORO STREET, SUITE B-13A, CARRBORO, NC 27510, 919-942-7612 DATED 11/20/07.

CURRENT AVAILABLE AERIAL INFORMATION OBTAINED FROM TOWN OF CARRBORO/ORANGE COUNTY GIS DATABASE.

Perkins&Will

Legacy Towe 411 W Chapel Hill Street, Suite 200 Durham, North Carolina 27701 t 919.433.5300 f 919.433.5301 perkinswill.com

CONSULTANTS

LANDSCAPE ARCHITECTURE

Perkins & Will 411 West Chapel Hill, Suite 200, Durham, NC 27701

Kimley Horn 421 Fayetteville Street, Suite 600, Raleigh, NC 27601 STRUCTURAL Lynch Mykins

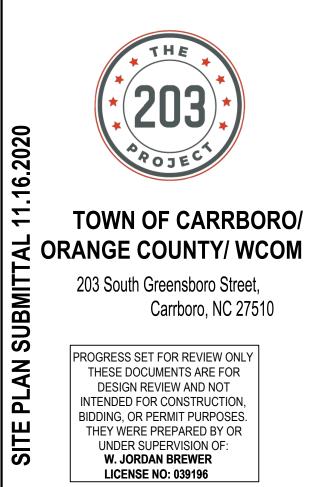
415 Hillsboorugh Street, Suite 101 Raleigh, NC 27603 MEPF Engineered Design Inc.

1151 SE Cary Parkway, Suite 200, Cary, NC 27518 THEATER DESIGN Theater Consultant Collaborative 6325 Old NC 86

Chapel Hill, NC 27516 AUDIO VISUAL AND ACOUSTICS DESIGN The Sextan Group/NV5 3300 Regency Parkway

Cary, NC 27518

PROJECT



KEYPLAN

ISSUE CHART

PRELIMINARY DO NOT USE FOR CONSTRUCTION

ISSUE DATE 830608.000 Job Number TITLE

GENERAL NOTES

SHEET NUMBER



Notes:

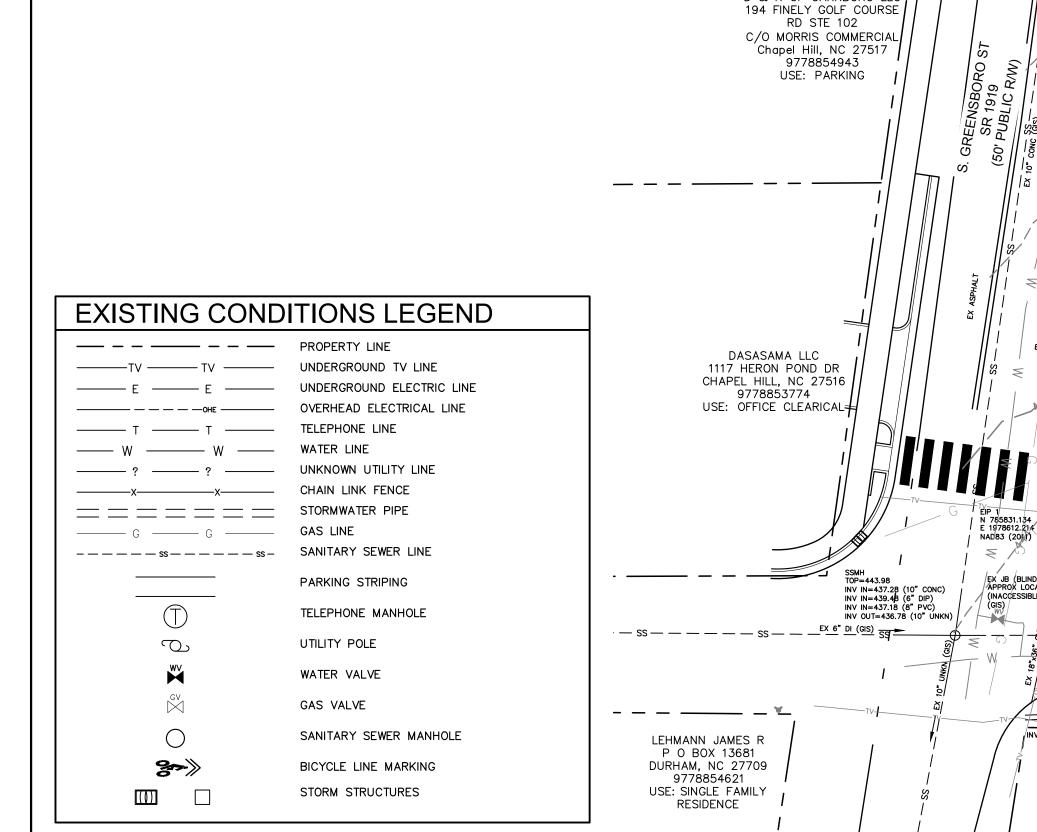
1. This GPS survey was performed by Sungate Design Group, PA on July 11, 2018 utilizing the NC RTK Network. Vertical Datum: NAVD 88. Horizontal Datum: NAD 83 (2011).

2. Existing, visible improvements, including utilities, in-place at the time of this survey are shown hereon. Non-visible utilities and utilities beyond the limits of the subject property are based on GIS data provided by the Town of Carrboro and noted as such (GIS). Sungate Design Group, PA makes no gaurantee to the accuracy of the GIS data shown hereon.

3. This plan is not a comprehensive inventory or as-built survey of all existing utilities. The Designer and/or Contractor are responsible for determining the existence and location of all utilities within the project area.

4. Right-of-way width and location shown beyond the limits of the subject property is based on Town of Carrboro GIS data and has not been field verified.

5. Topographic data shown beyond the limits of the subject property boundaries is based on NC DPS 2014 QL2 Bare Earth LiDAR data.



D & R OF CARRBORO LLC 194 FINLEY GOLF COURSE

RD STE 102

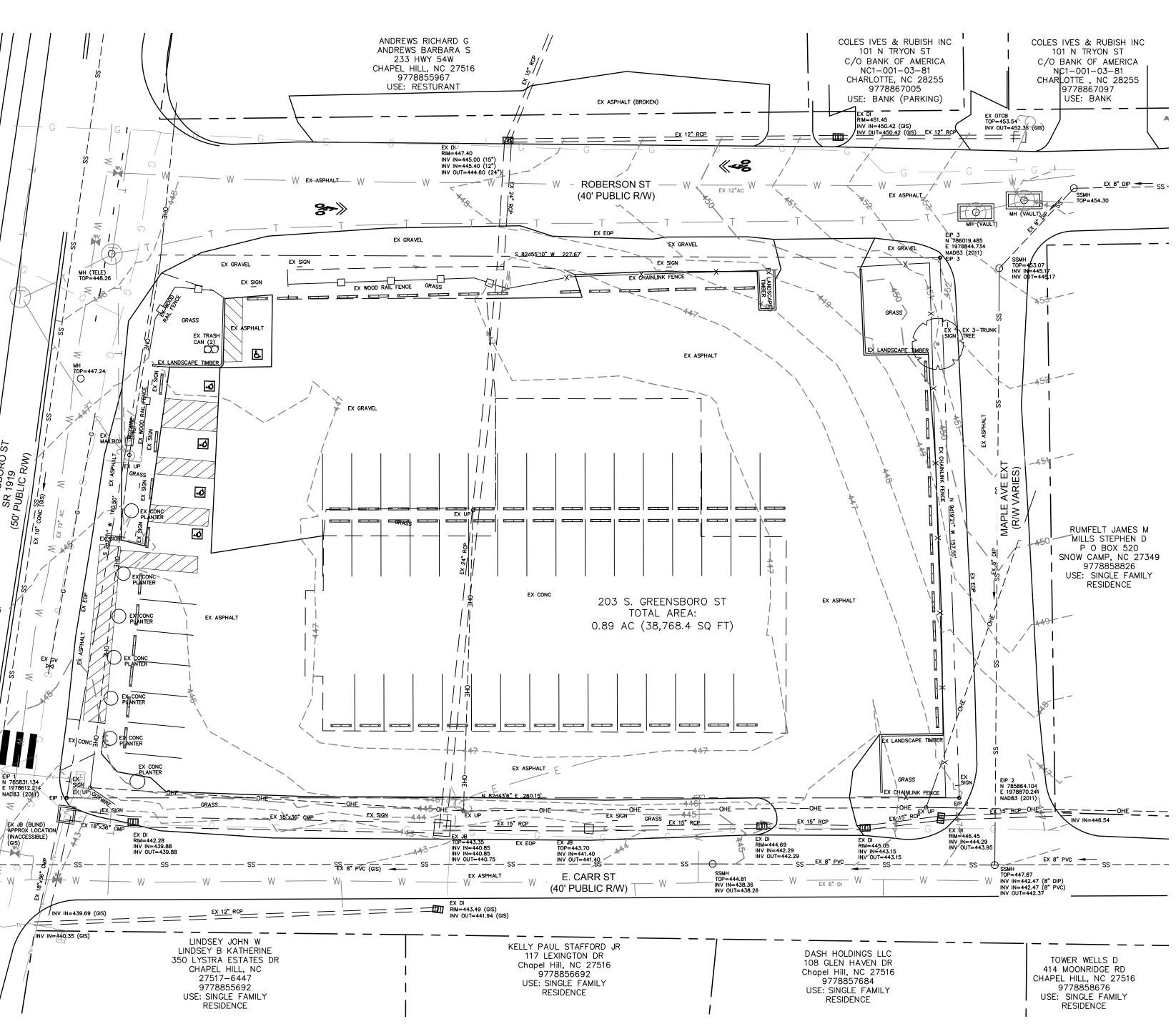
Chapel Hill, NC 27517

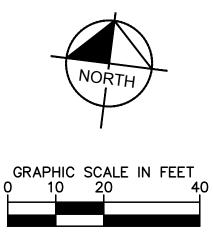
9778864075

USE: RETAIL

D & R OF CARRBORO LLC

C/O MORRIS COMMERCIAL





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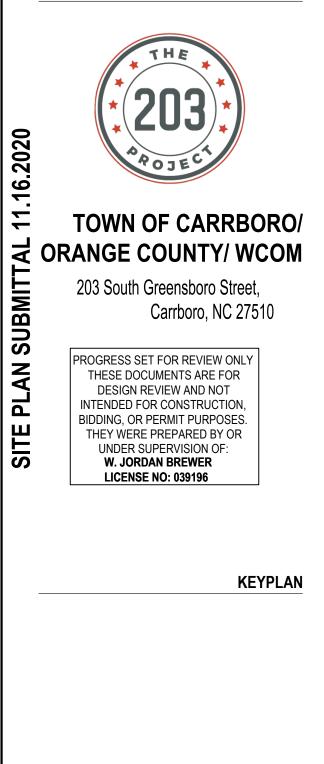
CONSULTANTS

LANDSCAPE ARCHITECTURE Perkins & Will 411 West Chapel Hill, Suite 200, Durham, NC 27701 CIVIL Kimley Horn 421 Fayetteville Street, Suite 600, Raleigh, NC 27601 STRUCTURAL Lynch Mykins 415 Hillsboorugh Street, Suite 101, Raleigh, NC 27603

Engineered Design Inc. 1151 SE Cary Parkway, Suite 200, Cary, NC 27518 THEATER DESIGN Theater Consultant Collaborative 6325 Old NC 86 Chapel Hill, NC 27516 AUDIO VISUAL AND ACOUSTICS DESIGN The Sextan Group/NV5 3300 Regency Parkway Cary, NC 27518

PROJECT

MEPFF



ISSUE CHART

PRELIMINARY

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DATE ISSUE 830608.000 Job Number TITLE

EXISTING CONDITIONS PLAN

SHEET NUMBER

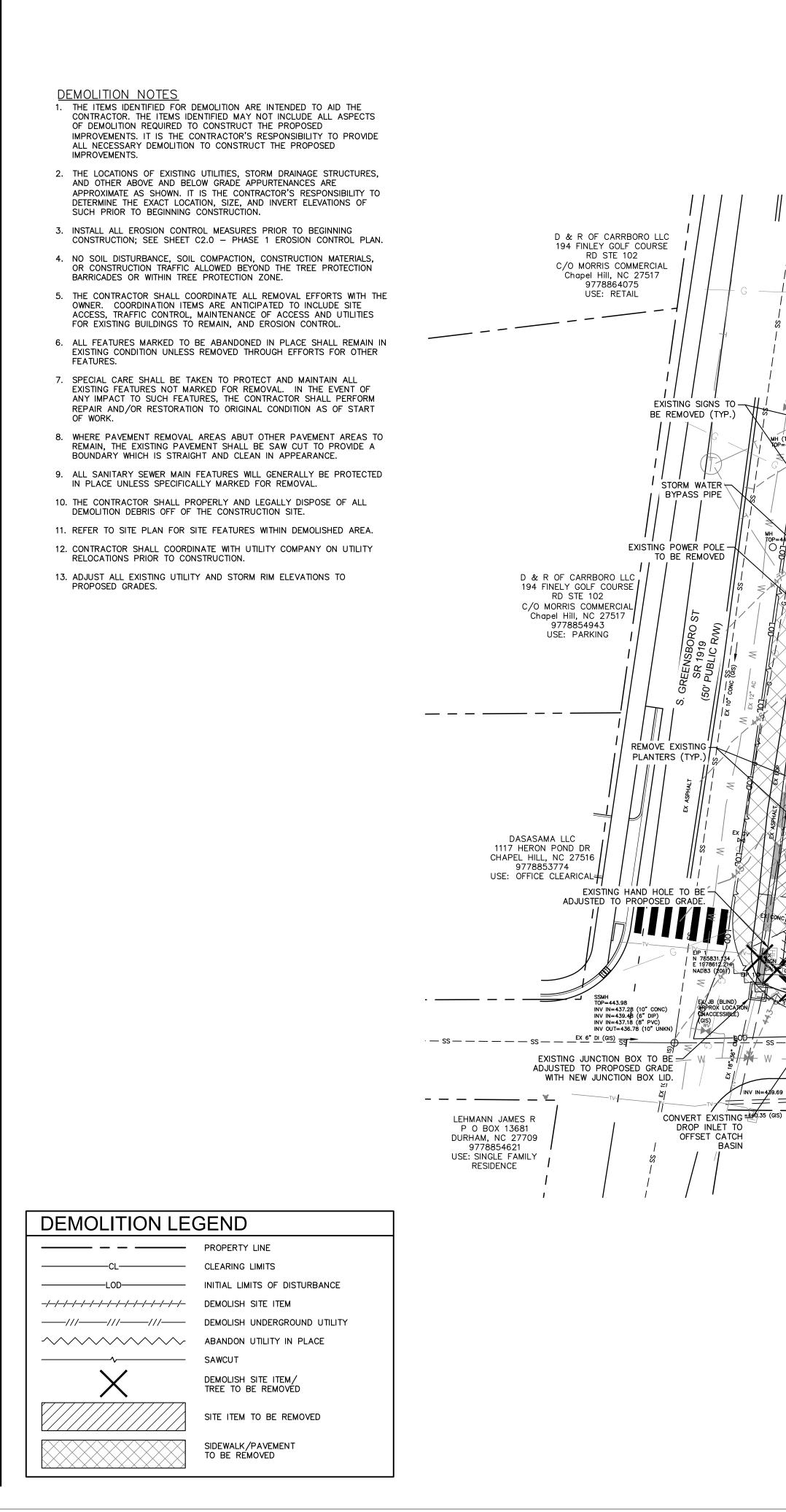
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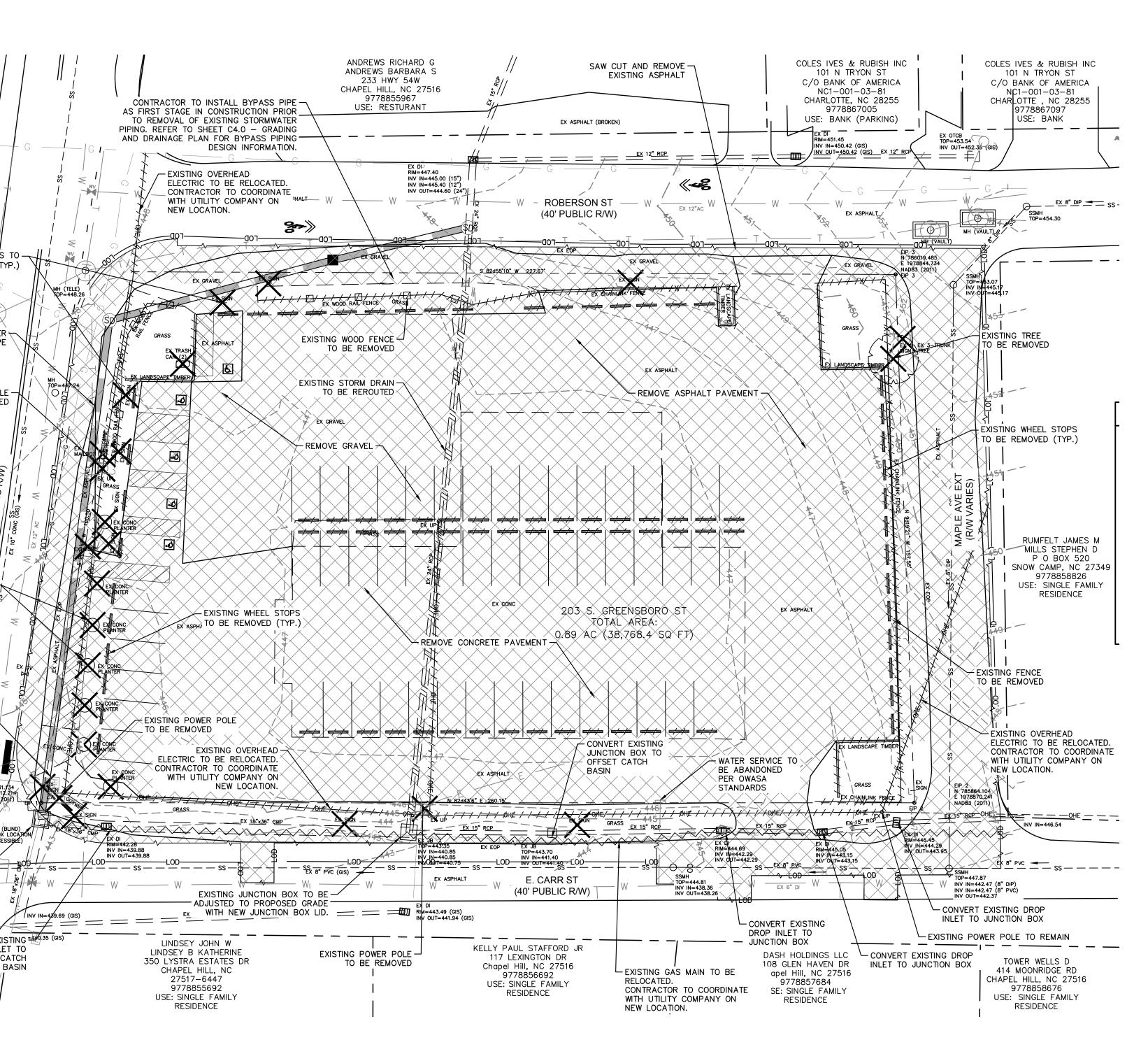
LIMITS OF DISTURBANCE: 1.25 AC

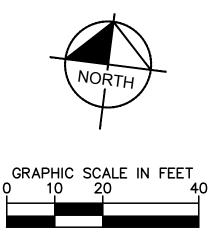
IMPROVEMENTS AND TOPOGRAPHICAL INFORMATION TAKEN FROM: SURVEY PROVIDED BY SUNGATE DESIGN GROUP, P.A., 905 JONES FRANKLIN ROAD, RALEIGH, NC 27606, 919-859-2243, DATED 7/20/18, REVISED 8/19/20. PLANS TITLED "ROBERSON SQUARE" BY SGI TECHNICAL SERVICES, 200 NORTH GREENSBORO STREET, SUITE B-13A, CARRBORO, NC 27510, 919-942-7612 DATED 11/20/07.

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CONSULTANTS

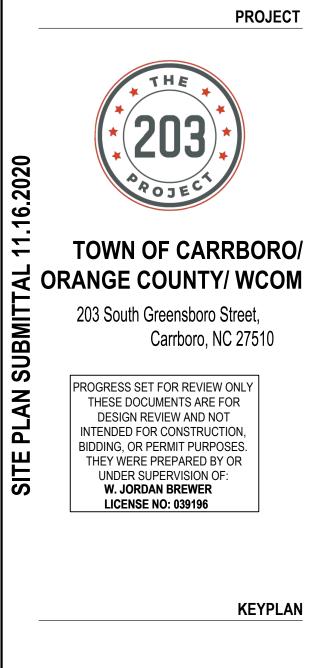
LANDSCAPE ARCHITECTURE Perkins & Will 411 West Chapel Hill, Suite 200,

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Cary, NC 27518

The Sextan Group/NV5

3300 Regency Parkway



ISSUE CHART

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DATE ISSUE 830608.000 Job Number TITLE

DEMOLITION PLAN

SHEET NUMBER

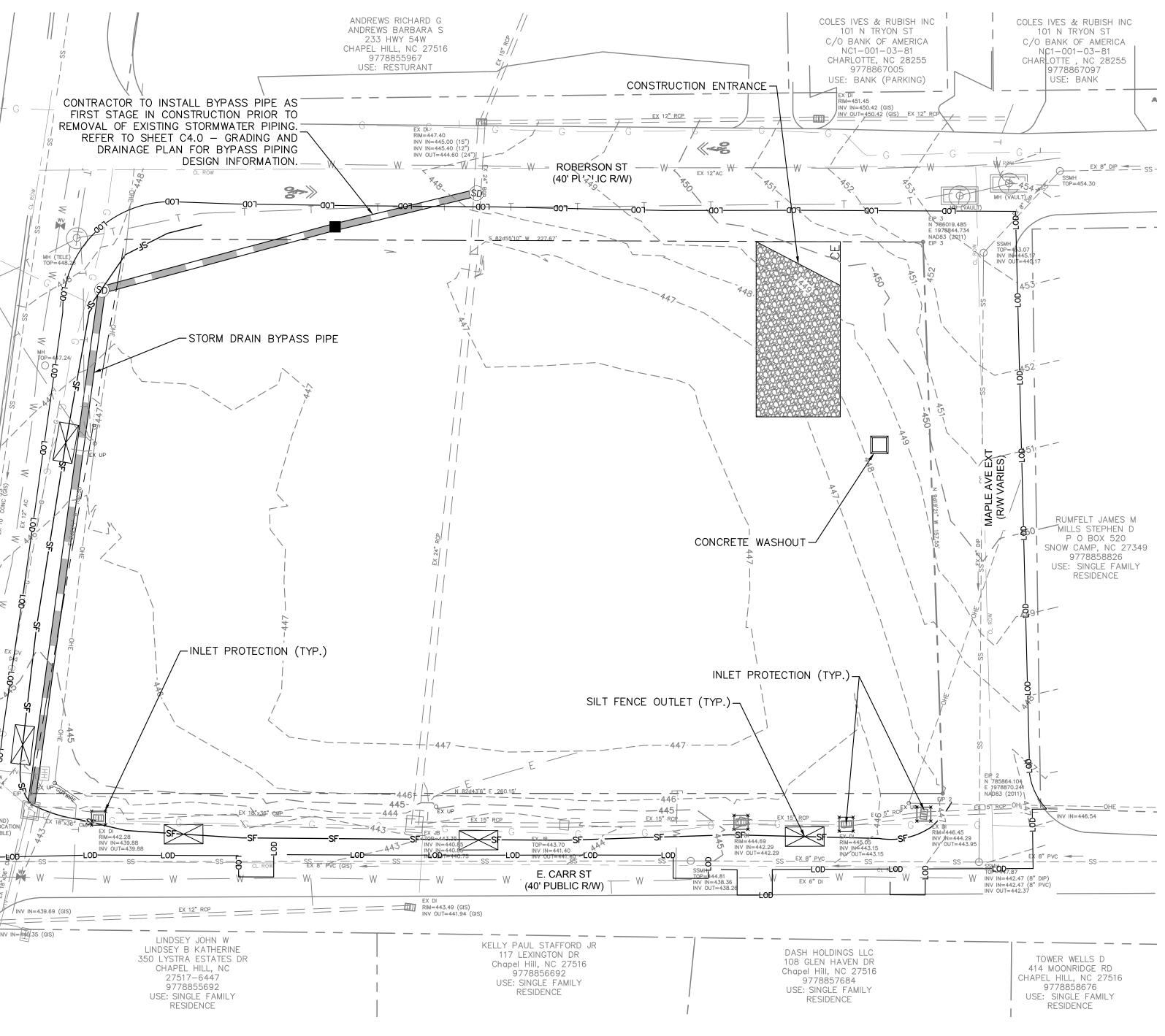


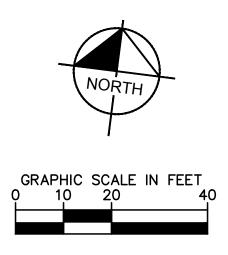
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PHASE 1 CONSTRUCTI	ON SEQUENCE	
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4. CONTACT ORANGE COUNTY EROSION C INSPECTION OF ALL INSTALLED MEASU		
5. PERMITTED LAND DISTURBING ACTIVITIE INSTALLED MEASURES.		
6. COMPLETE SELF-INSPECTIONS WEEKLY GREATER RAINFALL EVENT. EMAIL ALL	AND WITHIN 24 HOURS OR A 0.5" OR INSPECTION REPORTS TO ORANGE COUNTY OJECT ARCHITECT WITHIN 24 HOURS OF	
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SEVEN (7) DAYS. D. PROVIDE GROUND COVER SUFFICIEN THE SITE UPON WHICH FURTHER LA	T TO RESTRAIN EROSION ON ANY PORTION OF ND-DISTURBING ACTIVITY IS NOT BEING CALENDAR DAYS OF TEMPORARILY OR STURBING ACTIVITY.	USE: RETAIL
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SITE PLAN SUBMITTAL 11.16.2020	203 A OJECT
L 1	TOWN OF CARRBORO/ ORANGE COUNTY/ WCOM
BMI	203 South Greensboro Street, Carrboro, NC 27510
SU	PROGRESS SET FOR REVIEW ONLY
AN	THESE DOCUMENTS ARE FOR DESIGN REVIEW AND NOT
ש	INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.
SITE	THEY WERE PREPARED BY OR UNDER SUPERVISION OF: W. JORDAN BREWER LICENSE NO: 039196

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ISSUE CHART

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DATE ISSUE Job Number 830608.000 TITLE

PHASE 1 EROSION CONTROL PLAN

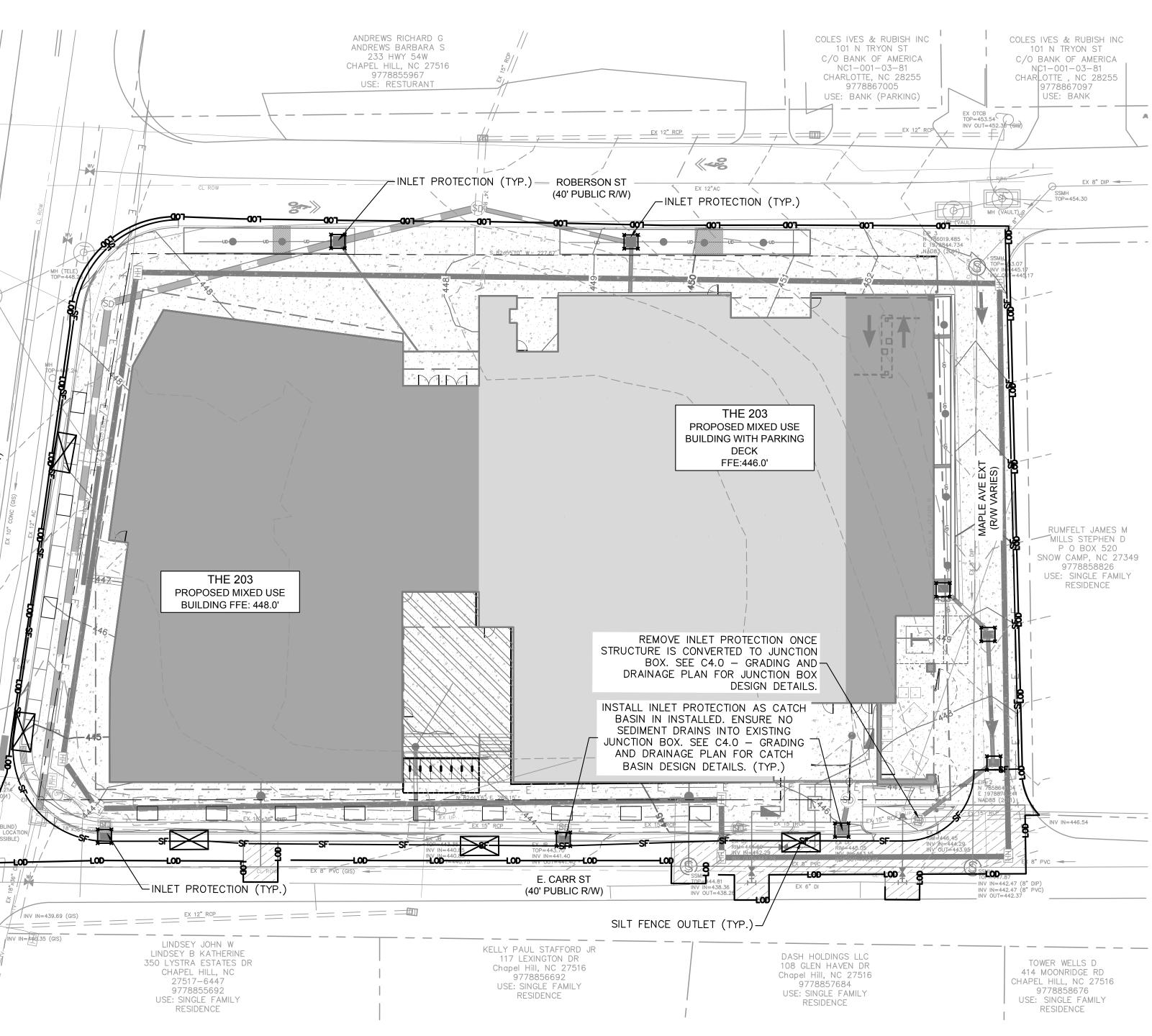
SHEET NUMBER **C2.0**

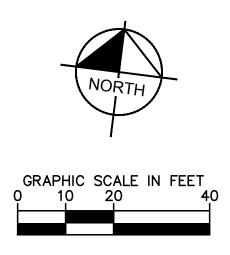
LIMITS OF DISTURBANCE: 1.25 AC

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 SEDIMENTATION AND EROSION CONTROLING INSTALL INLET PROTECTION ON ALL THARE CONSTRUCTED BEFORE FINAL STATE MAINTAIN ALL EROSION AND SEDIMENTO OTHER SIMILAR MEASURES MUST BE CONTROL COVER SHALL BE PROVIDED A. FOR ALL AREAS OF MODERATE AND/ PERIOD OF SEVEN (7) DAYS. B. PROVIDE GROUND COVER SUFFICIENT BEING UNDERTAKEN WITHIN FOURTEED C. ESTABLISH PERMANENT GROUND COV AND/OR PRIOR TO FINAL INSPECTION RE-INSTALL ADEQUATE EROSION AND PREVENT ACCELERATED EROSION, OFF ALL MEASURES MUST BE INSTALLED A MANAGEMENT STAFF (APPROVED FIELD 	HALL BE PROMINENTLY DISPLAYED AT T DI MEASURES ARE REMOVED, AND THE HE SPECIFIED STORMWATER INLETS ON ABILIZATION OCCURS. T CONTROL MEASURES IN GOOD WORKIN CLEANED OUT BEFORE THEY ARE HALF RS. AS FOLLOWS: YOR STEEP SLOPES, STABILIZE AREA WI TO RESTRAIN EROSION ON ANY PORTIC N (14) CALENDAR DAYS OF TEMPORARI RE SUFFICIENT TO RESTRAIN EROSION IN SEDIMENT CONTROL MEASURES AND/OI -SITE SEDIMENTATION, OR REPETITIVE N ACCORDING TO THE APPROVED PLAN UN O REVISION).	THE JOB SITE UNTIL ALL CONSTRUCTION IS COMPLETED, ALL PERMANENT SITE HAS BEEN STABILIZED AS REQUIRED. THE SITE AND IN THE ROADWAYS AS SHOWN AND ON NEW INLETS AS THEY IG ORDER THROUGHOUT CONSTRUCTION. SILT FENCE, INLET PROTECTION AND FULL. CLOGGED SILT FENCE OUTLETS MUST BE REFRESHED/REPLACED. SILT ITH SEED AND MATTING IF THE SLOPE HAS NOT BEEN DISTURBED FOR A ON OF THE SITE UPON WHICH FURTHER LAND-DISTURBING ACTIVITY IS NOT LY OR PERMANENTLY SUSPENDING LAND DISTURBING ACTIVITY. IMMEDIATELY FOLLOWING COMPLETION OF CONSTRUCTION OR DEVELOPMENT R INCREASE MAINTENANCE FREQUENCY WHERE APPROVED MEASURES FAIL TO NON-COMPLIANCE ISSUES. NLESS APPROVED IN THE FIELD BY ORANGE COUNTY EROSION CONTROL VED, BY ORANGE COUNTY EROSION CONTROL MANAGEMENT STAFF ONLY, PRIM
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		D & R OF CARRBORO LLC 194 FINELY GOLF COURSE RD STE 102 C/O MORRIS COMMERCIAL Chapel Hill, NC 27517 9778854943 USE: PARKING
		DASASAMA LLC 1117 HERON POND DR CHAPEL HILL, NC 27516 9778853774 USE: OFFICE CLEARICAL
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	RIP-RAP OUTLET PROTECTION TEMPORARY EROSION CONTROL MATTING	





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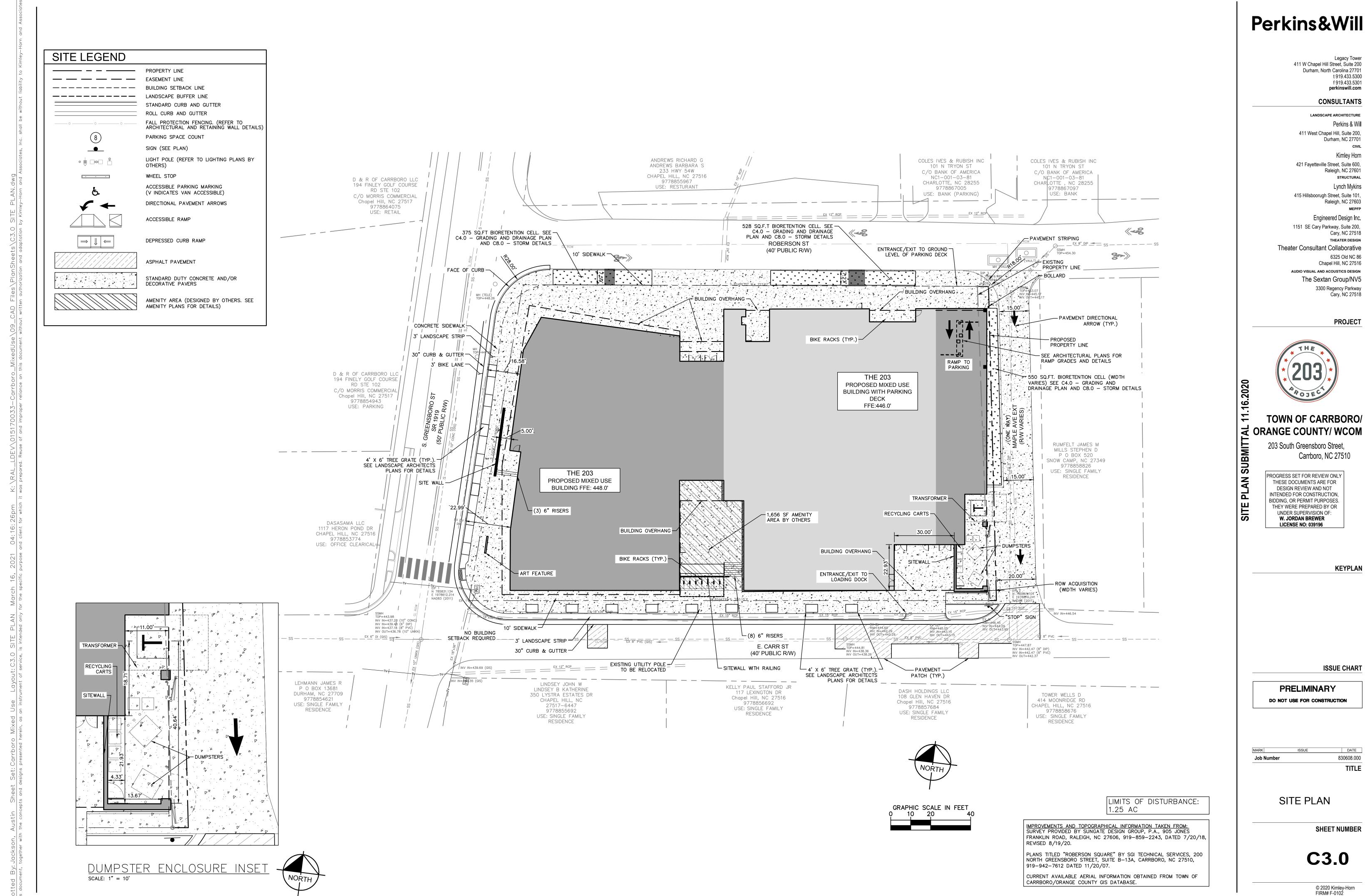
	Perkins&Will
	Legacy Tower 411 W Chapel Hill Street, Suite 200 Durham, North Carolina 27701 t 919.433.5300 f 919.433.5301 perkinswill.com
	CONSULTANTS
	LANDSCAPE ARCHITECTURE Perkins & Will 411 West Chapel Hill, Suite 200, Durham, NC 27701
	civiL Kimley Horn 421 Fayetteville Street, Suite 600, Raleigh, NC 27601 STRUCTURAL
	Lynch Mykins 415 Hillsboorugh Street, Suite 101, Raleigh, NC 27603 мергр
	Engineered Design Inc. 1151 SE Cary Parkway, Suite 200, Cary, NC 27518 THEATER DESIGN
	Theater Consultant Collaborative 6325 Old NC 86 Chapel Hill, NC 27516 AUDIO VISUAL AND ACOUSTICS DESIGN The Sextan Group/NV5 3300 Regency Parkway
	Cary, NC 27518
	PROJECT
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SITE PLAN SUBMITTAL 11.16.202	PROGRESS SET FOR REVIEW ONLY THESE DOCUMENTS ARE FOR DESIGN REVIEW AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES. THEY WERE PREPARED BY OR UNDER SUPERVISION OF: W. JORDAN BREWER LICENSE NO: 039196
	KEYPLAN
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	MARK ISSUE DATE Job Number 830608.000 TITLE
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	SHEET NUMBER
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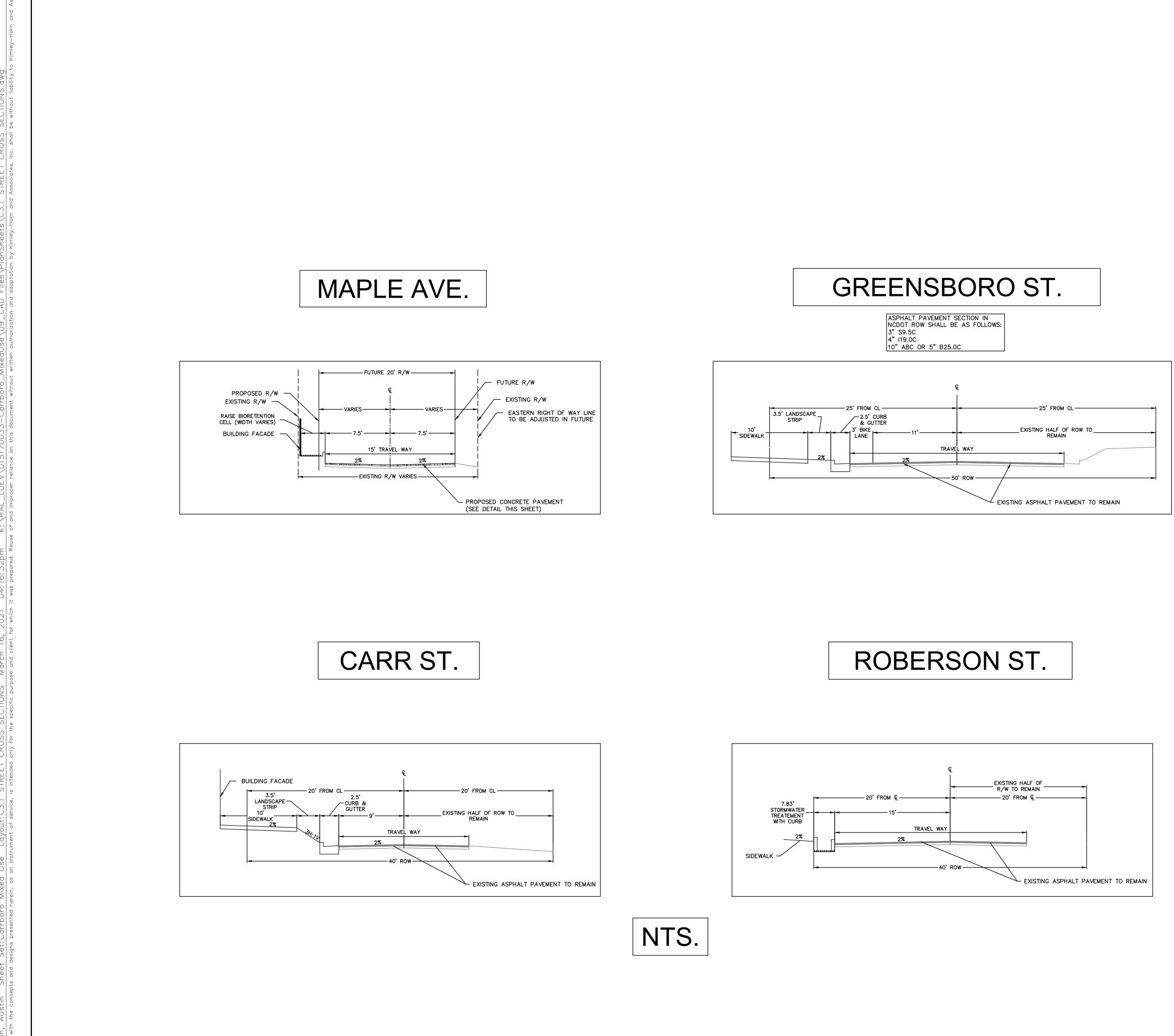
LIMITS OF DISTURBANCE: 1.25 AC

IMPROVEMENTS AND TOPOGRAPHICAL INFORMATION TAKEN FROM: SURVEY PROVIDED BY SUNGATE DESIGN GROUP, P.A., 905 JONES FRANKLIN ROAD, RALEIGH, NC 27606, 919-859-2243, DATED 7/20/18, REVISED 8/19/20. PLANS TITLED "ROBERSON SQUARE" BY SGI TECHNICAL SERVICES, 200 NORTH GREENSBORO STREET, SUITE B-13A, CARRBORO, NC 27510,

919-942-7612 DATED 11/20/07. CURRENT AVAILABLE AERIAL INFORMATION OBTAINED FROM TOWN OF CARRBORO/ORANGE COUNTY GIS DATABASE.



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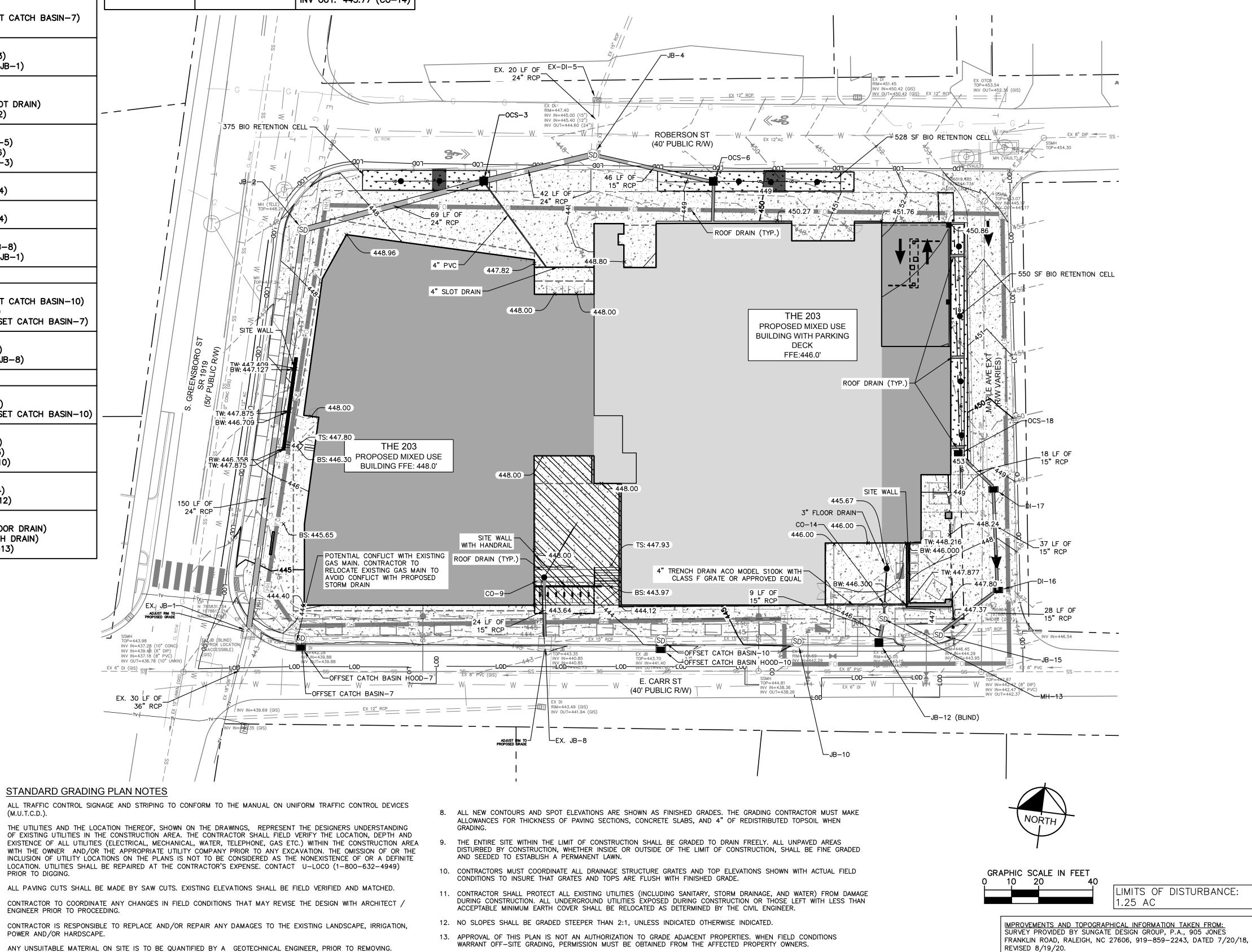
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			audio visual and acoustics design The Sextan Group/NV5
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REVISED 8/19/20. PLANS TITLED "ROBERSON SQUARE" BY SGI TECHNICAL SERVICES, 200 NORTH GREENSBORO STREET, SUITE B–13A, CARRBORO, NC 27510, 919–942–7612 DATED 11/20/07.	PLANS TITLED "ROBERSON SQUAR NORTH GREENSBORO STREET, SUI 919–942–7612 DATED 11/20/07.	TE B—13A, CARRBORO, NC 27510,	C3.1
CURRENT AVAILABLE AERIAL INFORMATION OBTAINED FROM TOWN OF CARRBORO/ORANGE COUNTY GIS DATABASE. © 2020 Kimley-Horn FIRM# F-0102			

	STRUCTURE		STRUCTURE TA	BLE	
STRUCTURE NO .:	STRUCTURE NAME:	DETAILS:	STRUCTURE NO .:	STRUCTURE NAME:	DETAILS:
Null Structure	50	RIM: 442.17 INV IN: 438.65 (EX. JB-1)	15.	JB-15	RIM: 447.25 INV IN: 443.96 (DI-16) INV OUT: 443.95 (JB-1)
Null Structure	UNDERDRAIN	RIM: 444.93 INV OUT: 442.00 (CO-9) RIM: 446.15	16.	DI-16	RIM: 447.39 INV IN: 444.45 (DI-17)
Null Structure	TRENCH DRAIN	RIM: 446.15 INV OUT: 444.91 (CO-14) RIM: 446.87			INV OUT: 444.35 (JB-1 RIM: 448.70
МН	CO-9	INV IN: 441.40 (UNDERDRAIN) INV OUT: 441.30 (EX. JB-8)	17.	DI-17	INV IN: 445.08 (OCS-18 INV OUT: 444.98 (DI-10 RIM: 452.50
Null Structure	4" SLOT DRAIN	RIM: 447.37 INV OUT: 447.00 (OCS-3)	18.	OCS-18	RIM: 452.50 INV OUT: 445.26 (DI-1) RIM: 445.67
1.	EX. JB-1	RIM: 443.63 INV IN: 439.88 (JB-2) INV IN: 439.88 (OFFSET CATCH BASIN-7) INV OUT: 439.88 (50)	19.	3" FLOOR DRAIN	INV OUT: 443.77 (CO-1
2.	JB-2	RIM: 448.43 INV IN: 440.72 (OCS-3) INV OUT: 440.62 (EX. JB-1)			
3.	OCS-3	RIM: 447.58 INV IN: 441.44 (JB-4) INV IN: 446.00 (4" SLOT DRAIN) INV OUT: 441.34 (JB-2)		$\left \begin{array}{c} & & & \\ & & & & \\ & & & \\ & & & & \\ & & & & \\ & & & & \\ & & & & \\ & & & & \\ & & & & \\ & & & & \\ & & & & \\ & &$	
4.	JB-4	RIM: 448.12 INV IN: 444.13 (EX-DI-5) INV IN: 442.57 (OCS-6) INV OUT: 441.82 (OCS-3)		375 BIO RETENTION (
5.	EX-DI-5	RIM: 448.35 INV OUT: 444.60 (JB-4)	$\int \int \gamma$	JB-2-	
6.	OCS-6	RIM: 449.58 INV OUT: 442.95 (JB-4)		MH (TELE) TOP=448.26	
7.1	OFFSET CATCH BASIN-7	RIM: 444.38 INV IN: 439.88 (EX. JB-8) INV OUT: 439.88 (EX. JB-1)			448.96
7.2	OFFSET CATCH BASIN HOOD-7	RIM: 442.38			
8.	EX. JB-8	RIM: 443.40 INV IN: 440.85 (OFFSET CATCH BASIN-10) INV IN: 440.85 (CO-9) INV OUT: 440.75 (OFFSET CATCH BASIN-7)			T x x⊗
10.1	OFFSET CATCH BASIN-10	RIM: 444.18 INV IN: 441.40 (JB-10) INV OUT: 441.40 (EX. JB-8)		SR 1919 SR 1919 PUBLIC R/W BM: 447.127	
10.2	OFFSET CATCH BASIN HOOD-10	RIM: 443.67			
11.1	JB-10	RIM: 445.48 INV IN: 442.29 (JB-12) INV OUT: 442.29 (OFFSET CATCH BASIN-10)	S. GRE	Ο	448.00
12.	JB-12	RIM: 445.73 INV IN: 443.15 (JB-15) INV IN: 443.15 (MH-13) INV OUT: 443.15 (JB-10)		BW: 446.358 BW: 446.358 TW: 447.875	TS: 447.80 THE BS: 446.30 PROPOSED BUILDING
13.	MH-13	RIM: 446.22 INV IN: 443.39 (CO-14) INV OUT: 443.29 (JB-12)			
14.	CO-14	RIM: 446.21 INV IN: 443.57 (3" FLOOR DRAIN) INV IN: 445.00 (TRENCH DRAIN) INV OUT: 443.47 (MH-13)			- BS: 445.65

GRADING AND DRAINAGE LEGEND ----- PROPERTY LINE TEMPORARY CONSTRUCTION EASEMENT -TCE-STORM DRAIN (\geq 12 INCH) STORM DRAIN (< 12 INCH) ROOF DRAIN UNDER DRAIN FOUNDATION DRAIN _____ CURB AND GUTTER SPILL CURB AND GUTTER EXISTING CONTOUR _ — — — — 805— — — — — PROPOSED CONTOUR SPOT ELEVATION (FACE OF CURB UNLESS 826.00 OTHERWISE NOTED) CATCH BASIN (CB) (SEE DETAIL 840.02 ON C8.1 STORM DETAILS) JUNCTION BOX (JB) (SEE DETAIL 840.31 ON C8.1 STORM DETAILS) CLEANOUT (STCO) DROP INLET (DI). (SEE DETAIL 840.13 ON C8.3 STORM DETAILS) YARD INLET (YI) CONTROL STRUCTURE (CS) FLOW ARROW $\sim\sim$ TOP OF WALL (GRADE ELEV.) BOTTOM OF WALL (GRADE ELEV.) TOP OF CURB (GRADE ELEV.) TC/TP FLUSH CURB (GRADE ELEV.)

	-TV	
EX.	UST RIM TO	N 785831.34 E 1978617.214 NAD63 (2020)
SSMH TOP=443.98 INV IN=437.28 INV IN=439.48	(6" DIP) /	EX JB (BLIND) ASPROX LOCA DIACCESSIBLE (GIS)
INV IN=437.18 (INV OUT=436.78 EX_6" DI (GIS) SS	3 (10" UNKN)	
EX. 30 LF (36" R		EX 18" x36"
	SS 	

- STANDARD GRADING PLAN NOTES
- (M.U.T.C.D.). 2. THE UTILITIES AND THE LOCATION THEREOF, SHOWN ON THE DRAWINGS, REPRESENT THE DESIGNERS UNDERSTANDING OF EXISTING UTILITIES IN THE CONSTRUCTION AREA. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION, DEPTH AND EXISTENCE OF ALL UTILITIES (ELECTRICAL, MECHANICAL, WATER, TELEPHONE, GAS ETC.) WITHIN THE CONSTRUCTION AREA WITH THE OWNER AND/OR THE APPROPRIATE UTILITY COMPANY PRIOR TO ANY EXCAVATION. THE OMISSION OF OR THE INCLUSION OF UTILITY LOCATIONS ON THE PLANS IS NOT TO BE CONSIDERED AS THE NONEXISTENCE OF OR A DEFINITE LOCATION. UTILITIES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE. CONTACT U-LOCO (1-800-632-4949)
- PRIOR TO DIGGING. ALL PAVING CUTS SHALL BE MADE BY SAW CUTS. EXISTING ELEVATIONS SHALL BE FIELD VERIFIED AND MATCHED.
- CONTRACTOR TO COORDINATE ANY CHANGES IN FIELD CONDITIONS THAT MAY REVISE THE DESIGN WITH ARCHITECT / 4. ENGINEER PRIOR TO PROCEEDING.
- 5. CONTRACTOR IS RESPONSIBLE TO REPLACE AND/OR REPAIR ANY DAMAGES TO THE EXISTING LANDSCAPE, IRRIGATION, POWER AND/OR HARDSCAPE.
- 6. ANY UNSUITABLE MATERIAL ON SITE IS TO BE QUANTIFIED BY A GEOTECHNICAL ENGINEER, PRIOR TO REMOVING. CONTRACTOR MUST NOTIFY OWNER, OR OWNER'S REPRESENTATIVE IN CASE UNSUITABLE MATERIAL IS UNCOVERED.
- NON-STANDARD ITEMS (I.E. PAVERS, IRRIGATION SYSTEMS, ETC.) IN THE RIGHT-OF-WAY OF CARR STREET, MAPLE AVENUE, AND ROBERSON STREET REQUIRE PERMISSION FROM THE TOWN OF CARRBORD BEFORE INSTALLATION. ANY WORK PERFORMED WITHIN THE S. GREENSBORO STREET RIGHT-OF-WAY WILL REQUIRE AN ENCROACHMENT AGREEMENT WITH NCDOT.



- 14. METAL FENCE IS REQUIRED FOR ALL WALLS WHERE THERE IS A GRADE DIFFERENCE OF 30" OR MORE.

Perkins&Will

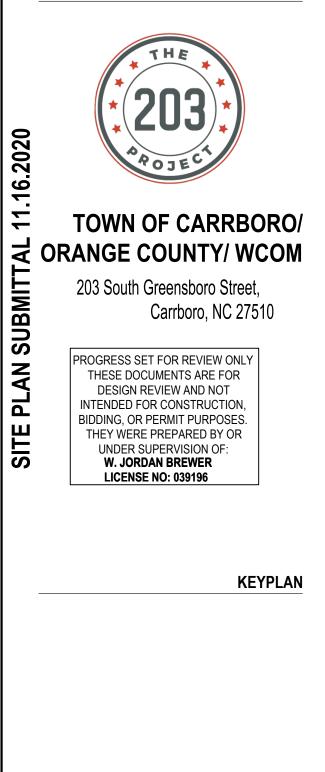
Legacy Tower 411 W Chapel Hill Street, Suite 200 Durham, North Carolina 27701 t 919.433.5300 f 919.433.5301 perkinswill.com

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The Sextan Group/NV5 3300 Regency Parkway Cary, NC 27518

PROJECT



ISSUE CHART

PRELIMINARY DO NOT USE FOR CONSTRUCTION

DATE ISSUE 830608.000 Job Number TITLE

GRADING AND DRAINAGE PLAN

SHEET NUMBER

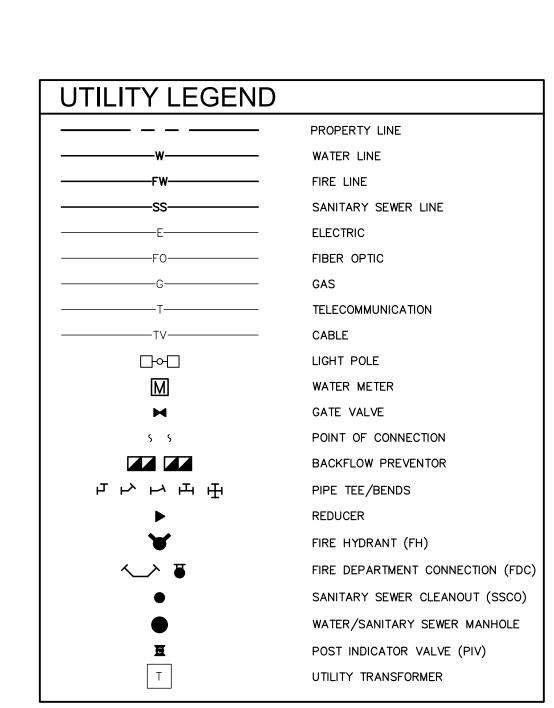
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PLANS TITLED "ROBERSON SQUARE" BY SGI TECHNICAL SERVICES, 200 NORTH GREENSBORO STREET, SUITE B-13A, CARRBORO, NC 27510, 919-942-7612 DATED 11/20/07.

CURRENT AVAILABLE AERIAL INFORMATION OBTAINED FROM TOWN OF CARRBORO/ORANGE COUNTY GIS DATABASE.

GENERAL NOTES

- 1. CONTRACTOR SHALL VERIFY EXACT SIZE AND LOCATION (HORIZONTAL AND VERTICAL) OF EXISTING CROSSING AND JOINING UTILITIES PRIOR TO CONSTRUCTION AND IMMEDIATELY NOTIFY THE ENGINEER OF ANY CONFLICT.
- EXISTING AND PROPOSED ELECTRICAL, TELECOMMUNICATION LINES, CHILLED WATER, AND SEWER ARE SHOWN FOR COORDINATION AND REFERENCE ONLY. CONTRACTOR SHALL REFER TO THE ELECTRICAL, TELECOMMUNICATION, CHILLED WATER, AND SEWER DRAWINGS BY SGI TECHNICAL SERVICES FOR CONSTRUCTION.
- 3. STORM DRAIN IS SHOWN FOR COORDINATION AND REFERENCE ONLY, SEE SHEET C4.0 - GRADING AND DRAINAGE PLAN FOR CONSTRUCTION.
- 4. A MINIMUM CLEARANCE OF 12" BETWEEN EXISTING UTILITIES AND PROPOSED PIPELINE SHALL BE MAINTAINED AT CROSSINGS UNLESS STATED OTHERWISE.
- 5. CONTRACTOR SHALL PROTECT ALL ADJACENT STRUCTURES AND UTILITIES. EXCAVATIONS THAT EXTEND BELOW THE EDGE OF NEARBY EXISTING FACILITIES SHALL BE PROPERLY SHORED TO MAINTAIN FOUNDATION SUPPORT OF THE ADJACENT STRUCTURE.
- 6. PIPE TRENCH SECTION SHALL BE IN ACCORDANCE WITH OWASA STD. PLAN
- 7. CONTRACTOR SHALL COORDINATE PHASING OF UTILITY WORK TO INSTALL DEEPEST UTILITIES FIRST.



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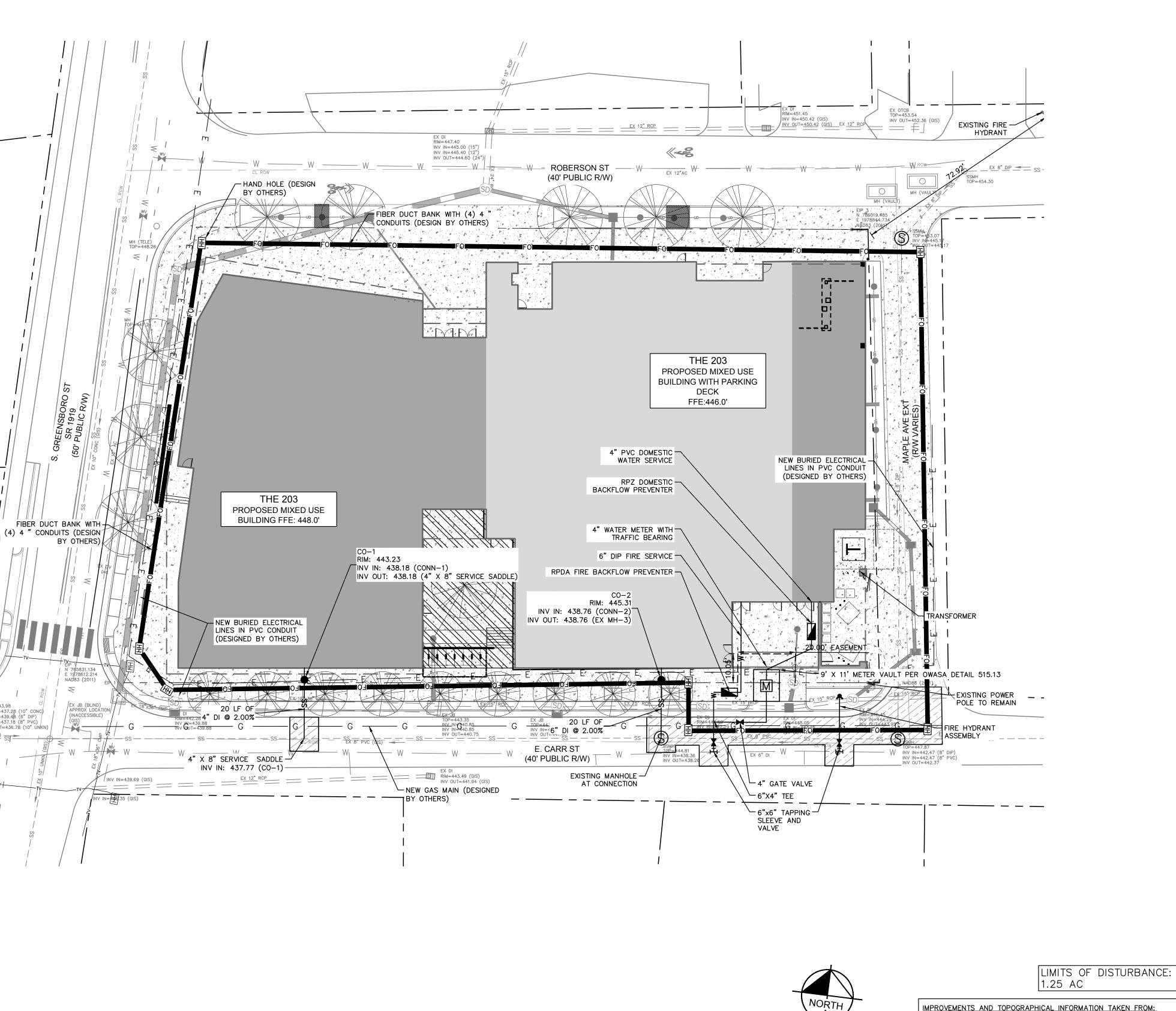
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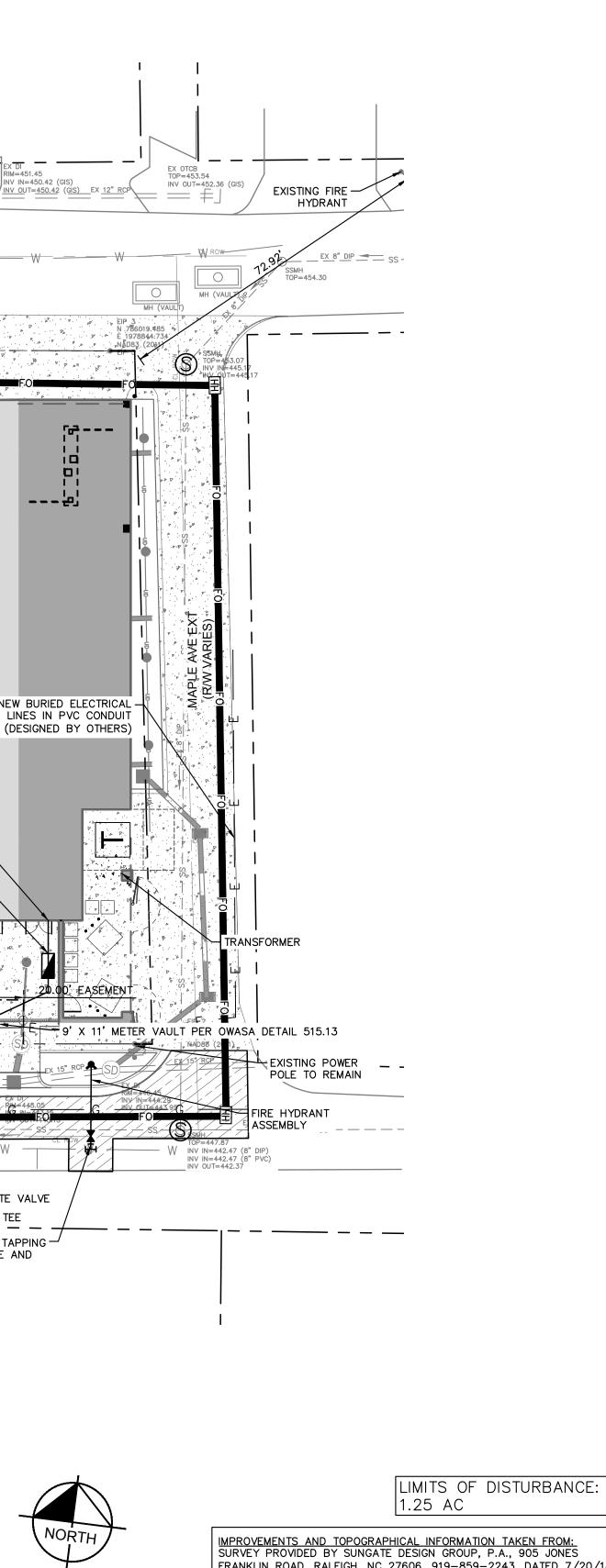
— SS — — — — — SS — — <u>EX 6"</u><u>DI (GIS)</u> <u>S</u>

INV IN=437.28 (10" CONC INV IN=439.4β (6" DIP) INV IN=437.18 (6" PVC) INV OUT=436.78 (10" UNKN)

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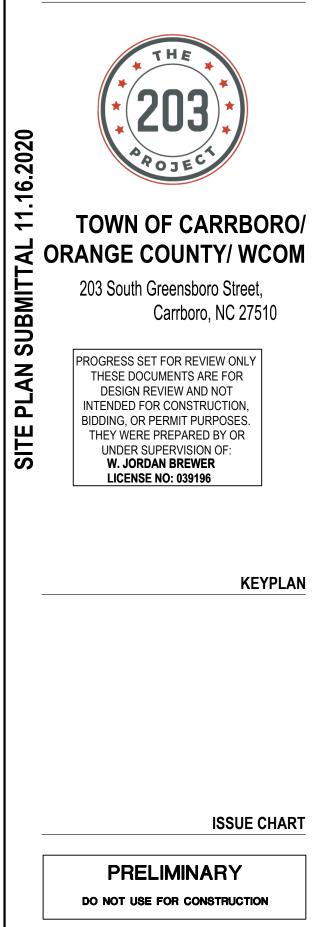
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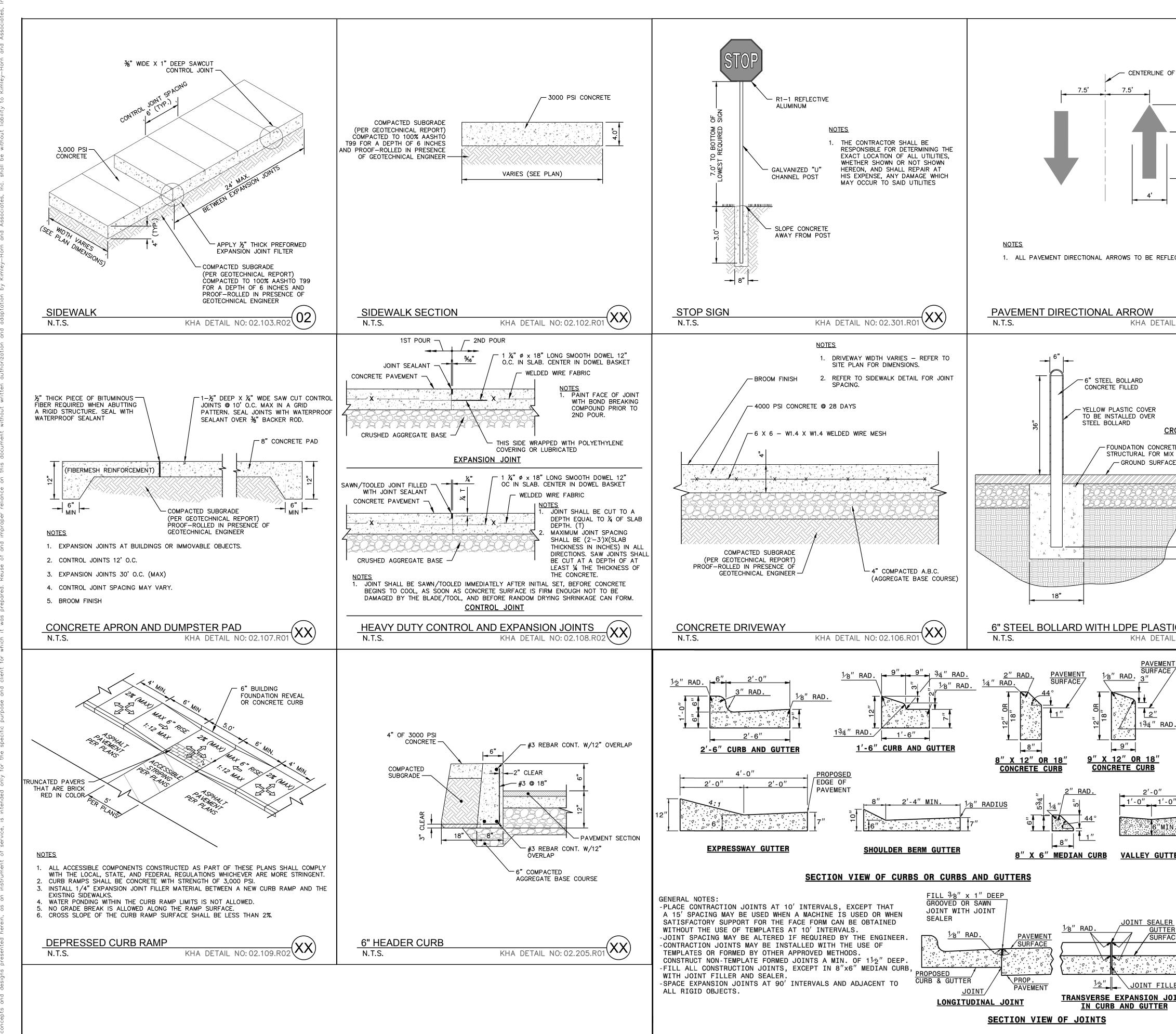
UTILITY PLAN

SHEET NUMBER

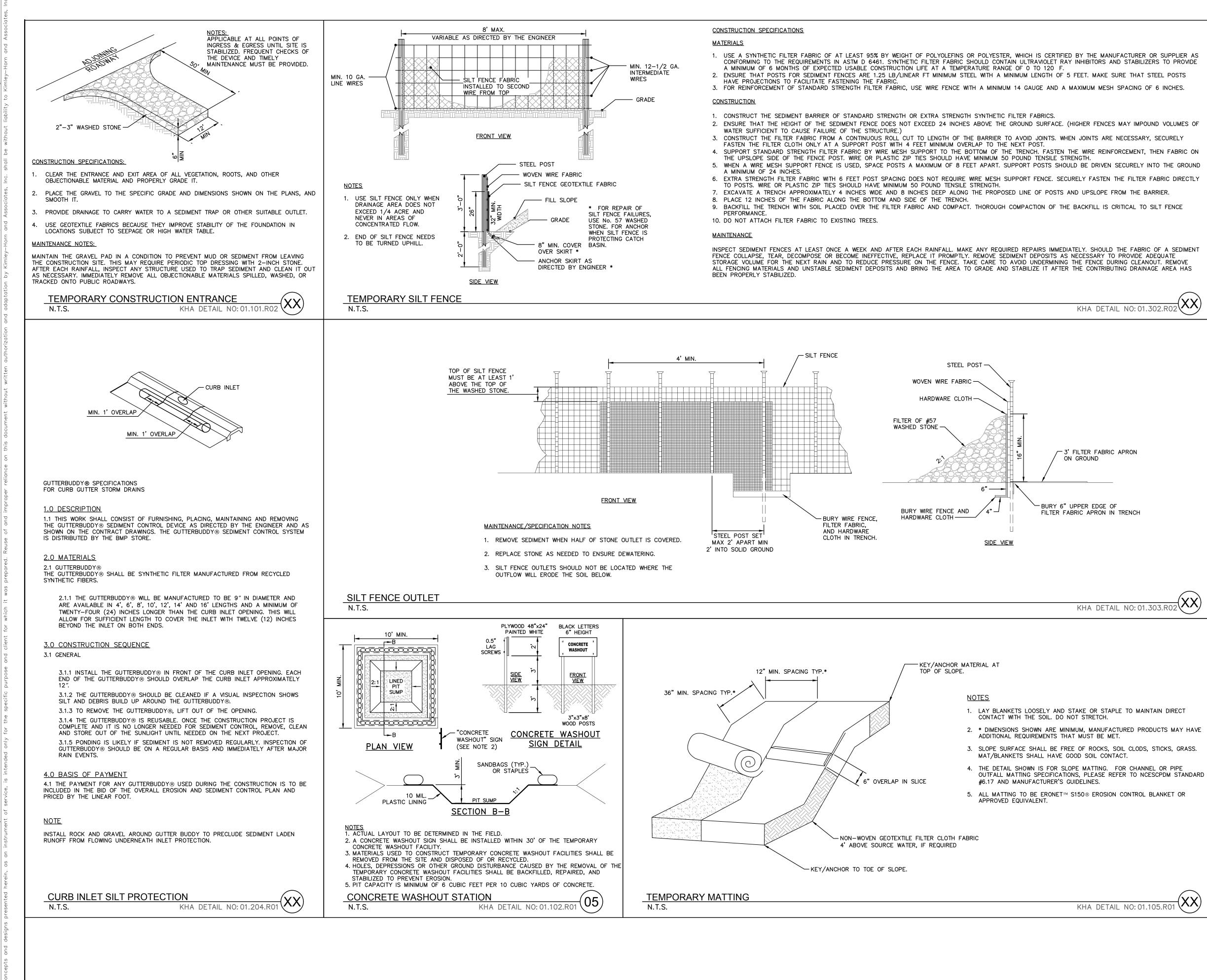
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FRANKLIN ROAD, RALEIGH, NC 27606, 919-859-2243, DATED 7/20/18, REVISED 8/19/20. PLANS TITLED "ROBERSON SQUARE" BY SGI TECHNICAL SERVICES, 200

NORTH GREENSBORO STREET, SUITE B-13A, CARRBORO, NC 27510, 919-942-7612 DATED 11/20/07. CURRENT AVAILABLE AERIAL INFORMATION OBTAINED FROM TOWN OF CARRBORO/ORANGE COUNTY GIS DATABASE.



		Perkins&Will
F DRIVEWAY		Legacy Tower 411 W Chapel Hill Street, Suite 200 Durham, North Carolina 27701 t 919.433.5300
		f 919.433.5301 perkinswill.com
ω		LANDSCAPE ARCHITECTURE
		Perkins & Will 411 West Chapel Hill, Suite 200,
		Durham, NC 27701 civiL
		Kimley Horn 421 Fayetteville Street, Suite 600, Raleigh, NC 27601 STRUCTURAL
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L NO: 02.306.R01		Theater Consultant Collaborative 6325 Old NC 86 Chapel Hill, NC 27516 AUDIO VISUAL AND ACOUSTICS DESIGN
STEEL PIPE ID=6.0" STEEL PIPE OD=6.625" SLEEVE ID=6.875"		The Sextan Group/NV5 3300 Regency Parkway Cary, NC 27518
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L NO: 02.901.R01		BIDDING, OR PERMIT PURPOSES. THEY WERE PREPARED BY OR UNDER SUPERVISION OF: W. JORDAN BREWER
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	RENT AVAILABLE AERIAL INFORMATION OBTAINED FROM TOWN OF REORO/ORANGE COUNTY GIS DATABASE.	@ 2020 Kirslav Harr



- CONFORMING TO THE REQUIREMENTS IN ASTM D 6461. SYNTHETIC FILTER FABRIC SHOULD CONTAIN ULTRAVIOLET RAY INHIBITORS AND STABILIZERS TO PROVIDE

Legacy Towe 411 W Chapel Hill Street, Suite 200 Durham, North Carolina 27701 t 919.433.5300 f 919.433.5301 perkinswill.com

CONSULTANTS

LANDSCAPE ARCHITECTURE

- Perkins & Will 411 West Chapel Hill, Suite 200 Durham, NC 27701 CIVII Kimley Horn 421 Fayetteville Street, Suite 600,
- Raleigh, NC 27601 STRUCTURAL Lynch Mykins 415 Hillsboorugh Street, Suite 101 Raleigh, NC 27603
- MEPF Engineered Design Inc. 1151 SE Cary Parkway, Suite 200, Cary, NC 27518 THEATER DESIGN Theater Consultant Collaborative 6325 Old NC 86 Chapel Hill, NC 27516 AUDIO VISUAL AND ACOUSTICS DESIGN
- The Sextan Group/NV5 3300 Regency Parkway Cary, NC 27518

PROJECT

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KEYPLAN

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PRELIMINARY

DATE ISSUE 830608.000 Job Number

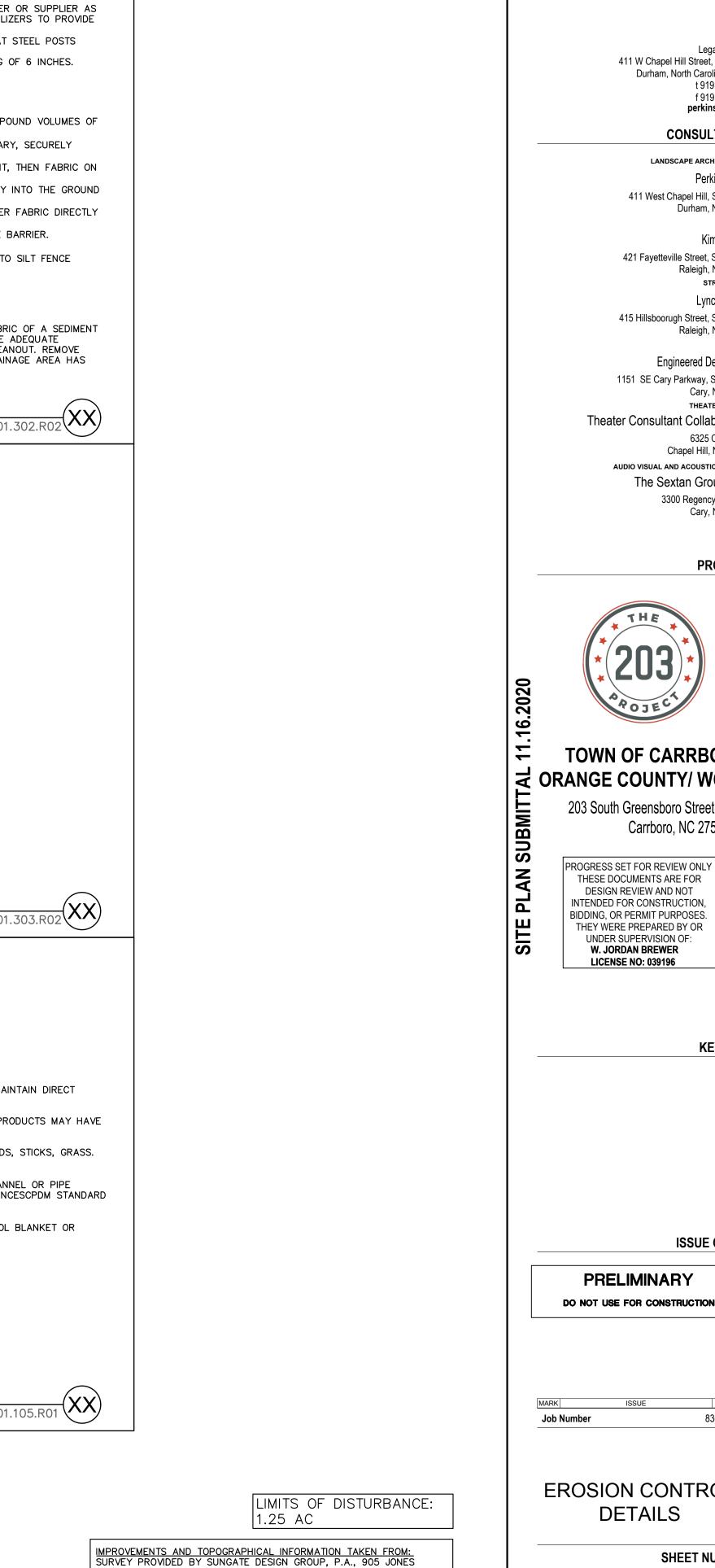
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SHEET NUMBER



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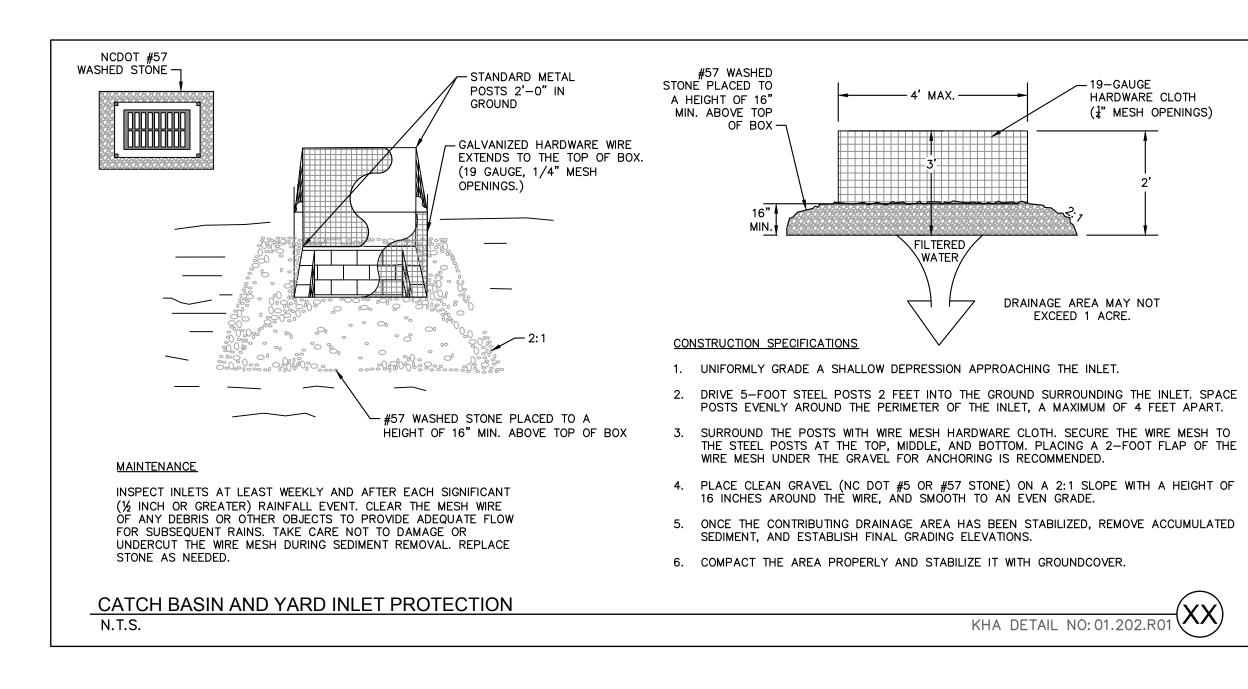
FRANKLIN ROAD, RALEIGH, NC 27606, 919-859-2243, DATED 7/20/18,

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REVISED 8/19/20.

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PROJECT

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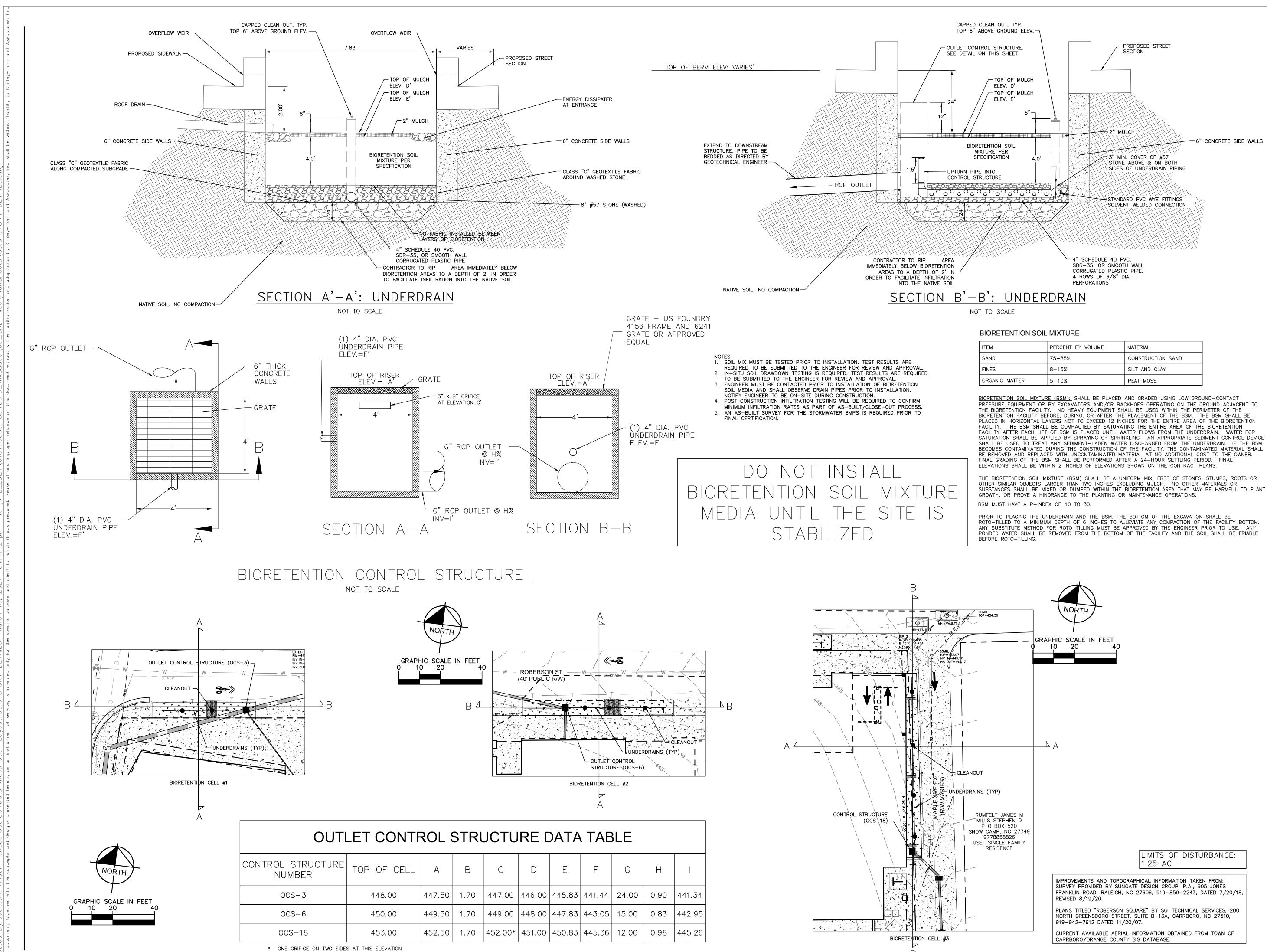
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LIMITS OF	DISTURBANCE
1.25 AC	

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K:\RAL_LDEV\015170033-Carrboro_MixedUse\09_CAD Files\PlanSheets\C8.0 STORM DETAILS.dwg, 3/16/2021 4:17:19 PM, AutoCAD PDF (General Documentation).pc3



В	С	D	E	F	G	Н	Ι
1.70	447.00	446.00	445.83	441.44	24.00	0.90	441.34
1.70	449.00	448.00	447.83	443.05	15.00	0.83	442.95
1.70	452.00*	451.00	450.83	445.36	12.00	0.98	445.26

ITEM	PERCENT BY VOLUME	MATERIAL
SAND	75-85%	CONSTRUCTION SAND
FINES	8–15%	SILT AND CLAY
ORGANIC MATTER	5-10%	PEAT MOSS

SHALL BE USED TO TREAT ANY SEDIMENT-LADEN WATER DISCHARGED FROM THE UNDERDRAIN. IF THE BSM BECOMES CONTAMINATED DURING THE CONSTRUCTION OF THE FACILITY, THE CONTAMINATED MATERIAL SHALL

SUBSTANCES SHALL BE MIXED OR DUMPED WITHIN THE BIORETENTION AREA THAT MAY BE HARMFUL TO PLANT

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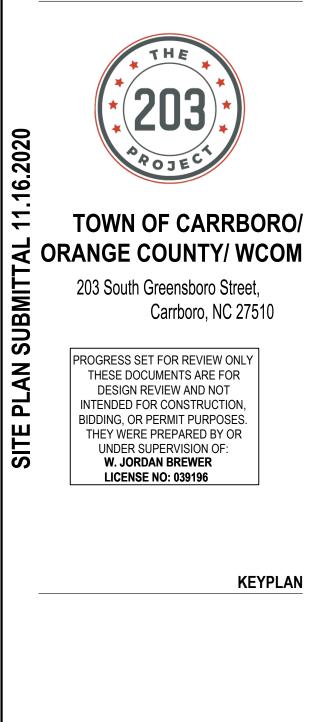
Perkins & Will 411 West Chapel Hill, Suite 200, Durham, NC 27701 CIVIL

Kimley Horn 421 Fayetteville Street, Suite 600, Raleigh, NC 27601 STRUCTURAL Lynch Mykins 415 Hillsboorugh Street, Suite 101 Raleigh, NC 27603

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> 3300 Regency Parkway Cary, NC 27518

PROJECT



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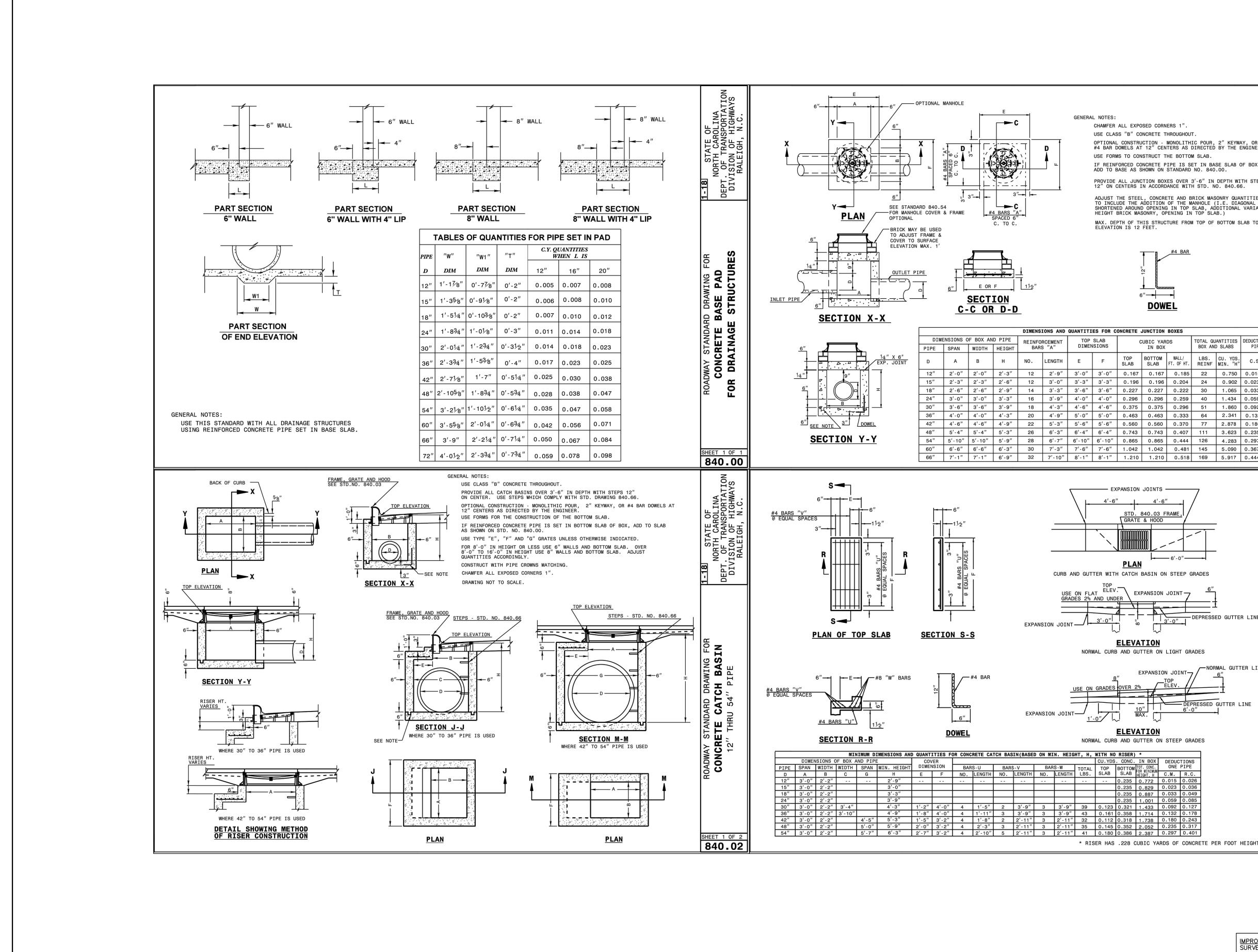
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PRELIMINARY DO NOT USE FOR CONSTRUCTION DATE 830608.000 Job Number TITLE

STORM DETAILS

SHEET NUMBER

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 - Cary, NC 27518

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ISSUE	CHART

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D CORNERS 1". RETE THROUGHOUT. ION - MONOLITHIC POUR, 2" KEYWAY, OR 2" CENTERS AS DIRECTED BY THE ENGINEER. RUCT THE BOTTOM SLAB. RETE PIPE IS SET IN BASE SLAB OF BOX, WN ON STANDARD NO. 840.00. ON BOXES OVER 3'-6" IN DEPTH WITH STEPS ACCORDANCE WITH STD. NO. 840.66. CONCRETE AND BRICK MASONRY QUANTITIES DITION OF THE MANHOLE (I.E. DIAGONAL BARS DPENING IN TOP SLAB, ADDITIONAL VARIABLE IRY, OPENING IN TOP OF BOTTOM SLAB TO TOP ET.						1-18 STATE OF	NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.
EET. #4 BAR #4 BAR #4 BAR DOWEL DOWEL NCTION BOXES IC YARDS TOTAL QUANTITIES DEDUCTIONS FOR ONE PIPE CU.YDS. OTTOM WALL/ LBS. CU. YDS. OTTOM FT. OF HT. REINF MIN. "H" C.S. R.C. 0.167 0.185 0.222 30 0.222 0.023 0.222 0.1065 0.226 0.229 0.229 0.229 0.229 0.229 0.229 0.229 0.229 0.229 0.229 0.229					ROADWAY STANDARD DRAWING FOR	CONCRETE JUNCTION BOX (WITH OPTIONAL MANHOLE) 12" THRU 66" PIPE	
1.042 1.210	0.481 0.518	145 169	5.090 5.917	0.367	0.495	SHE	_
DINTS <u>4'-6"</u> <u>0.03 FRAME</u> , HOOD <u>6'-0"</u> SIN ON STEEP GRADES					0.303		40.31
4'-6'	<u>RAME</u> ,		-			1-18 STATE OF	INA ORTATION IGHWAYS .C.
4'-6' 0.03 F HOOD SIN ON USION USION CON CON CON CON CON CON CON C	RAME,	 DEPRESSI ADES PRESSED 0" ADES S 26 36 49 85 27 78 43 17 01	MAL GUTT GUTTER L	ER LINE		Particular Particular Barrier Barrier Barrier Barrier Barrier Barrier	SIN NORTH CAROLINA DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS RALEIGH, N.C.

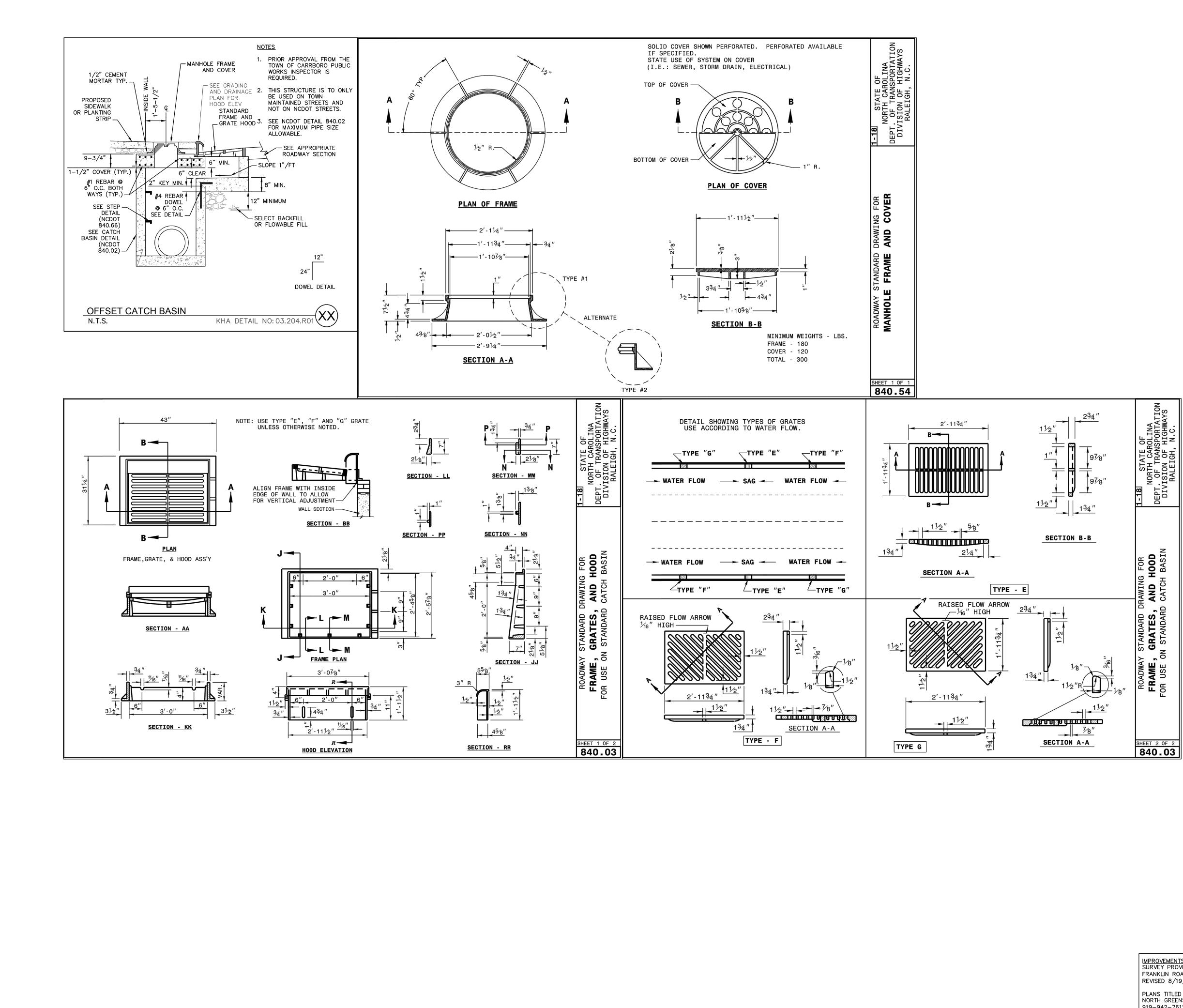
LIMITS OF DISTURBANCE:

1.25 AC

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CONSULTANTS

Landscape architecture Perkins & Will

411 West Chapel Hill, Suite 200, Durham, NC 27701 cıvıL Kimley Horn 421 Fayetteville Street, Suite 600, Raleigh, NC 27601 structuraL

Lynch Mykins 415 Hillsboorugh Street, Suite 101, Raleigh, NC 27603 мергр Engineered Design Inc.

1151 SE Cary Parkway, Suite 200, Cary, NC 27518 THEATER DESIGN Theater Consultant Collaborative 6325 Old NC 86 Chapel Hill, NC 27516 AUDIO VISUAL AND ACOUSTICS DESIGN The Sextan Group/NV5

Cary, NC 27518

3300 Regency Parkway

PROJECT

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STORM DETAILS

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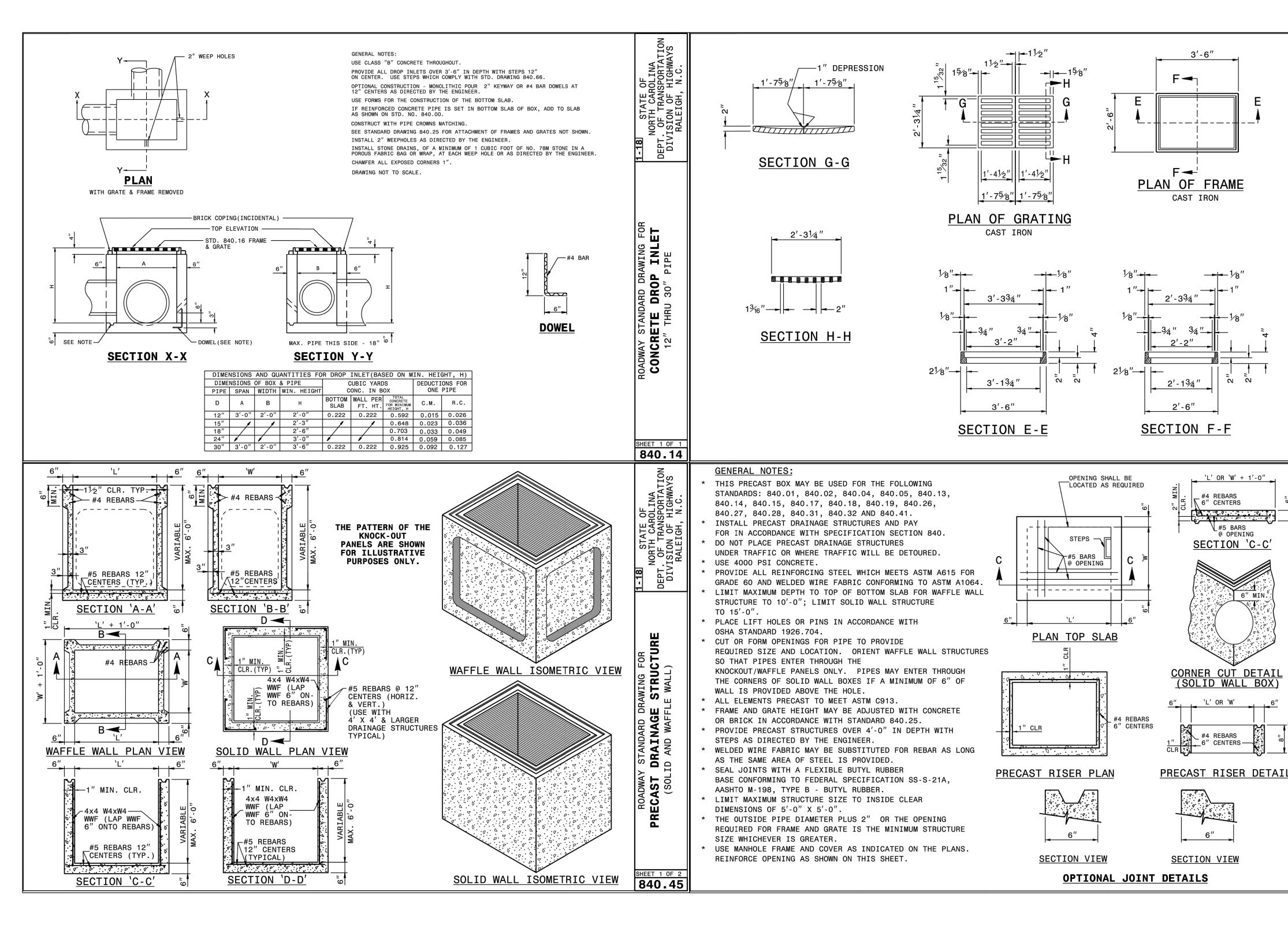
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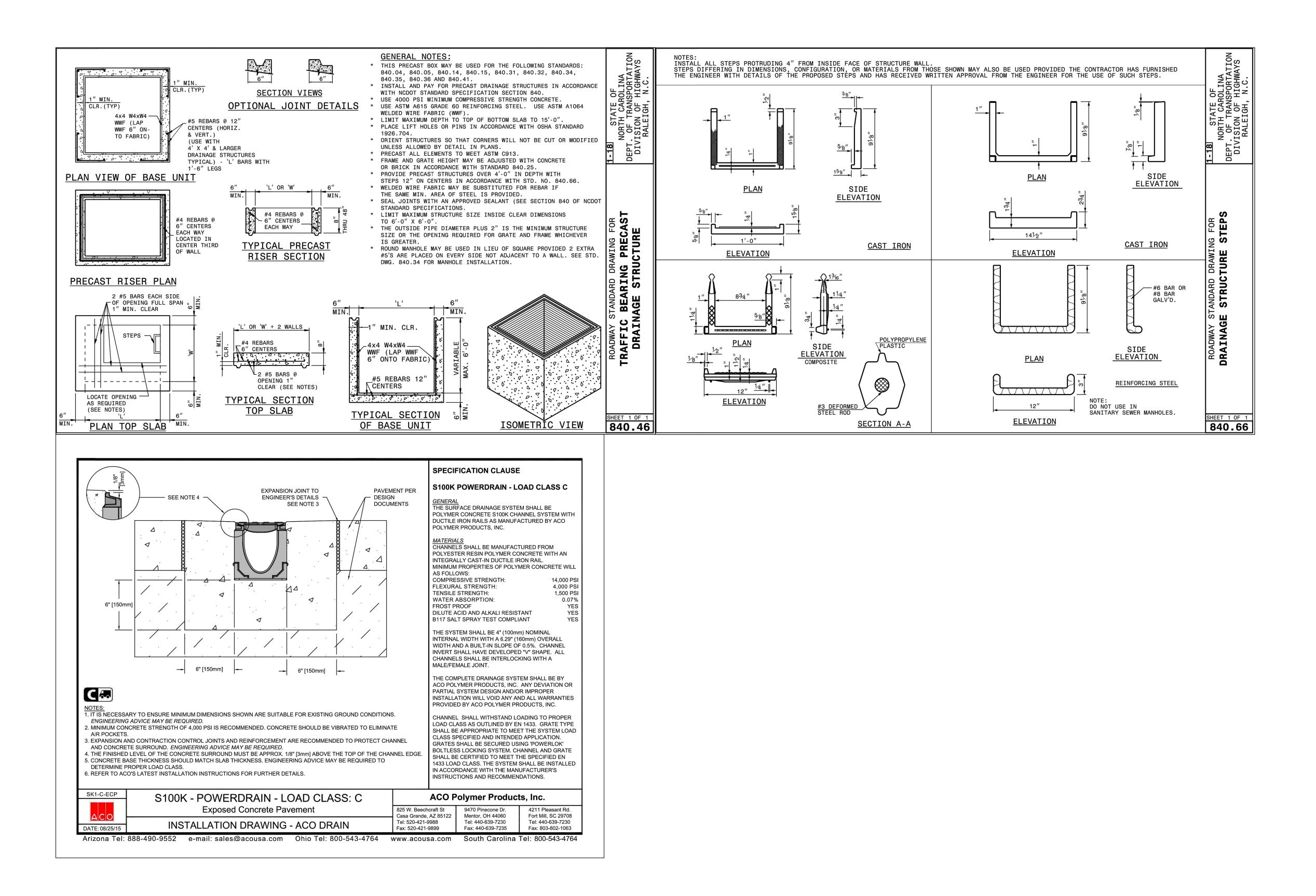
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		Legacy Tower 411 W Chapel Hill Street, Suite 200 Durham, North Carolina 27701 t 919.433.5300 f 919.433.5301 perkinswill.com
		CONSULTANTS
		411 West Chapel Hill, Suite 200,
Comparison of the second control of the		Raleigh, NC 27601
		Raleigh, NC 27603 MEPFP
		1151 SE Cary Parkway, Suite 200, Cary, NC 27518 THEATER DESIGN
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CARRBORO/ORANGE COUNTY GIS DATABASE.

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LANDSCAPE ARCHITECTURE

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- Raleigh, NC 27601 STRUCTURAL Lynch Mykins 415 Hillsboorugh Street, Suite 101, Raleigh, NC 27603 MEPFP
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PROJECT

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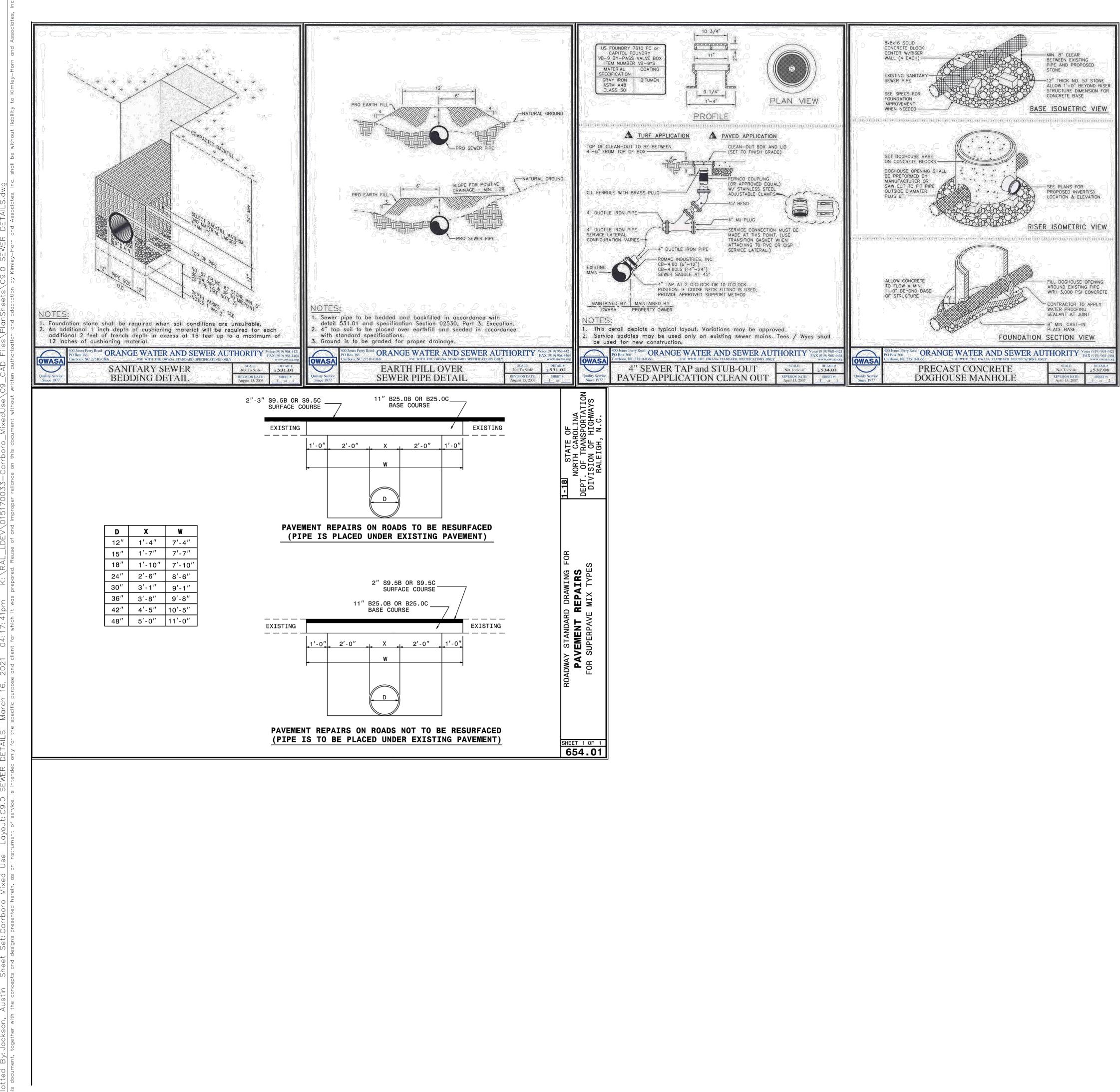


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1-18 STATE NORTH CAR DEPT. OF TRAN DIVISION OF RALEIGH,	
ROADWAY STANDARD DRAWING FOR PAVEMENT REPAIRS FOR SUPERPAVE MIX TYPES	

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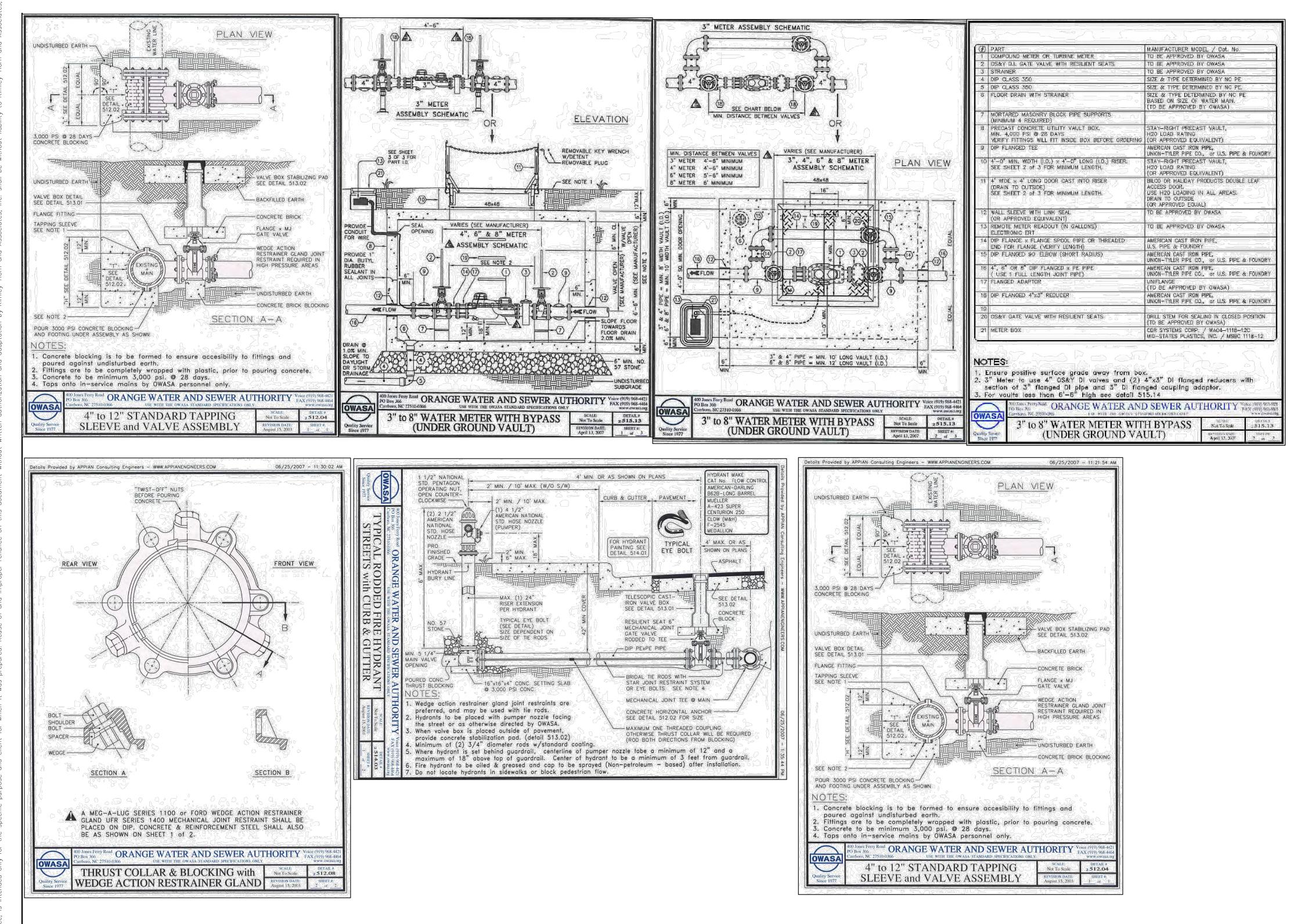
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LIMITS OF	DISTURBANCE
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PROJECT

Cary, NC 27518

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C10.0

SITE PLAN SUBMITTAL: 03/12/2021 LANDSCAPE ARCHITECTURE



LANDSCAPE **GENERAL NOTES**

- 1. WHERE MATERIALS ARE APPLIED TO, OR ARE IN DIRECT CONTACT WITH WORK INSTALLED BY ANOTHER SUBCONTRACTOR, COMMENCEMENT OF WORK IMPLIES ACCEPTANCE OF THE SUBSTRATE AS SUITABLE FOR THE APPLICATION INTENDED.
- 2. RE: CIVIL DRAWINGS FOR ALL SITE CONSTRUCTION INFORMATION INCLUDING
- BUT NOT LIMITED TO THE FOLLOWING: SITE GEOMETRY AND DIMENSIONAL CONTROL
- SITE UTILITIES
- SITE GRADING AND DRAINAGE
- ASPHALT DETAILS PAVING MARKERS
- CURB AND GUTTER DETAILS
- PARKING BUMPERS
- TRAFFIC SIGNAGE
- PAVING STRIPING AND CURB MARKINGS TYPICAL HANDICAP SIGNAGE/SPACES
- 3. RE: ELECTRICAL DRAWINGS FOR SITE INFORMATION INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:
 - SITE LIGHT STANDARD LOCATIONS AND SIZES
 - ELECTRICAL SLEEVING LOCATIONS AND SIZES TELEPHONE AND CABLE T.V. PULL BOX LOCATIONS
 - ELECTRICAL MANHOLE LOCATIONS AND DETAILS
 - PULL BOX LOCATIONS AND SIZES FOR VARIOUS SITE LIGHTING
 - ELEMENTS EXTERIOR BUILDING ILLUMINATION AND UTILITY COORDINATION
- 4. IRRIGATION SYSTEM IS TO BE DELEGATED DESIGN: REFER TO SPECIFICATION SECTION 32 84 00 FOR PLANTING IRRIGTAION DETAILS.
- 5. THE CONTRACTOR SHALL MAINTAIN EXISTING ACCESS TO ALL EMERGENCY ENTRANCES AND SHALL NOT BLOCK ACCESS TO DRIVES AND COVERED DROP OFF AREAS. SITE WORK AND STAGING THAT AFFECT THE AREAS ADJACENT TO THE EMERGENCY DEPARTMENT ENTRANCE WILL REQUIRE A WRITTEN COORDINATION PLAN SUBMITTED TO AND APPROVED BY THE FACILITY.
- 6. CONTRACTOR SHALL INFORM THE OWNER PRIOR TO ANY SITE DEMOLITION AND SHALL SCHEDULE SUCH DEMOLITION AS NOT TO INTERFERE WITH THE OWNER'S OPERATIONS AS OUTLINED IN AN AGREED PHASING PLAN AND SCHEDULE.

SHEET

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L01-01	
L01-03	
L04-01	
L04-02	
L-EX 01	

		PLANTING	SCHEDI	JLE		
CODE	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT	SPACING	COMMENTS
SHRUB/GF	ROUNDCOVER					
CAR LUR	Carex lurida	Sallow Sedge	1 GAL.	CONT	18" OC	FULL, WELL SHAPED
CAR PEN	Carex pensylvanica	Sedge	8" POT	CONT	12" OC	FULL, WELL SHAPED
CEP HAR	Juncus acutus	Creeping Plum Yew	3 GAL	CONT	30" OC	FULL, WELL SHAPED
EQU HYE	Equisetum hyemale	Horsetail	1 GAL.	CONT	18" OC	FULL, WELL SHAPED
ILE GLA	Ilex glabra 'Gem Box'	Gem Box Inkberry Holly	7 GAL	CONT	30" OC	FULL, WELL SHAPED
IRI VIR	Iris virginica	Virginia Iris	1 GAL.	CONT	18" OC	FULL, WELL SHAPED
ITE VIR	Itea virginica 'Little Henry"	Virginia Sweetspire 'Little Henry'	3 GAL	CONT	30" OC	FULL, WELL SHAPED
JUN ACU	Juncus acutus	Spiny Rush	1 GAL.	CONT	18" OC	FULL, WELL SHAPED
PAR QUI	Parthenocissus quinquefolia	Virginia Creeper	1 GAL.	CONT	12" OC	FULL, WELL SHAPED
TREE						
ILE ATT	llex x attenuata 'Fosteri'	Foster's No. 2 Holly	6"	B&B	AS SHOWN	CLEAR TRUNK
PAR PER	Parrotia persica Contemplation Parrotia	Contemplation Persian Ironwood	6" CAL	B&B	AS SHOWN	CLEAR TRUNK
QUE BIC	Quercus bicolor 'Bonnie and Mike'	Beacon Swamp White Oak 'Bonnie and Mike'	4" CAL	B&B	AS SHOWN	FULL, WELL BRANCHED
TAX DIS	Taxaodium distichum	Bald Cypress	4" CAL	B&B	AS SHOWN	FULL, WELL BRANCHED

MATERIAL & LAYOUT NOTES

- 1. REFER TO CIVIL DRAWINGS FOR EASEMENT INFORMATION, GRADING PLAN, AND UTILITY DRAWINGS.
- 2. BASE TOPOGRAPHICAL AND EXISTING CONDITIONS AS SHOWN ON EXISTING CONDITIONS DRAWINGS.
- 3. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR LANDSCAPE ARCHITECT'S APPROVAL OF PREFABRICATED BENCHES.
- 4. CONTRACTOR TO CONSTRUCT HARDSCAPE MATERIAL MOCKUP FOR LANDSCAPE ARCHITECT'S APPROVAL. MOCK UP MUST SHOW ALL CONCRETE, PAVER, AND BRICK FINISHES AND BE MINIMUM 8'X8'.
- 5. UTILITY WORK IS NOT INDICATED ON THIS DRAWING. REFER TO GRADING AND DRAINAGE AND UTILITY PLANS (CIVIL DRAWINGS).
- 6. DO NOT SCALE THESE DRAWINGS.
- DIMENSIONS ARE FROM BACK OF CURB, TO FACE OF WALL, TO OUTSIDE EDGE OF PAVEMENTS; FROM COLUMN CENTERLINES TO HARDSCAPE CENTERLINES, TO CENTERLINE OF PAVEMENTS, TO OUTSIDE EDGE OF PAVEMENTS, TO CENTERLINES OF STAIRS; FROM EDGE OF PAVEMENT TO FACE OF WALL.
- 8. ALL CURVES TO BE TRUE RADII WITHOUT STRAIGHT SEGMENTS. 9. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND
- ELEVATIONS PRIOR TO CONSTRUCTION.
- 10. ALL WALLS, COLUMNS, SIDEWALKS, PATHWAYS, FENCES, AND STAIRWAYS SHALL BE COMPLETELY LAID OUT AND STAKED WITH VISIBLE MARKERS. THE STAKES SHALL BE APPROVED IN THE FIELD BY OWNER'S REPRESENTATIVE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE 48 HOURS PRIOR TO SITE VISIT.

PLANTING NOTES

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- 3. ALL PLANTS MUST BE CONTAINER-GROWN (CONT.) OR BALLED AND BURLAPPED (B&B) AS INDICATED IN PLANT LIST.
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- 9. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
- 10. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING (INCLUDED BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING, ETC...) OF ALL PLANTING AND LAWN AREAS UNTIL THE WORK IS ACCEPTED IN TOTAL BY THE ARCHITECT AND OWNER.

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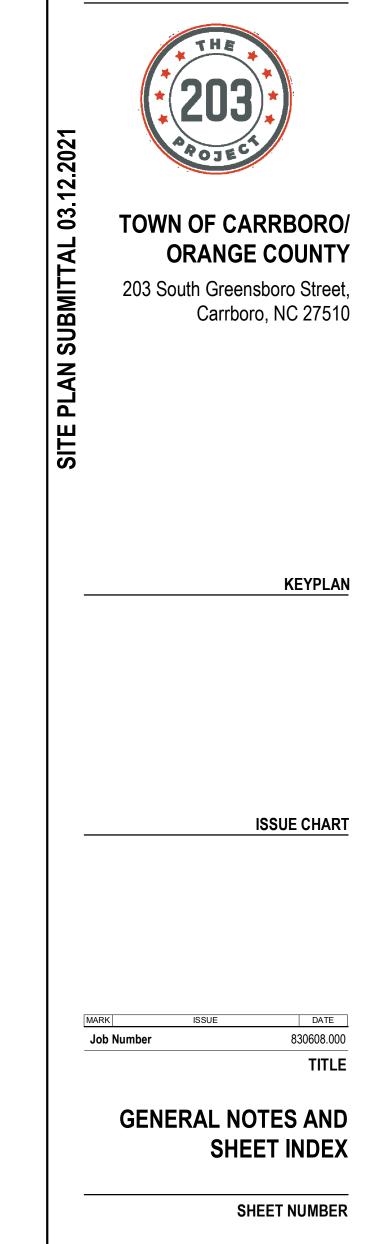
LANDSCAPE ARCHITECTURE

Perkins & Will 411 West Chapel Hill, Suite 200, Durham, NC 27701 CIVIL

Kimley Horn 421 Fayetteville Street, Suite 600, Raleigh, NC 27601 STRUCTURAL Lynch Mykins 415 Hillsboorugh Street, Suite 101 Raleigh, NC 27603

MEPF Engineered Design Inc. 1151 SE Cary Parkway, Suite 200, Cary, NC 27518 THEATER DESIGN Theater Consultant Collaborative 6325 Old NC 86 Chapel Hill, NC 27516 AUDIO VISUAL AND ACOUSTICS DESIGN The Sextan Group/NV5 3300 Regency Parkway Cary, NC 27518

PROJECT



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LANDSCAPE ARCHITECTURE - INDEX OF DRAWINGS					
NUMBER SHEET NAME					
	GENERAL NOTES AND SHEET INDEX				
	MATERIAL & LAYOUT PLAN				
	ROOF TERRACE PLANS				
	PLANTING PLAN				
	PLANTING SCHEDULE				
	TREE CANOPY - EXHIBIT				

PLANTING IRRIGATION NOTES

1. REFER TO SPECIFICATION SECTION 32 84 00 FOR PLANTING IRRIGATION DETAILS. 2. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR IRRIGATION SYSTEM FOR APPROVAL BY THE LANDSCAPE ARCHITECT AND IRRIGATION DESIGNER BEFORE PROCEEDING WITH WORK.

3. IRRIGATION SYSTEM SHOULD PROVIDE 100 PERCENT COVERAGE.

PROFESSIONAL ENGINEER.

4. COMPREHENSIVE ENGINEERING ANALYSIS REQUIRED BY A QUALIFIED

5. IRRIGATION SYSTEM SHOULD COMPLY WITH PERFORMANCE REQURIEMENTS AND DESIGN STANDARDS OF THE TOWN OF CHAPEL HILL.

CLEAN AND MULCH NOTES

1. THE CONTRACTOR SHALL CLEAR AND GRUB ALL WEEDS, DEAD TREES, TREES ONE (1) INCH CALIPER OR LESS AND OTHER SELECT TREES UP TO FOUR (4) INCH CALIPER AS DETERMINED IN THE FIELD IN THE TREE SAVE AREAS INDICATED ON THE DRAWINGS.

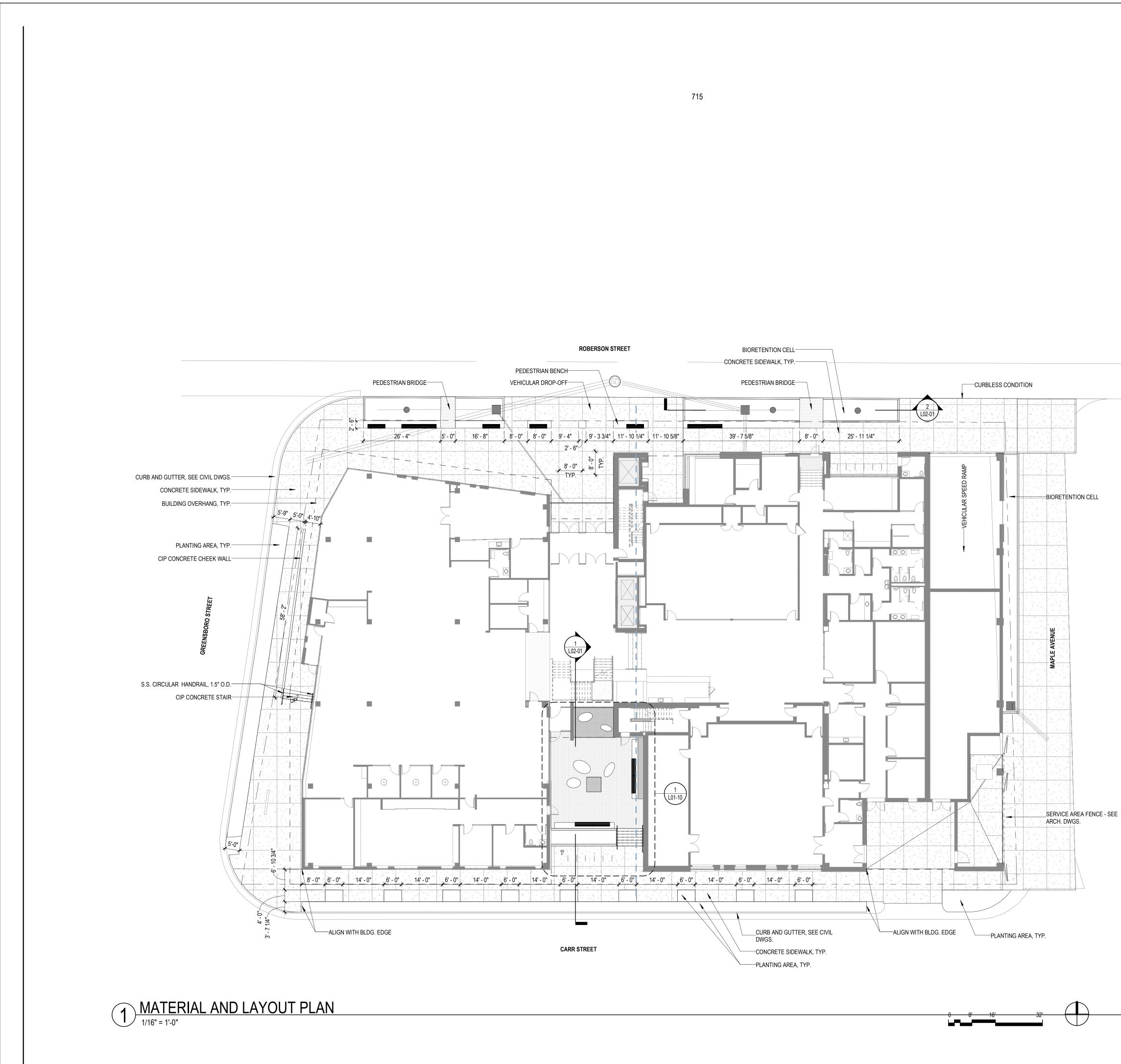
2. A THREE (3) INCH MINIMUM LAYER OF MULCH SHALL BE SPREAD OVER THE ENTIRE CLÉARED AREA.

3. THE CONTRACTOR WILL NOTIFY THE ARCHITECT PRIOR TO START OF THE CLEAN AND MULCH WORK.

4. THE ARCHITECT WILL VERIFY SCOPE OF WORK IN FIELD WITH THE CONTRACTOR PRIOR TO THE START OF WORK. 5. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND LEGAL DISPOSAL OF

ALL DEBRIS FROM CLEAN-UP OPERATIONS FROM THE SITE.

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LANDSCAPE **GENERAL NOTES**

- 1. WHERE MATERIALS ARE APPLIED TO, OR ARE IN DIRECT CONTACT WITH WORK INSTALLED BY ANOTHER SUBCONTRACTOR, COMMENCEMENT OF WORK IMPLIES ACCEPTANCE OF THE SUBSTRATE AS SUITABLE FOR THE APPLICATION INTENDED.
- 2. RE: CIVIL DRAWINGS FOR ALL SITE CONSTRUCTION INFORMATION INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
 - SITE GEOMETRY AND DIMENSIONAL CONTROL
 - SITE UTILITIES SITE GRADING AND DRAINAGE
 - ASPHALT DETAILS
 - PAVING MARKERS CURB AND GUTTER DETAILS
 - PARKING BUMPERS
 - TRAFFIC SIGNAGE PAVING STRIPING AND CURB MARKINGS
 - TYPICAL HANDICAP SIGNAGE/SPACES
- 3. RE: ELECTRICAL DRAWINGS FOR SITE INFORMATION INCLUDING, BUT NOT
- LIMITED TO THE FOLLOWING: SITE LIGHT STANDARD LOCATIONS AND SIZES
- ELECTRICAL SLEEVING LOCATIONS AND SIZES
- TELEPHONE AND CABLE T.V. PULL BOX LOCATIONS ELECTRICAL MANHOLE LOCATIONS AND DETAILS
- PULL BOX LOCATIONS AND SIZES FOR VARIOUS SITE LIGHTING ELEMENTS
- EXTERIOR BUILDING ILLUMINATION AND UTILITY COORDINATION
- 4. IRRIGATION SYSTEM IS TO BE DELEGATED DESIGN:
- REFER TO SPECIFICATION SECTION 32 84 00 FOR PLANTING IRRIGTAION DETAILS.
- 5. THE CONTRACTOR SHALL MAINTAIN EXISTING ACCESS TO ALL EMERGENCY ENTRANCES AND SHALL NOT BLOCK ACCESS TO DRIVES AND COVERED DROP OFF AREAS. SITE WORK AND STAGING THAT AFFECT THE AREAS ADJACENT TO THE EMERGENCY DEPARTMENT ENTRANCE WILL REQUIRE A WRITTEN COORDINATION PLAN SUBMITTED TO AND APPROVED BY THE FACILITY.
- 6. CONTRACTOR SHALL INFORM THE OWNER PRIOR TO ANY SITE DEMOLITION AND SHALL SCHEDULE SUCH DEMOLITION AS NOT TO INTERFERE WITH THE OWNER'S OPERATIONS AS OUTLINED IN AN AGREED PHASING PLAN AND SCHEDULE.

MATERIAL & LAYOUT NOTES

- 1. REFER TO CIVIL DRAWINGS FOR EASEMENT INFORMATION, GRADING PLAN, AND UTILITY DRAWINGS.
- 2. BASE TOPOGRAPHICAL AND EXISTING CONDITIONS AS SHOWN ON EXISTING CONDITIONS DRAWINGS.
- 3. CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR LANDSCAPE ARCHITECT'S APPROVAL OF PREFABRICATED BENCHES.
- 4. CONTRACTOR TO CONSTRUCT HARDSCAPE MATERIAL MOCKUP FOR LANDSCAPE ARCHITECT'S APPROVAL. MOCK UP MUST SHOW ALL CONCRETE, PAVER, AND BRICK FINISHES AND BE MINIMUM 8'X8'.
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TOWN OF CARRBORO/ ORANGE COUNTY

203 South Greensboro Street, Carrboro, NC 27510

KEYPLAN

ISSUE CHART

ISSUE Job Number

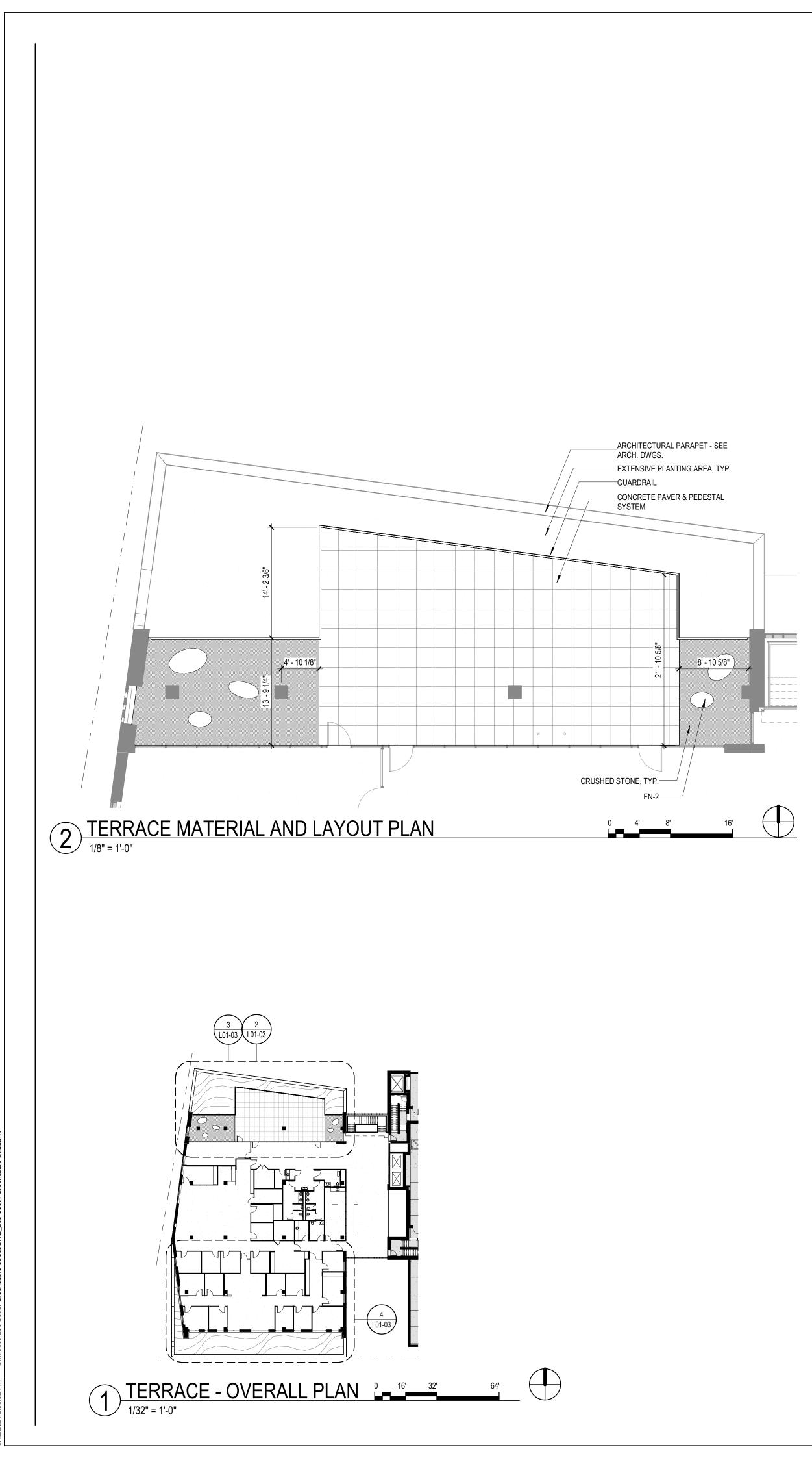
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MATERIAL & LAYOUT PLAN

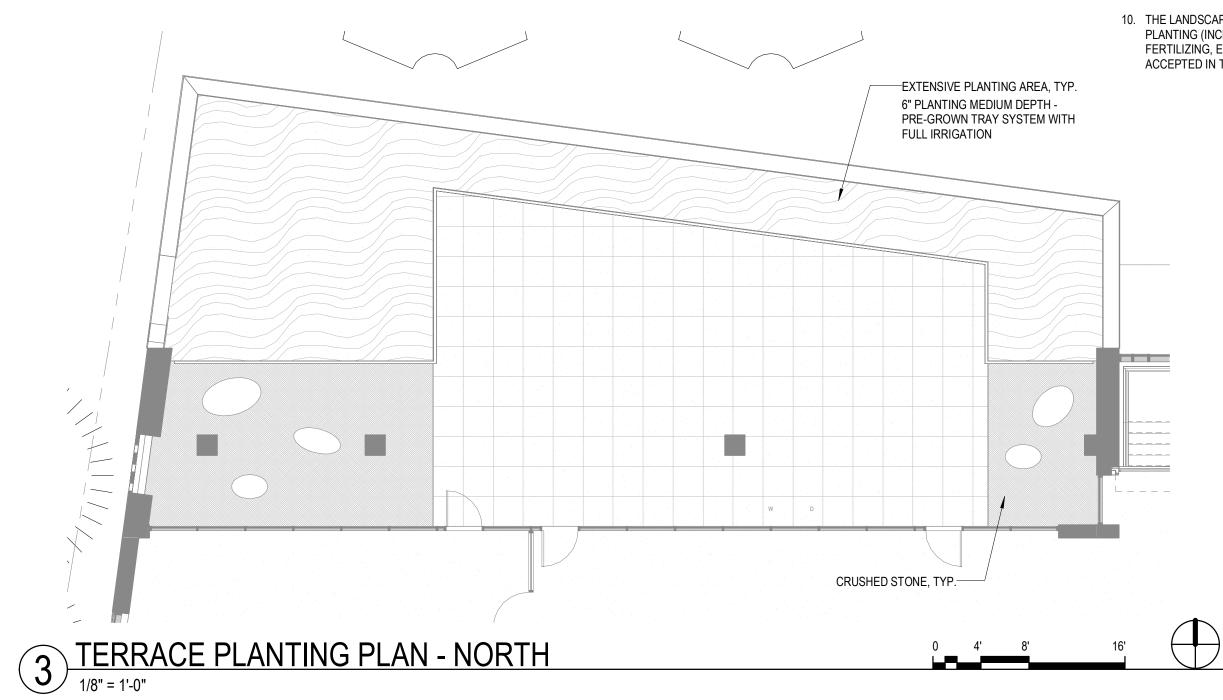
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Cary, NC 27518

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TOWN OF CARRBORO/ ORANGE COUNTY

203 South Greensboro Street, Carrboro, NC 27510

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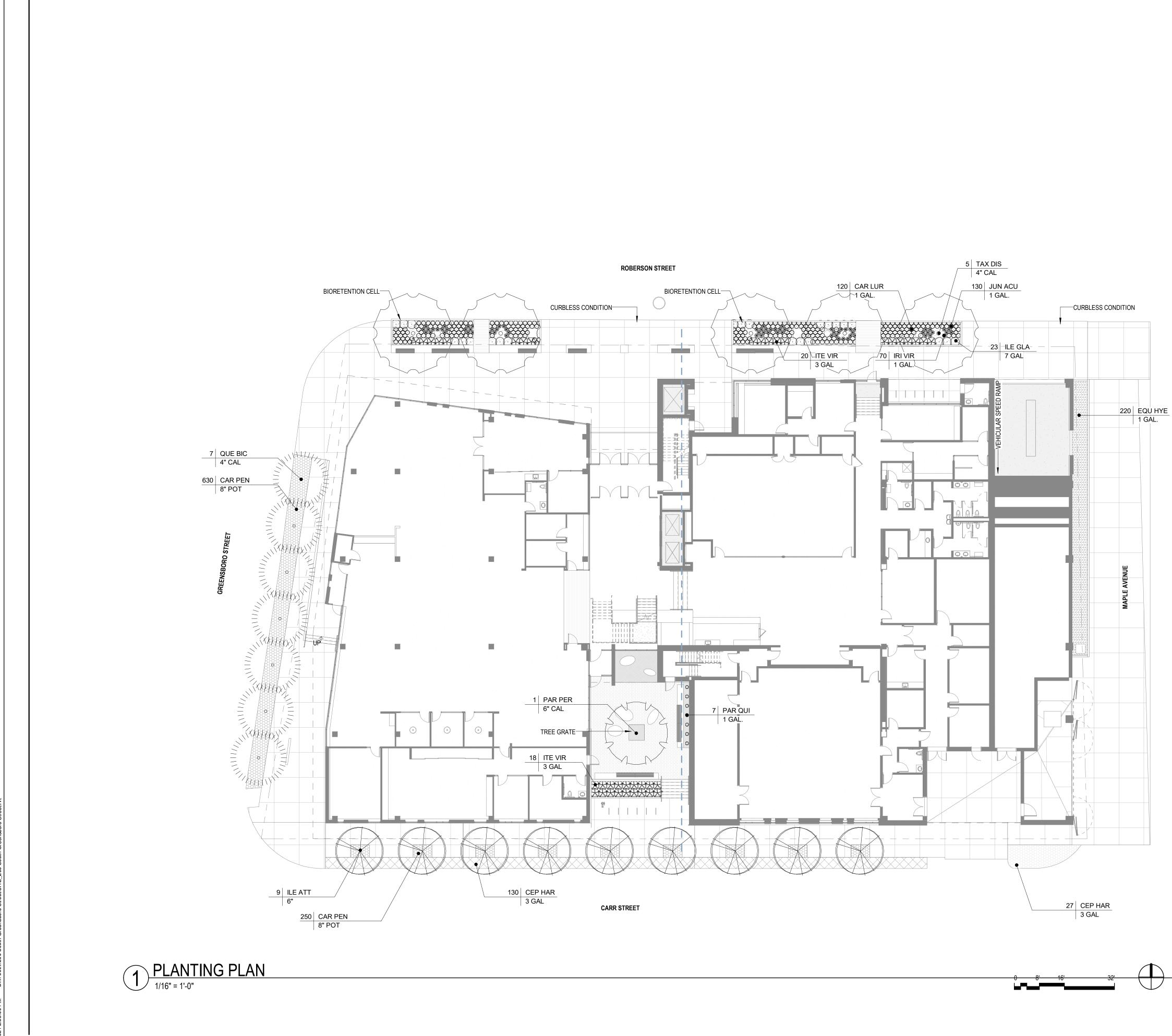
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Job Number

DATE 830608.000 TITLE

ROOF TERRACE PLANS

SHEET NUMBER



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Perkins & Will

Kimley Horn

STRUCTURAL

Lynch Mykins

MEPFP

CIVIL

Durham, NC 27701

Raleigh, NC 27601

Raleigh, NC 27603

Cary, NC 27518

THEATER DESIGN

6325 Old NC 86

Chapel Hill, NC 27516

Engineered Design Inc.

f 919.433.5301 perkinswill.com

CONSULTANTS

LANDSCAPE ARCHITECTURE

411 West Chapel Hill, Suite 200,

421 Fayetteville Street, Suite 600,

415 Hillsboorugh Street, Suite 101,

1151 SE Cary Parkway, Suite 200,

AUDIO VISUAL AND ACOUSTICS DESIGN

Theater Consultant Collaborative

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	The Sextan Group/NV5
	3300 Regency Parkway Cary, NC 27518
SITE PLAN SUBMITTAL 03.12.2021	<section-header><section-header><section-header><section-header><section-header><section-header><section-header></section-header></section-header></section-header></section-header></section-header></section-header></section-header>
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	SHEET NUMBER
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LANDSCAPE PLAN NOTES

- PER LUO SECTION 15-310 B TWO PRINCIPAL USES ARE COMBINED TO CREATE A COMBINATION-USE, SCREENING SHALL NOT BE REQUIRED.
- PER SECTION LUO 14-316 REQUIRED TREES ALONG DEDICATED STREETS
- S. GREENSBORO STREET:
- 1. 160 LF 2. PROVDED:
- A. 7 LARGE COLUMNAR TREES @ 15' OC
 B. 5' CONTINUOUS PLANTING BUFFER BETWEEN ROAD AND SIDEWALK
- E. CARR STREET: 1. 240 LF
- 2. PROVIDED:
- A. 9 UPRIGHT EVERGREEN TREES @ 20' 0C
 B. 4' CONTINUOUS EVERGREEN PLANTING BUFFER BETWEEN ROAD AND SIDEWALK
- ROBERSON STREET:
- 1. 225 LF 2. PROVIDED:
- A. 5 LARGE TREES @ 30' OCB. 7' WIDE BIORETENTION CELL PLANTING ZONES WITH PEDESTRIAN
- BENCHES
- C. VEHICULAR DROP OFF FOR TRANSIT
- MAPLE AVENUE: 1. 160 LF
- 2. PROVIDED:
- A. 5' BIORETENTION CELL PLANTING ZONE
- B. SHARED / PEDESTRIAN STREETSCAPEC. COMMUNITY ART MURAL WALL (SEE ARCH. DWGS.)
- PER ULO SECTION 15-319:
- 1. TREE CANOPY METRICS SEE TREE CANOPY EXHIBIT:
- A. EXISTING COVERAGE: 0.8% (DDH TREE)
- B. COVERAGE OF ENTIRE SITE: 8%
- C. COVERAGE OF ON-SITE PUBLIC REALM: 34%2. PROPOSED TREE PLANTINGS VASTLY IMPROVE AND ENHANCE SITE CANOPY
- COVERAGE METRICS.BIORETENTION CELLS IMPROVE SITE STORMWATER MANAGEMENT METRICS -SEE CIVIL DWGS.

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PLANTING SCHEDULE								
CODE	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT	SPACING	COMMENTS		
SHRUB/GF	SHRUB/GROUNDCOVER							
CAR LUR	Carex lurida	Sallow Sedge	1 GAL.	CONT	18" OC	FULL, WELL SHAPED		
CAR PEN	Carex pensylvanica	Sedge	8" POT	CONT	12" OC	FULL, WELL SHAPED		
CEP HAR	Juncus acutus	Creeping Plum Yew	3 GAL	CONT	30" OC	FULL, WELL SHAPED		
EQU HYE	Equisetum hyemale	Horsetail	1 GAL.	CONT	18" OC	FULL, WELL SHAPED		
ILE GLA	llex glabra 'Gem Box'	Gem Box Inkberry Holly	7 GAL	CONT	30" OC	FULL, WELL SHAPED		
IRI VIR	Iris virginica	Virginia Iris	1 GAL.	CONT	18" OC	FULL, WELL SHAPED		
ITE VIR	Itea virginica 'Little Henry"	Virginia Sweetspire 'Little Henry'	3 GAL	CONT	30" OC	FULL, WELL SHAPED		
JUN ACU	Juncus acutus	Spiny Rush	1 GAL.	CONT	18" OC	FULL, WELL SHAPED		
PAR QUI	Parthenocissus quinquefolia	Virginia Creeper	1 GAL.	CONT	12" OC	FULL, WELL SHAPED		
TREE								
ILE ATT	llex x attenuata 'Fosteri'	Foster's No. 2 Holly	6"	B&B	AS SHOWN	CLEAR TRUNK		
PAR PER	Parrotia persica Contemplation Parrotia	Contemplation Persian Ironwood	6" CAL	B&B	AS SHOWN	CLEAR TRUNK		
QUE BIC	Quercus bicolor 'Bonnie and Mike'	Beacon Swamp White Oak 'Bonnie and Mike'	4" CAL	B&B	AS SHOWN	FULL, WELL BRANCHED		
TAX DIS	Taxaodium distichum	Bald Cypress	4" CAL	B&B	AS SHOWN	FULL, WELL BRANCHED		

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PROJECT

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	TOWN OF CARRBORO/ ORANGE COUNTY
	203 South Greensboro Street, Carrboro, NC 27510
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	KEYPLAN
	ISSUE CHART
	MARK ISSUE DATE Job Number 830608.000 TITLE
	PLANTING SCHEDULE

SHEET NUMBER

L04-02

1 TREE CANOPY PLAN - EXHIBIT

- TREE CANOPY STUDY METRICS• EXISTING COVERAGE:0.8%• COVERAGE OF PROPERTY:8%• COVERAGE OF PROPERTY + ROW:19%• COVERAGE OF ON-SITE SIDEWALK:34%

GRAPHIC KEY

OVERALL SITE

ON-SITE SIDEWALKS

TREE CANOPIES ON SITE (APPROX.)

TREE CANOPIES IN ROW (APPROX.)

ADDITIONAL PROJECT INCLUSIONS
22 NEW TREES
NATIVE PLANT PALETTE
1,860 SF EXTENSIVE GREEN ROOF

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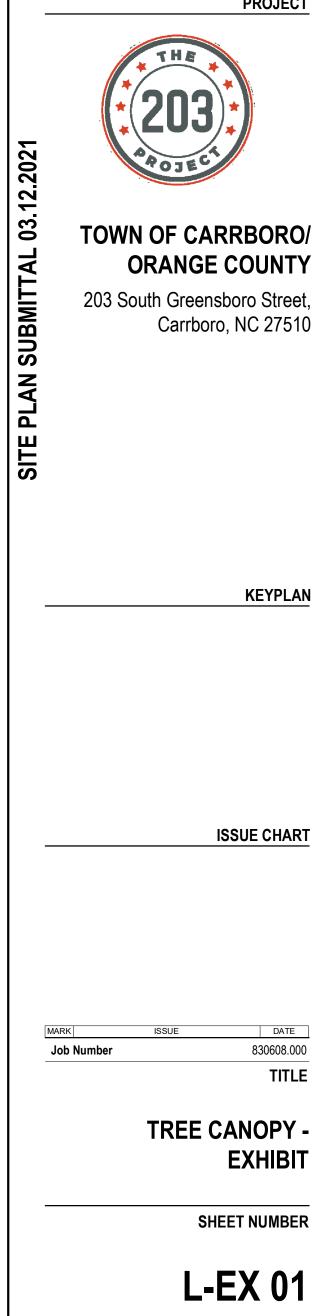
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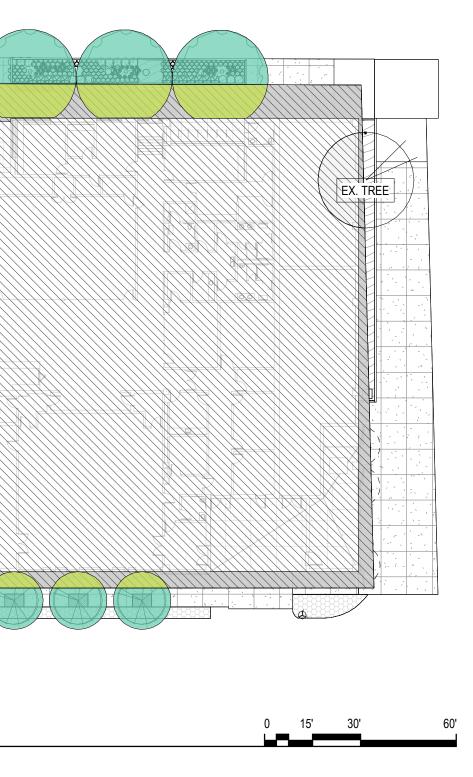
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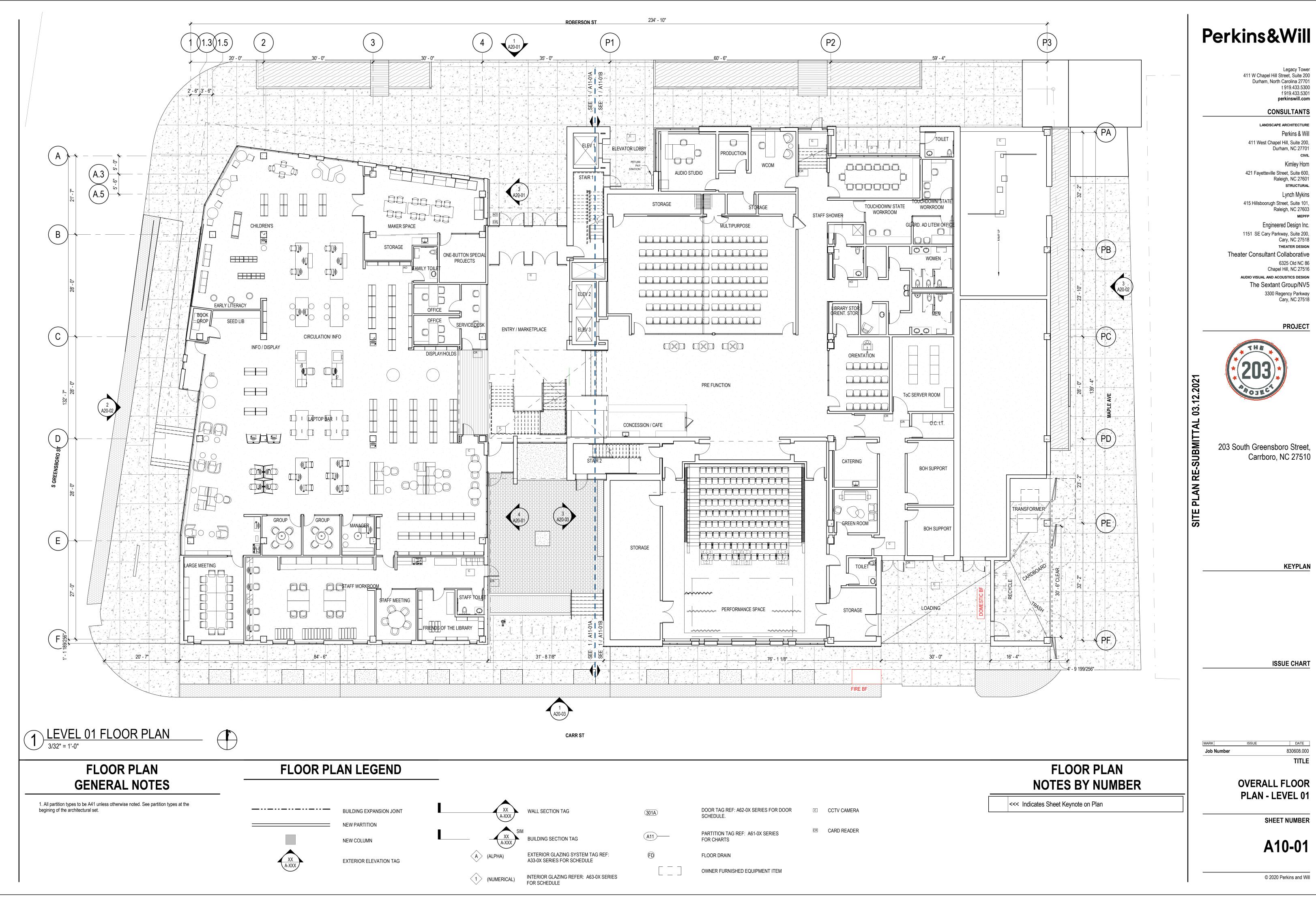
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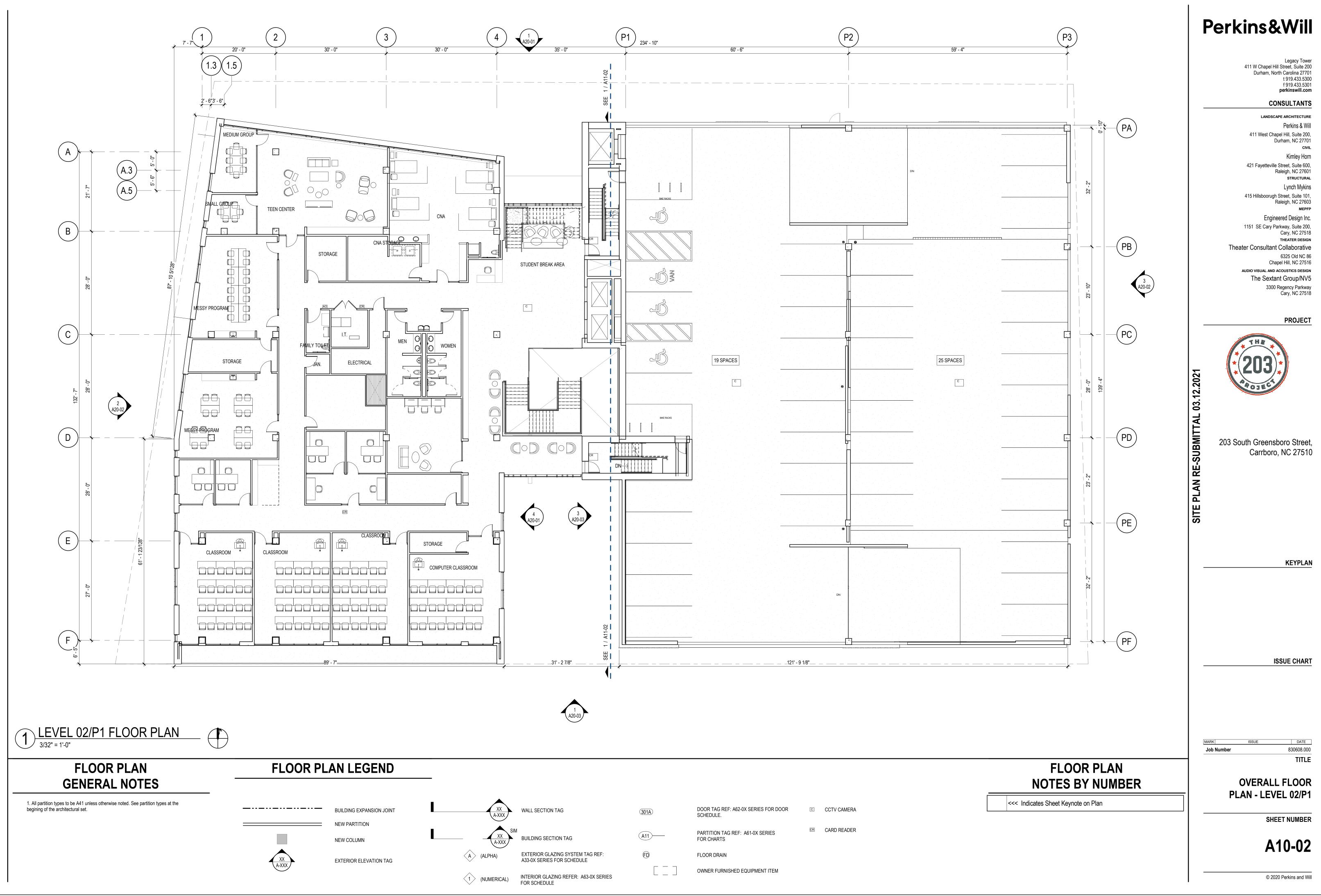
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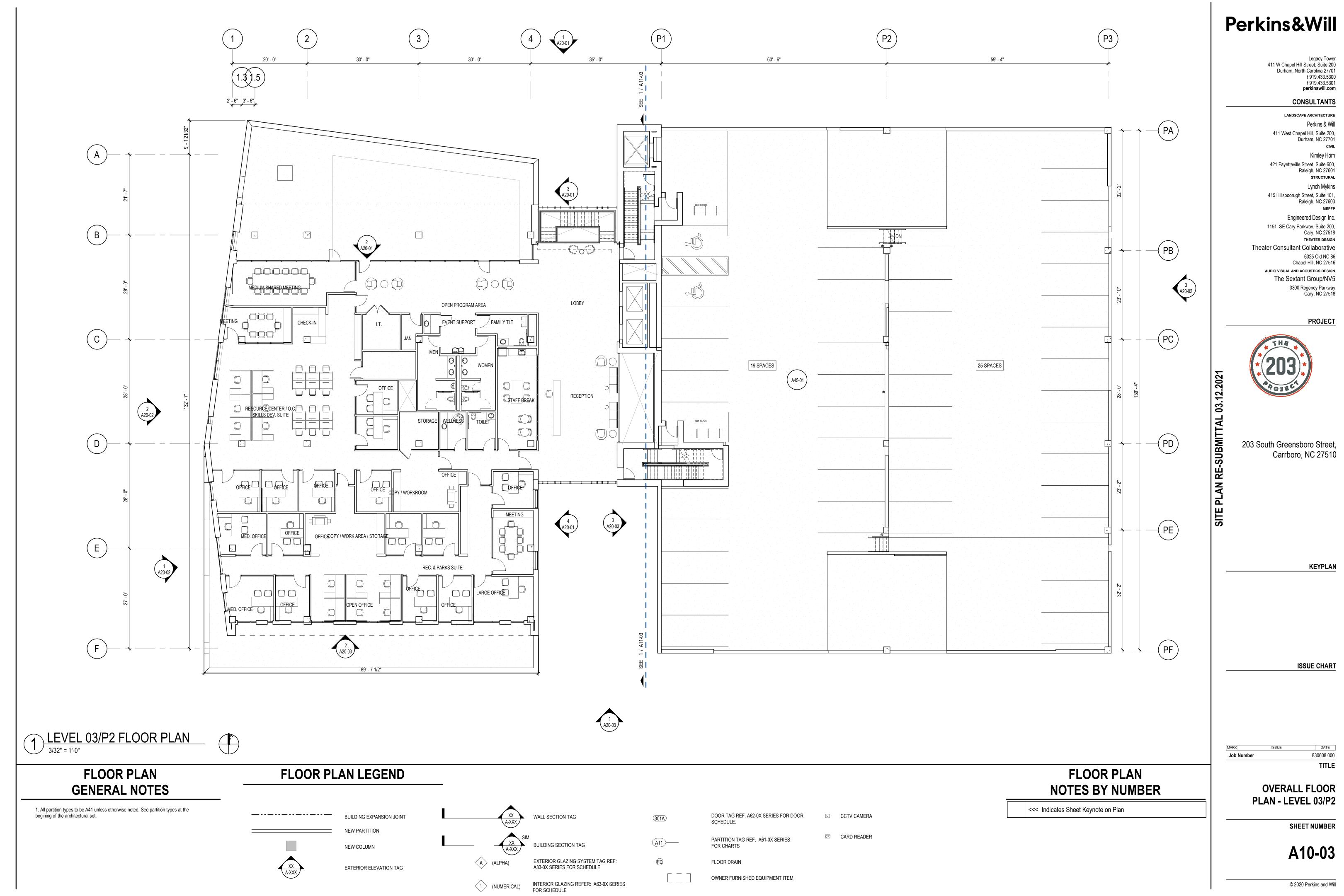


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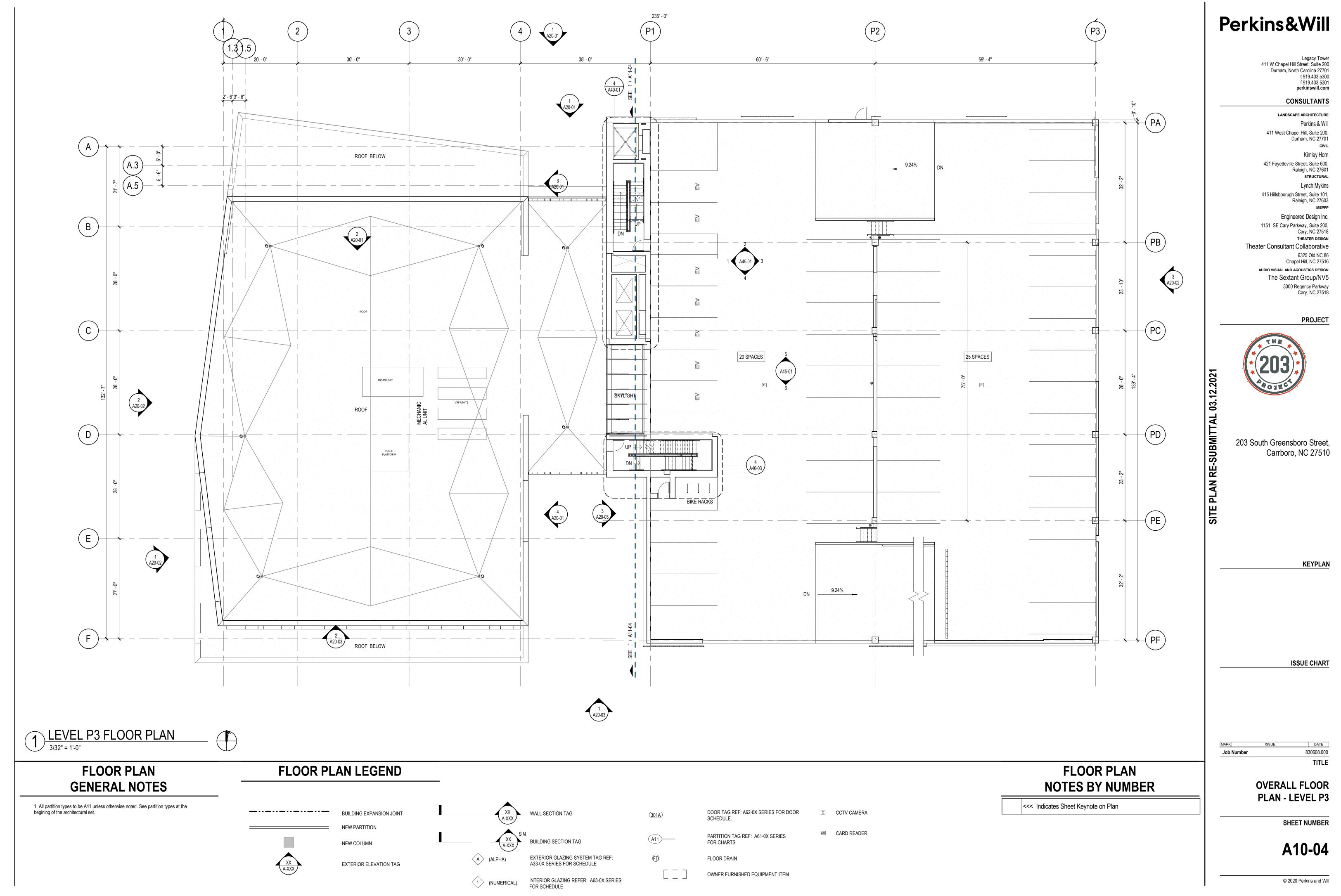




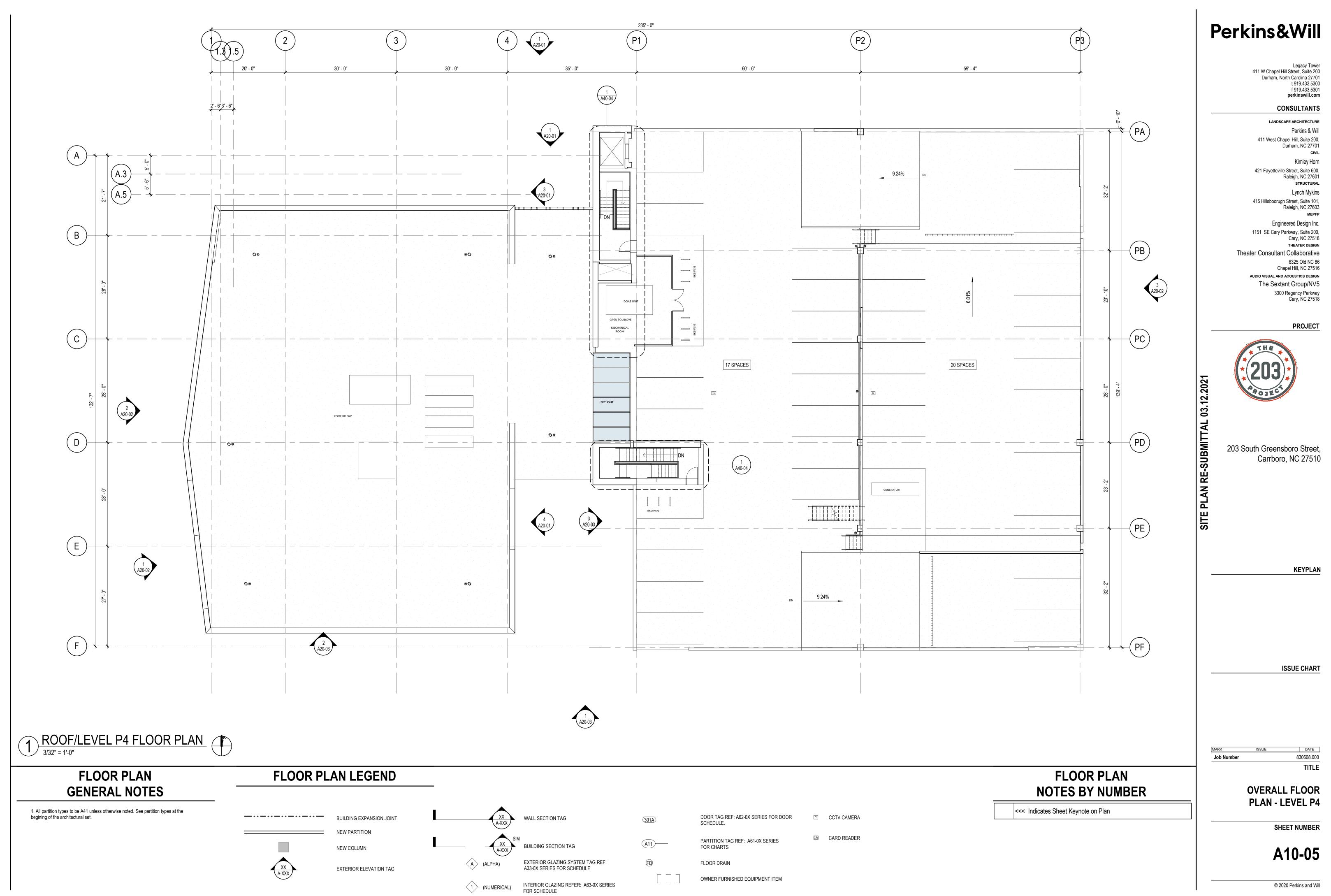
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	XX A-XXX	WALL SECTION TAG	(<u>301A</u>)	DOOR TAG REF: A62-0X SERIES FOR DOOR SCHEDULE.	С	CCTV CAMERA
L		BUILDING SECTION TAG	(A11)	PARTITION TAG REF: A61-0X SERIES FOR CHARTS	CR	CARD READER
	(ALPHA)	EXTERIOR GLAZING SYSTEM TAG REF: A33-0X SERIES FOR SCHEDULE	FD	FLOOR DRAIN		
	(NUMERICAL)	INTERIOR GLAZING REFER: A63-0X SERIES FOR SCHEDULE		OWNER FURNISHED EQUIPMENT ITEM		



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	(NUMERICAL)	INTERIOR GLAZING REFER: A63-0X SERIES FOR SCHEDULE		OWNER FURNISHED EQUIPMENT ITEM		



L	XX A-XXX	WALL SECTION TAG	(301A)	DOOR TAG REF: A62-0X SERIES FOR DOOR SCHEDULE.	С	CCTV CAMERA
		BUILDING SECTION TAG	(A11)	PARTITION TAG REF: A61-0X SERIES FOR CHARTS	CR	CARD READER
	(ALPHA)	EXTERIOR GLAZING SYSTEM TAG REF: A33-0X SERIES FOR SCHEDULE	FD	FLOOR DRAIN		
	(NUMERICAL)	INTERIOR GLAZING REFER: A63-0X SERIES FOR SCHEDULE		OWNER FURNISHED EQUIPMENT ITEM		



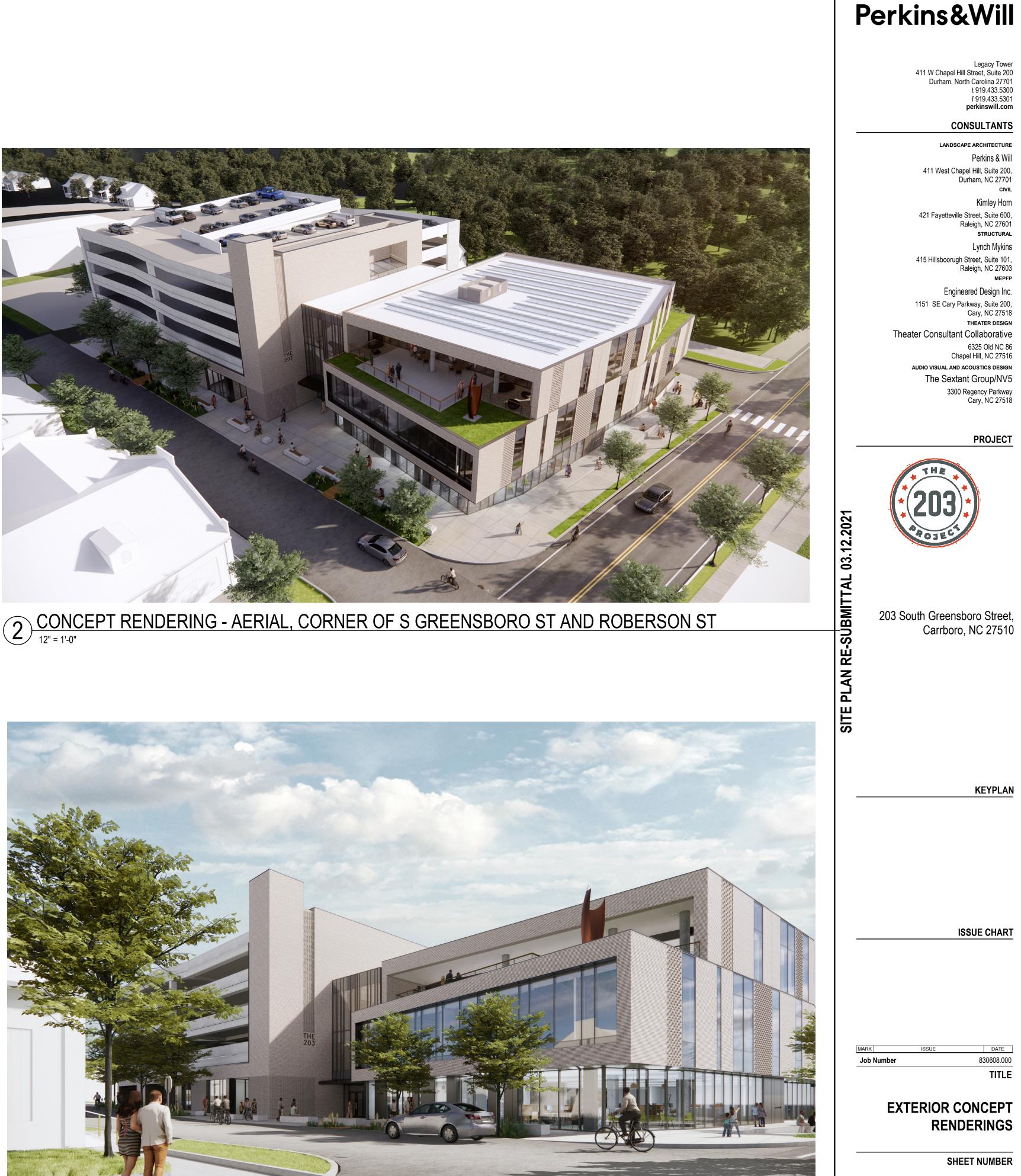
XX A-XXX	WALL SECTION TAG	(<u>301A</u>)	DOOR TAG REF: A62-0X SERIES FOR DOOR SCHEDULE.	С	CCTV CAMERA
	N BUILDING SECTION TAG	(A11)	PARTITION TAG REF: A61-0X SERIES FOR CHARTS	CR	CARD READER
(ALPHA)	EXTERIOR GLAZING SYSTEM TAG REF: A33-0X SERIES FOR SCHEDULE	FD	FLOOR DRAIN		
(NUMERICAL)	INTERIOR GLAZING REFER: A63-0X SERIES FOR SCHEDULE		OWNER FURNISHED EQUIPMENT ITEM		



4 CONCEPT RENDERING - MAIN ENTRANCE ON ROBERSOON ST



3 CONCEPT RENDERING - SW CORNER AT S GREENSBORO ST AND CARR ST



CONCEPT RENDERING - NW CORNER AT S GREENSBORO AND ROBERSON ST 12" = 1'-0"

Legacy Tower 411 W Chapel Hill Street, Suite 200 Durham, North Carolina 27701 t 919.433.5300 f 919.433.5301 **perkinswill.com**

CONSULTANTS

Perkins & Will

Kimley Horn

Raleigh, NC 27601 STRUCTURAL Lynch Mykins

Raleigh, NC 27603

THEATER DESIGN

6325 Old NC 86 Chapel Hill, NC 27516

3300 Regency Parkway Cary, NC 27518

PROJECT

Engineered Design Inc.

MEPFP

CIVIL

LANDSCAPE ARCHITECTURE

411 West Chapel Hill, Suite 200, Durham, NC 27701

421 Fayetteville Street, Suite 600,

415 Hillsboorugh Street, Suite 101,

1151 SE Cary Parkway, Suite 200, Cary, NC 27518

AUDIO VISUAL AND ACOUSTICS DESIGN The Sextant Group/NV5

Carrboro, NC 27510

KEYPLAN

ISSUE CHART

DATE

830608.000 TITLE

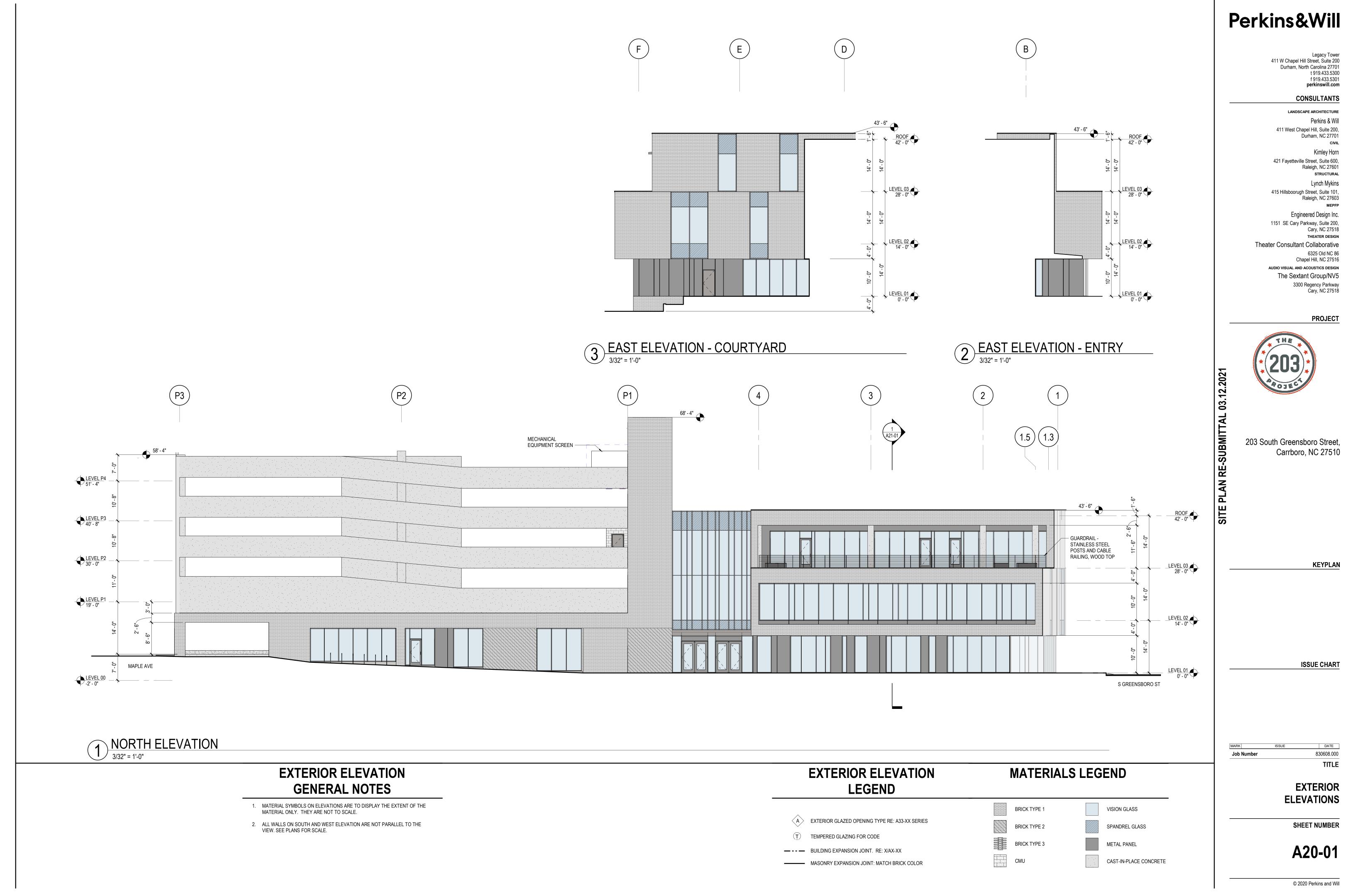
Theater Consultant Collaborative

EXTERIOR CONCEPT RENDERINGS

SHEET NUMBER

A20-00

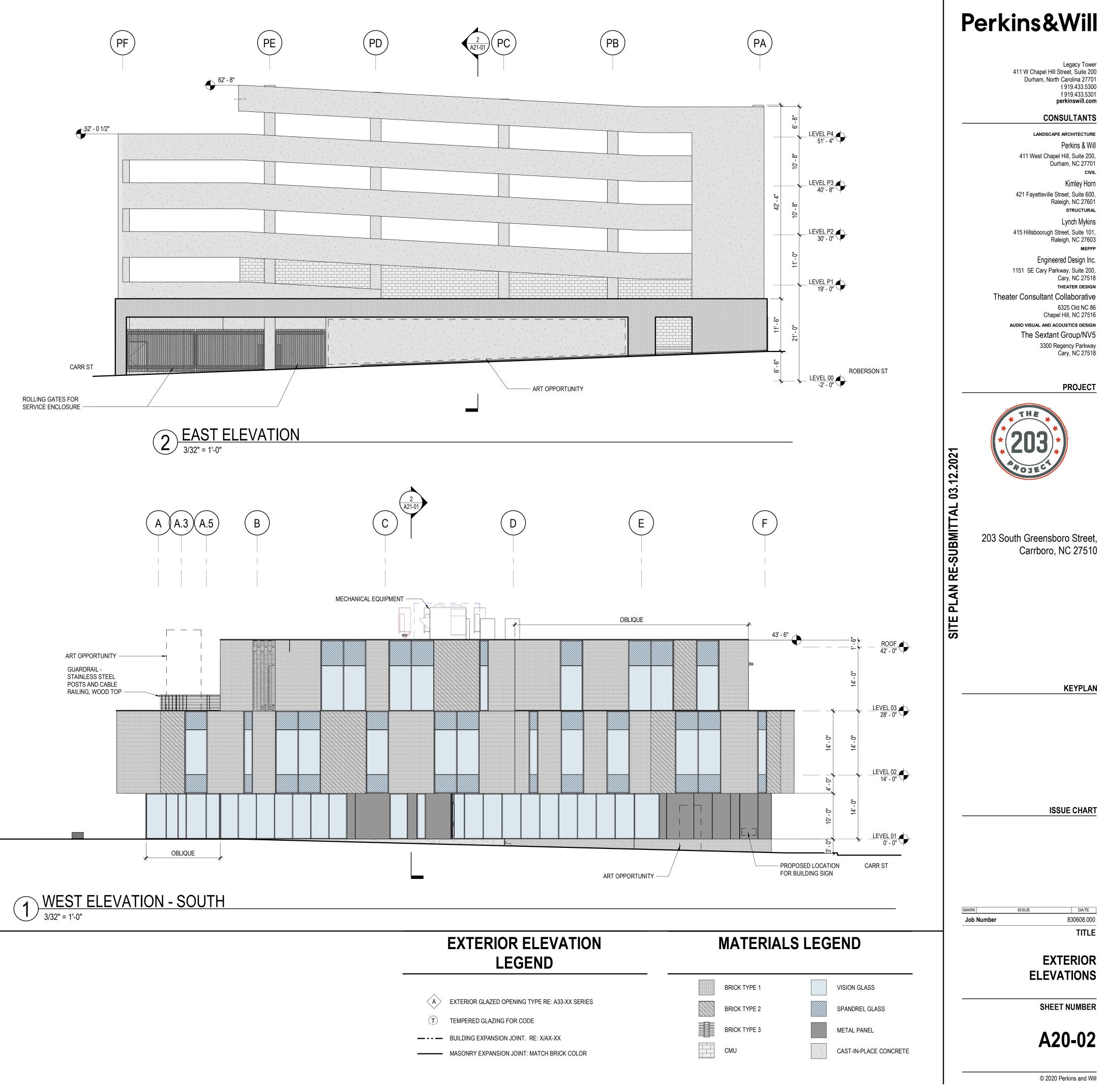
© 2020 Perkins and Will

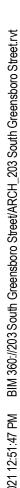


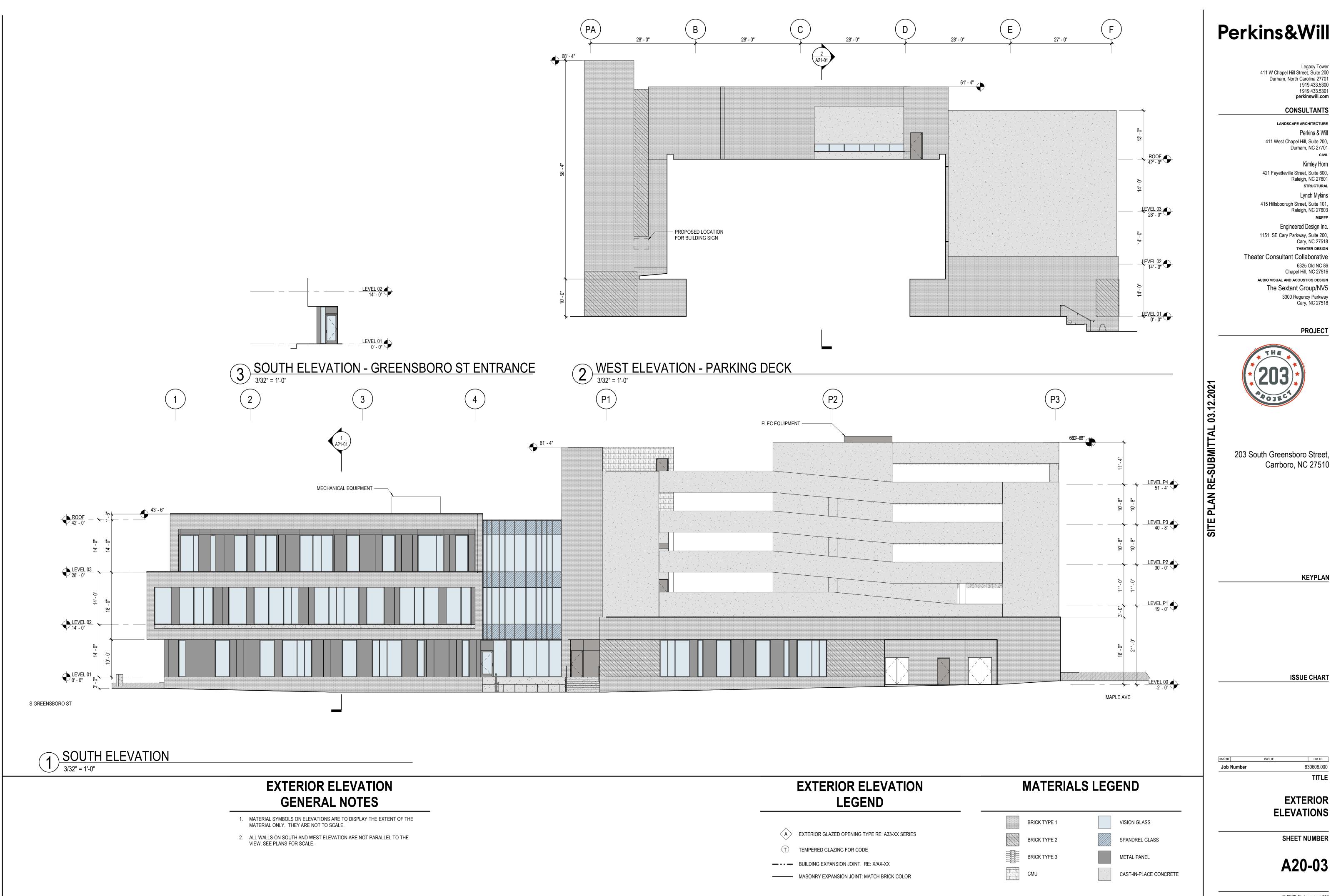
EXTERIOR ELEVATION GENERAL NOTES

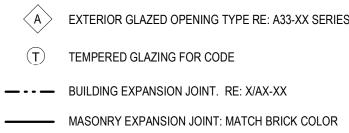
MATERIAL SYMBOLS ON ELEVATIONS ARE TO DISPLAY THE EXTENT OF THE MATERIAL ONLY. THEY ARE NOT TO SCALE.

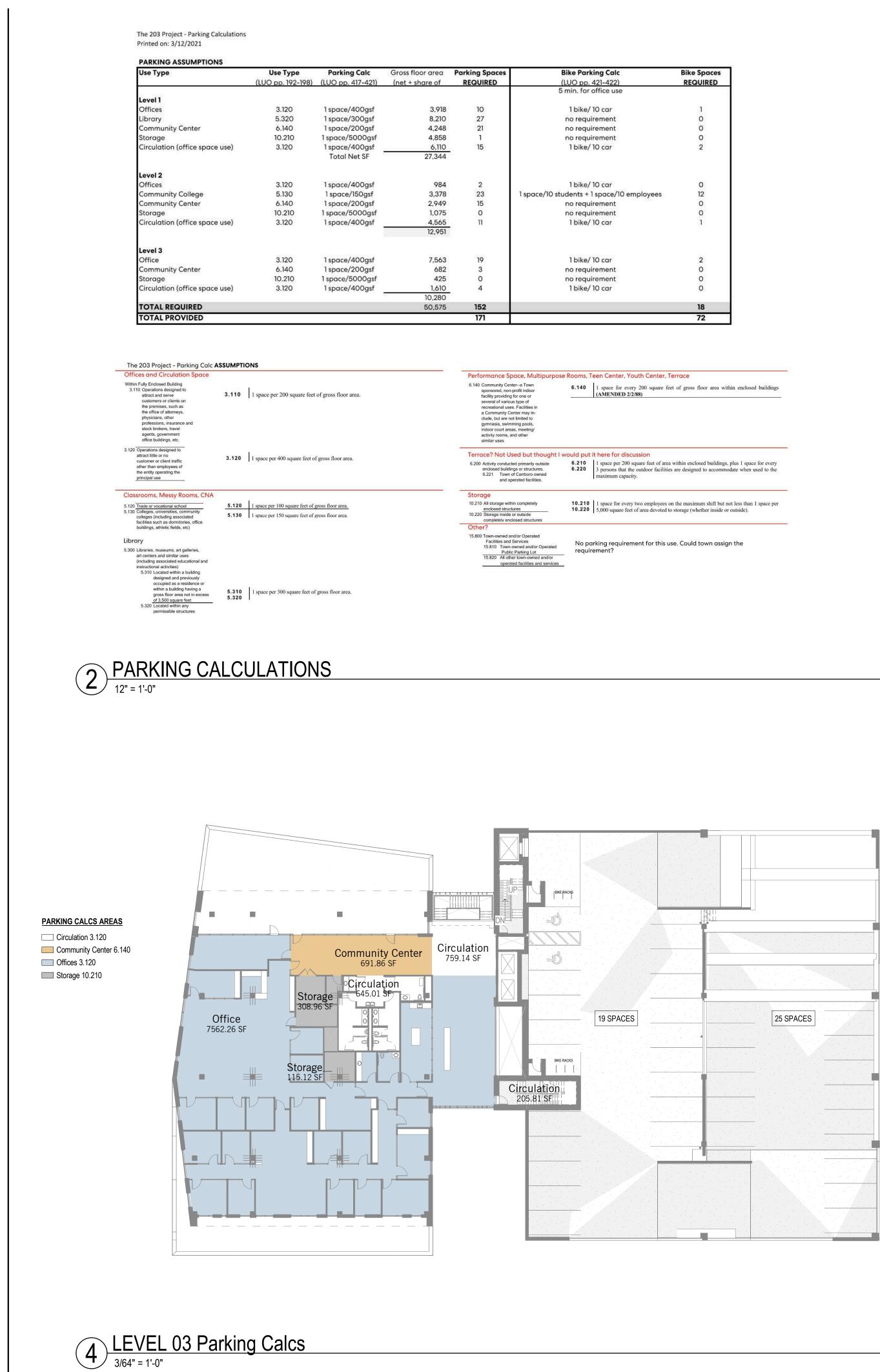
2. ALL WALLS ON SOUTH AND WEST ELEVATION ARE NOT PARALLEL TO THE VIEW. SEE PLANS FOR SCALE.





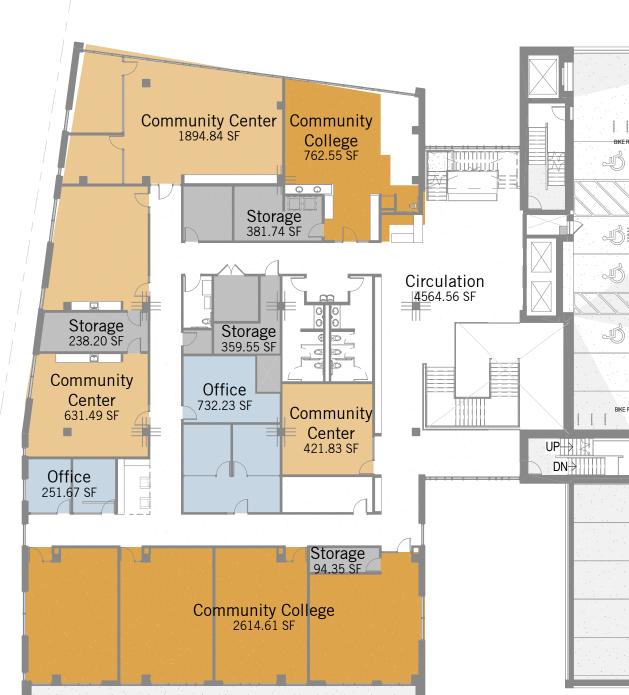


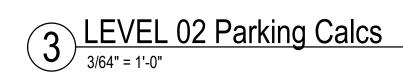




Bike Spaces REQUIRED
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PARKING CALCS AREAS Circulation 3.120 Community Center 6.140 Community College 5.130 Offices 3.120 Storage 10.210

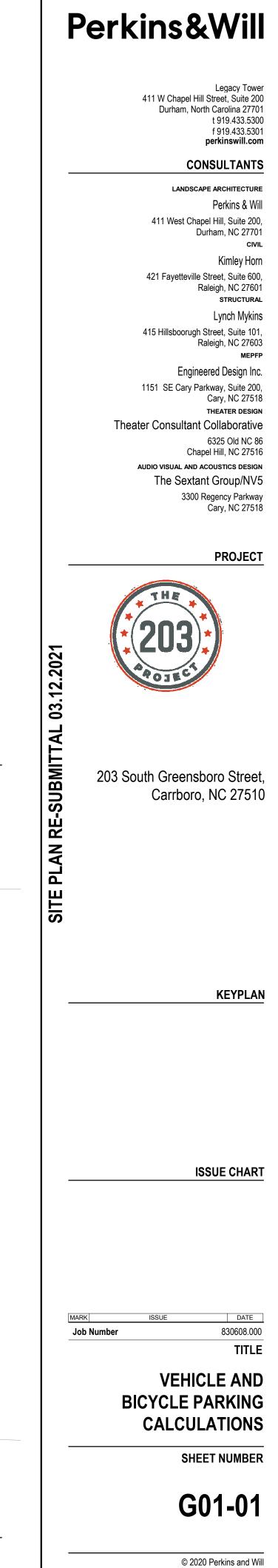




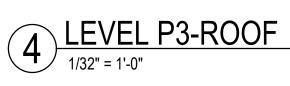
ROBERSON ST



1 LEVEL 01 Parking Calcs



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VAN				
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RACKS				
		DN		



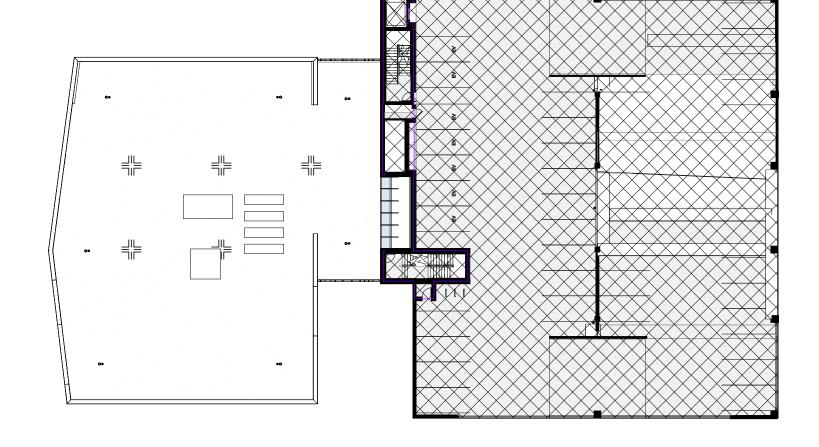


17,353 SF S-2 on Level P2

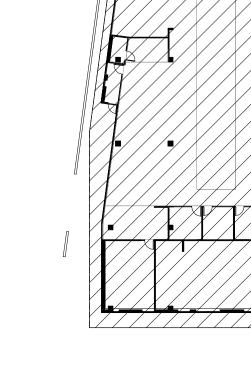
GSF

11,516 SF

B on Level 3



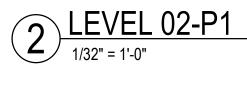
GSF I7,724 SF S-2 on Level P3



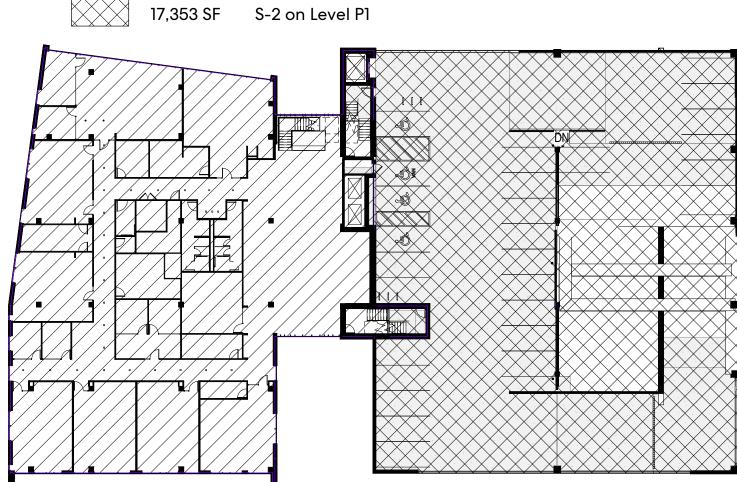
1 <u>LEVEL 00-01</u> 1/32" = 1'-0"

GSF

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GSF



Perkins&Will

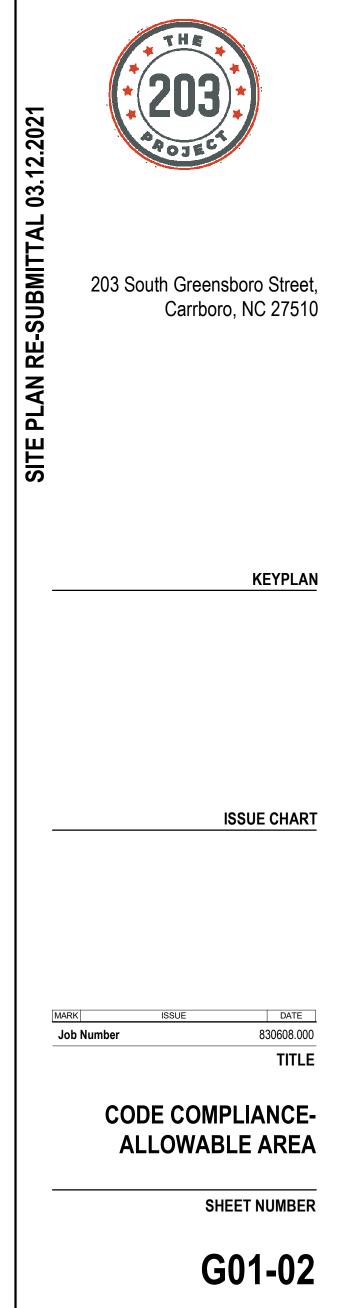
Legacy Tower 411 W Chapel Hill Street, Suite 200 Durham, North Carolina 27701 t 919.433.5300 f 919.433.5301 **perkinswill.com**

CONSULTANTS

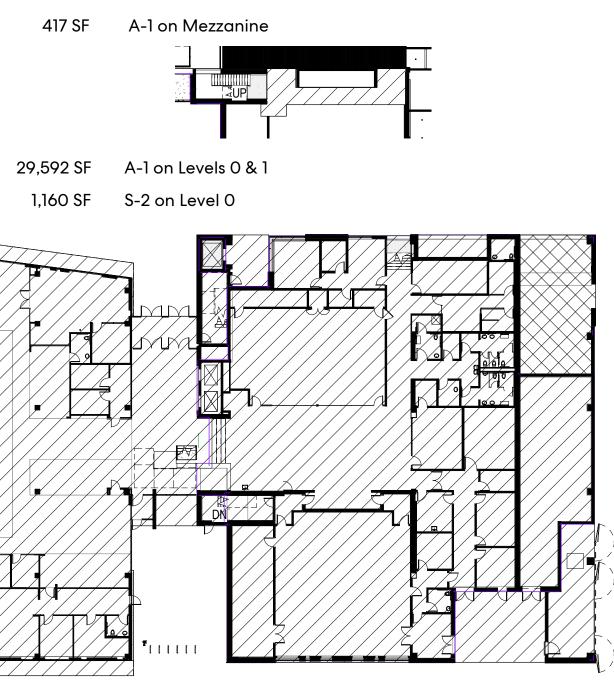
LANDSCAPE ARCHITECTURE Perkins & Will 411 West Chapel Hill, Suite 200, Durham, NC 27701 CIVIL Kimley Horn 421 Fayetteville Street, Suite 600, Raleigh, NC 27601 STRUCTURAL Lynch Mykins 415 Hillsboorugh Street, Suite 101, Raleigh, NC 27603 MEPFP Engineered Design Inc. 1151 SE Cary Parkway, Suite 200, Cary, NC 27518 THEATER DESIGN Theater Consultant Collaborative 6325 Old NC 86 Chapel Hill, NC 27516 AUDIO VISUAL AND ACOUSTICS DESIGN The Sextant Group/NV5

3300 Regency Parkway Cary, NC 27518

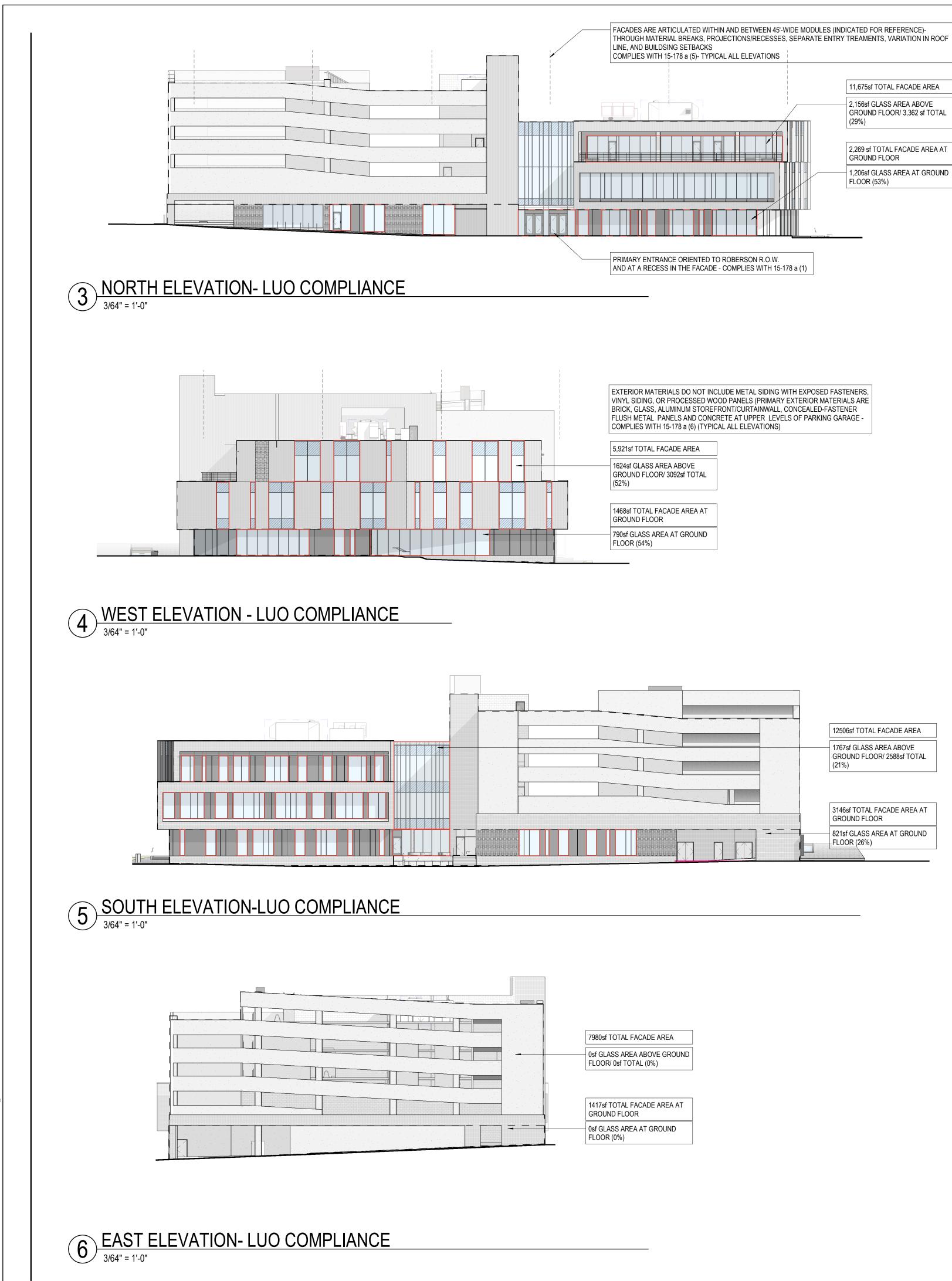
PROJECT

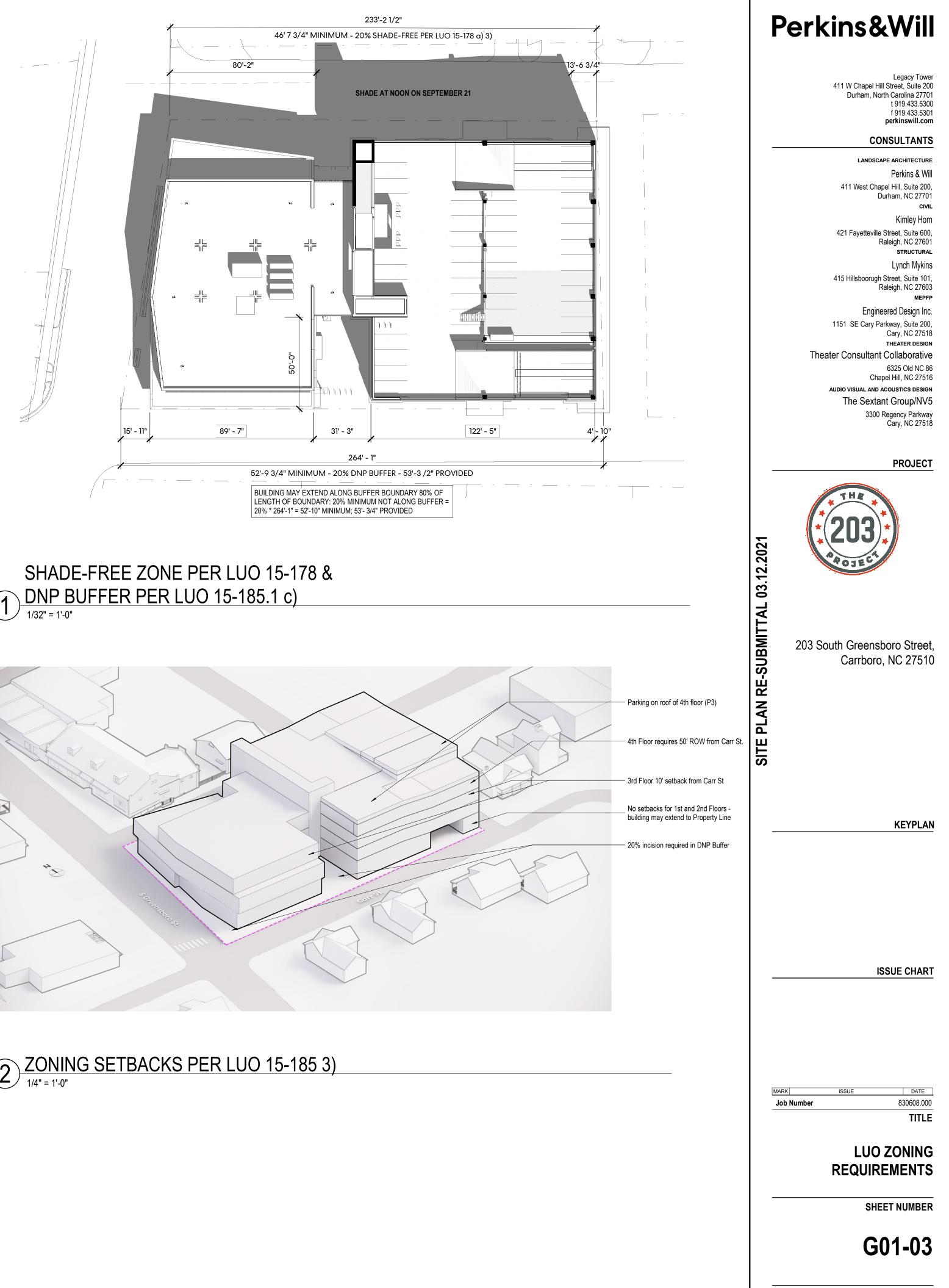


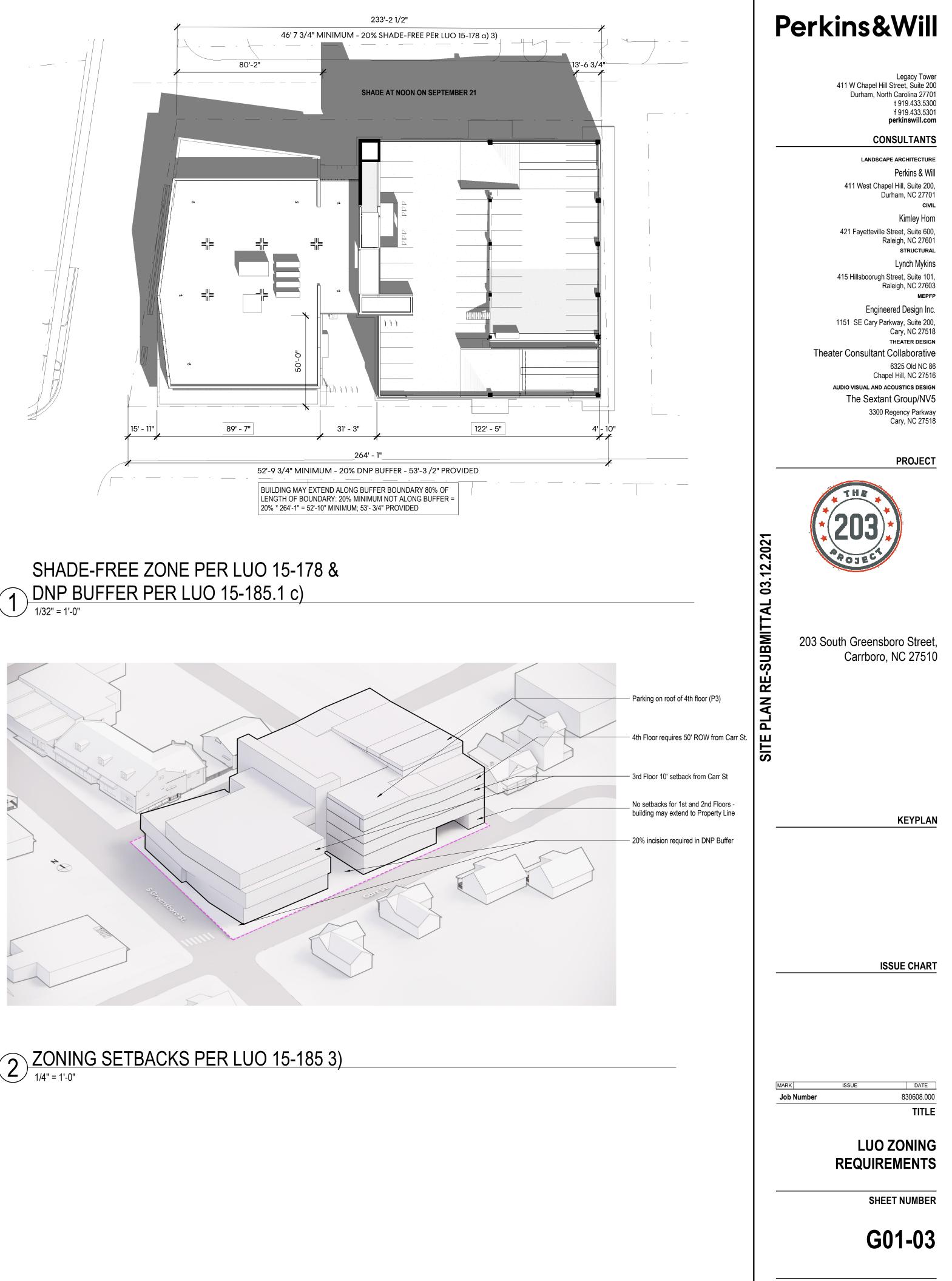
14,223 SF A-1 on Level 2 17,353 SF S-2 on Level P1

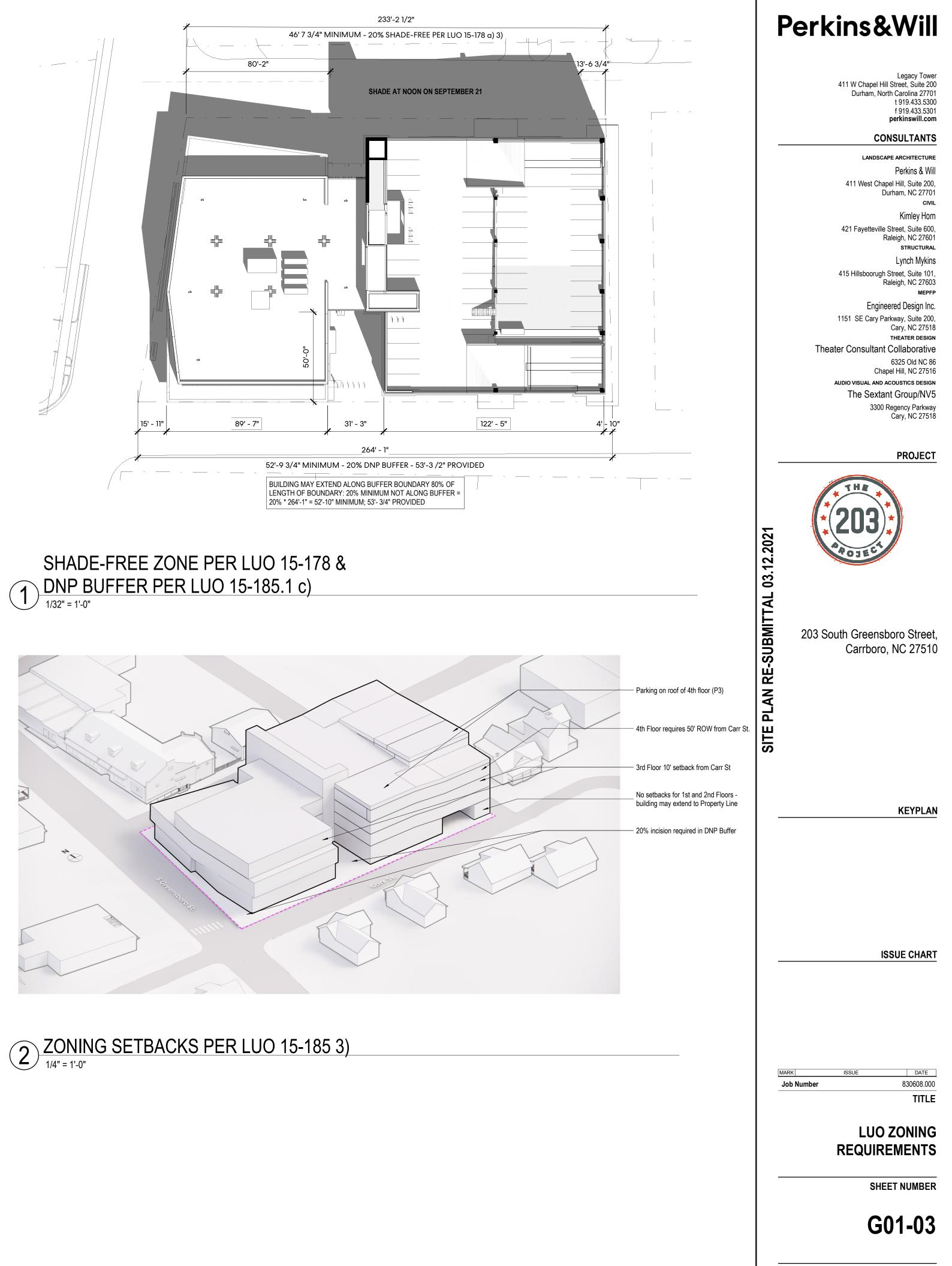


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General Notes

- See Architectural drawings for all mounting details and corresponding specifications. Lighting fixture manufacturer to
- approve mounting details prior to final order.
 Contractor shall verify that all lighting equipment specified in its application on this project complies with all applicable national and local codes, ordinances, regulations and jurisdictions prior to
- ordering any equipment.
 Do not scale electrical drawing for exact location of the lighting fixtures. In general, the architectural reflected ceiling plans
- indicate the proper location of lighting fixtures.
 Written dimensions on drawings shall have authority over scaled measurements. Contractors and manufacturers shall verify and be responsible for all dimensions and conditions on the job and inform Available Light of all variations from drawings prior to
- Performing the work.
 All 1-1/2" schedule 40 black steel pipe must be permanently secured so that no deflection or rotation occurs when fixtures are mounted at varying angles.
- All unistrut must be permanently secured so that no deflection or rotation occurs when fixtures are mounted at varying angles.
 All C-clamp and unistrut mounted light fixtures will employ safety
- cables supplied by the appropriate fixture manufacturer.For all remote location dimmers, the electrical contractor shall
- provide separate neutrals for each dimming circuit (i.e. no common neutrals).A line item price for the cost to provide and install each lighting fixture type is required.

These drawings and all the ideas, arrangements, designs & plans indicated thereon or represented thereby are owned by and remain the property of Available Light and have been created and developed for use on and in connection with the specified project. Neither this drawing, nor any such ideas, arrangements, designs or plans shall be appropriated by or disclosed to any person, firm or corporation for any use or purpose whatsoever, except by the specific and written permission of Available Light.

These drawings represent visual concepts and suggestions only. Please rigidly observe all local electrical, structural and safety procedures and codes. Available Light is unqualified to determine structural, electrical or safety appropriateness and will NOT assume responsibility or liability for improper engineering, construction or handling of these design concepts.

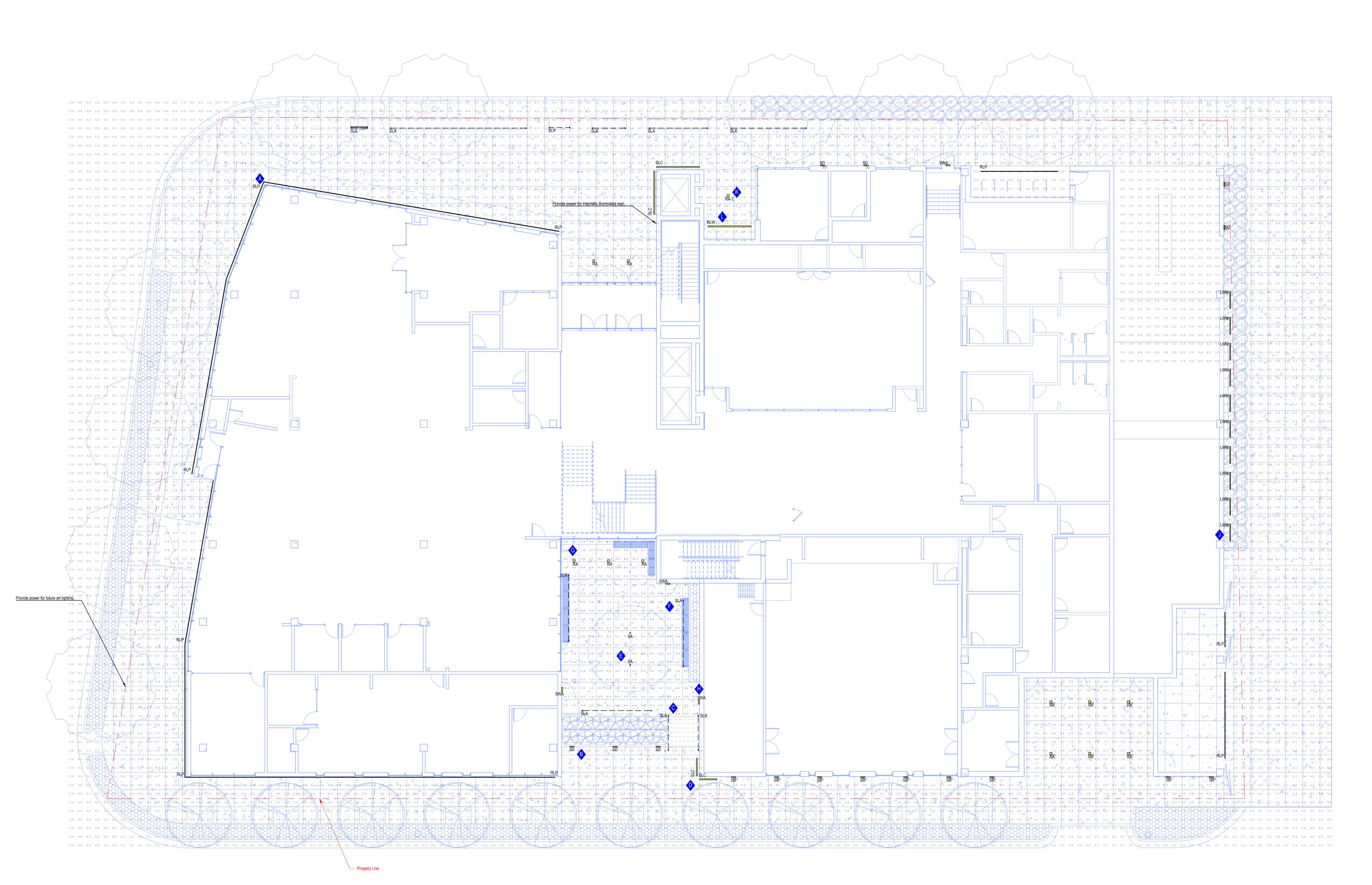
- Reference Notes (Specific to this page only)

 1" Wide recessed linear LED fixture mounted in exterior
- canopy. (Type RLP) Typical.
 7-1/2" Wide by 7-1/2" tall recessed LED steplight fixture
- 0 1.5" Diameter handrail with integrated LED linear

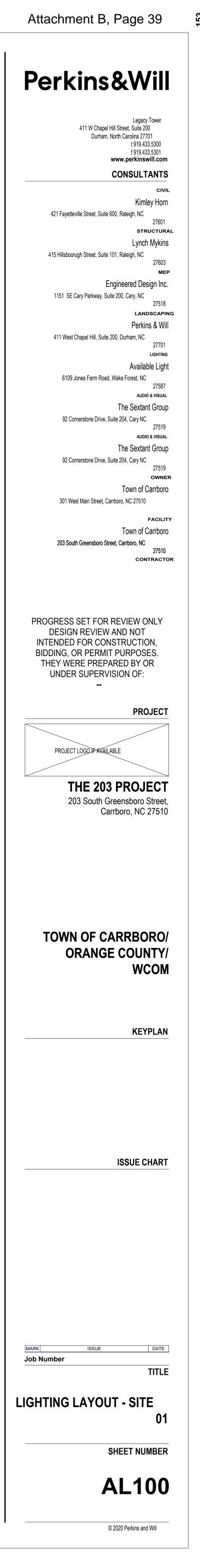
mounted into wall. (Type SD) Typical.

fixture. (Type SLB) Typical.

- 4-1/2" Wide in-grade linear LED wall graze fixture recessed into ground. (Type SLC) Typical.
- 3" Diameter in-grade uplight fixture recessed into ground. (Type SA) Typical.
- ³/₄" Wide by 1" tall surface mounted flexible linear LED fixture attached to underside of bench. (Type SLA) Typical.
- G 4" Square recessed LED downlight fixture in exterior canopy. (Type RA) Typical.
- H 12" Wide by 5" tall by 3-1/2" deep surface mounted direct LED sconce fixture attached to exterior wall. (Type SWA) Typical.
- J 1-3/4" Wide arm mounted linear LED wallwash fixture attached to exterior wall. (Type LMW) Typical.
- 4" Square recessed LED downlight fixture mounted in ceiling. (Type RA-1) Typical.
- 2-1/4" Wide recessed linear LED wall wash fixture mounted in ceiling. (Type RLW) Typical.



This drawing shows Design Intent only and is NOT to be used as a construction document





Agenda Item Abstract

File Number:21-221

Agenda Date: 6/15/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Update on Starlite Drive Traffic Calming and Barred Owl Creek Traffic Calming **PURPOSE:** The purpose of this agenda item is to provide Council an update on the progress of the Starlite Drive Traffic Calming and Barred Owl Creek Traffic Calming projects. **DEPARTMENT:** Planning, Public Works

CONTACT INFORMATION: Zachary Hallock, 919-918-7329, <u>zhallock@townofcarrboro.org</u> <<u>mailto:zhallock@townofcarrboro.org</u>>; Tina Moon, 919-918-7325, <u>cmoon@townofcarrboro.org</u> <<u>mailto:cmoon@townofcarrboro.org</u>>; Trish McGuire, 919-918-7327, <u>pmcguire@townofcarrboro.org</u> <<u>mailto:pmcguire@townofcarrboro.org</u>>; Joe Guckavan, 919-918-7427, jguckavan@townofcarrboro.org <<u>mailto:jguckavan@townofcarrboro.org</u>>

INFORMATION:

Starlite Drive Traffic Calming

In March 2020, Planning staff held a neighborhood meeting at the Piedmont Health Center with the residents of the Lloyd-Broad neighborhood. The purpose of this meeting was to discuss the traffic calming process and to hear from the residents the problems they were facing on Starlite Drive so that solutions could be identified. Over the Summer of 2020, staff worked to identify solutions and begin development of a concept plan for the street. In February 2021, staff sent a mailing to the residents of the Lloyd-Broad neighborhood, seeking feedback on a proposed concept plan (Attachment A) for Starlite Drive. Feedback received indicated that ~90% of responses supported a speed table, ~90% of responses supported marking a centerline along the curve radius, and ~70% supported a curb extension using delineators. An update was provided to Council on April 6, 2021. More information can be found at: Town of Carrboro - File #: 21-65

"> From this information, staff began work on detailed design plans, a draft of which can be found as Attachment B. Staff currently anticipate completing the design within the next month. The turnaround from completed design to installation is approximately two months."

Barred Owl Creek - Carol Street Traffic Calming

In March 2020, Planning staff held a neighborhood meeting at Town Hall with the residents of the Barred Owl Creek (previously Planation Acres) neighborhood. The purpose of this meeting was to present data, listen to resident concerns and provide an overview of potential treatments. With that information, staff began working over the summer to identify potential solutions. In April 2021, staff were directed to develop and implement an

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1

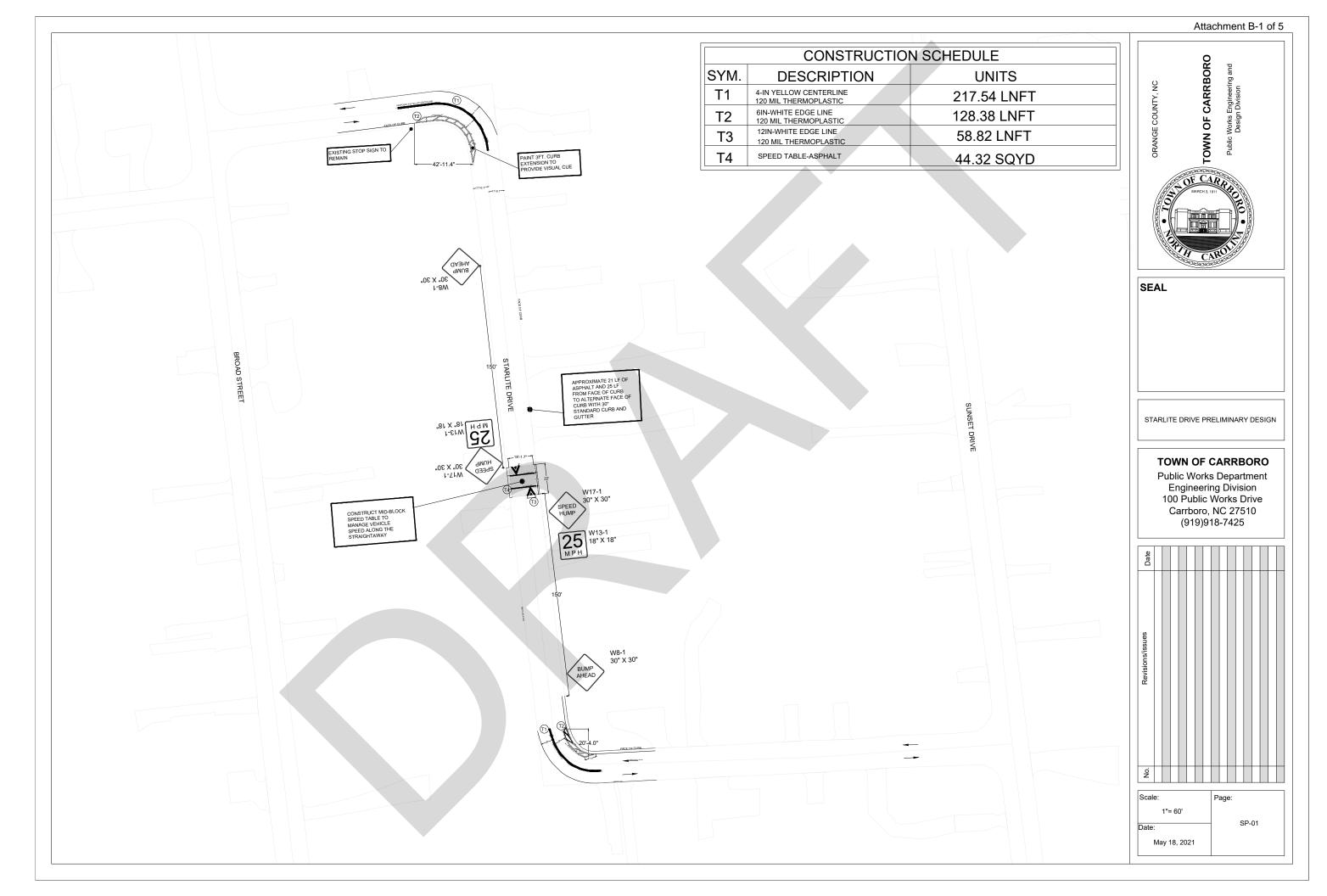
File Type: Agendas

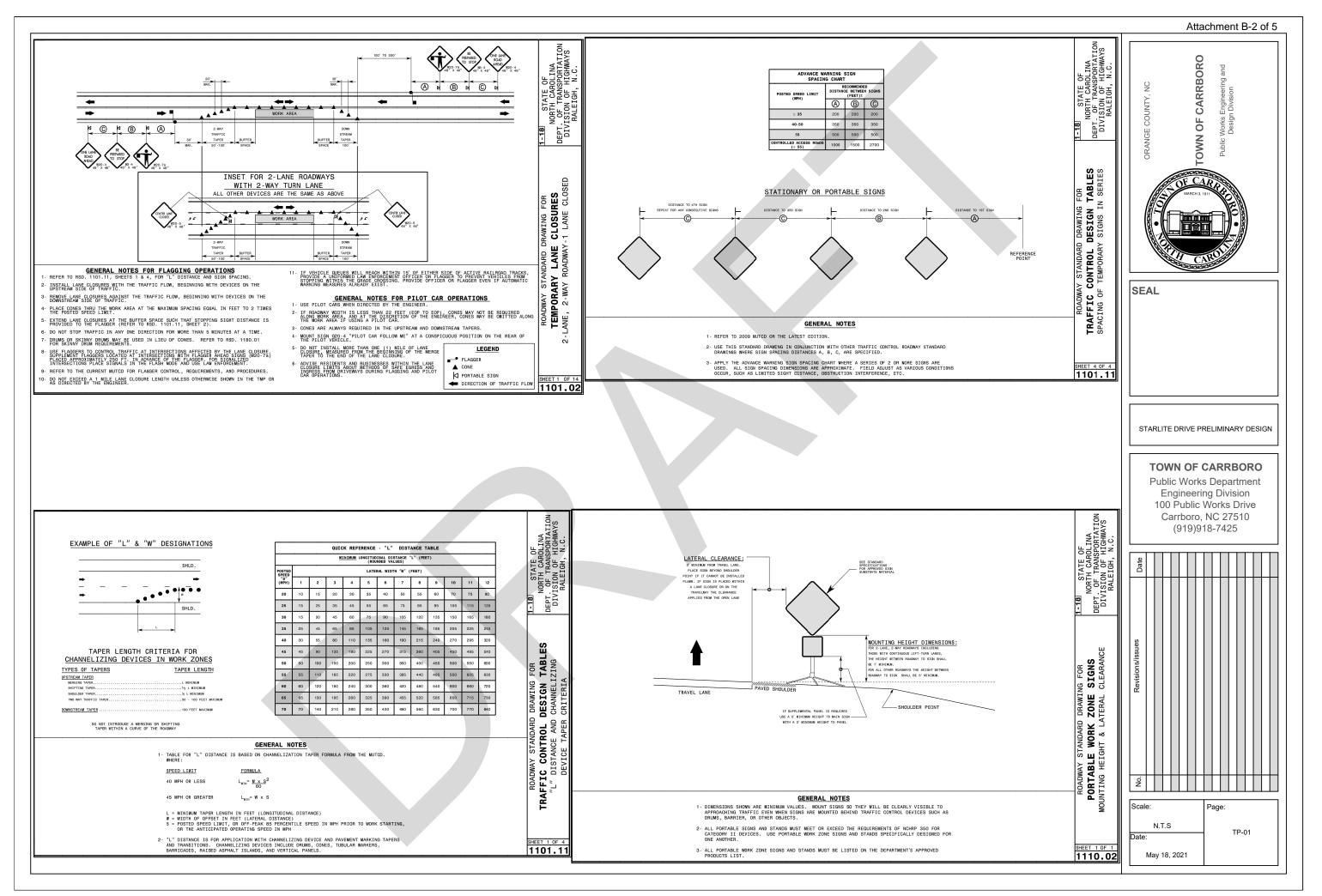
interim traffic calming treatment. To do this, some details related to turning radii for fire trucks needed to be assessed through a traffic calming test which was held on May 20th at four locations (100 Block of James St, 100 Block of Carol St, 300 Block of Carol St, and Carol St @ Lorraine St). Staff used this information to make adjustments to the test layout to create an interim traffic calming concept plan. On Saturday, June 5, 2021 staff held a neighborhood meeting via Zoom to discuss the traffic calming test, the interim traffic calming plan, and to gather feedback from the neighbors. Slides that were presented at that meeting can be found as Attachment C. From conversations with the Town Engineer, the test installation that was placed on the 100 block of James Street will not continue for the interim installation. There are safety concerns for that location due to the high volume of traffic on that block that occurs when the post office driveway is open. Staff expect to reassess traffic calming at that location as part of the neighborhood-wide study. The concept level drawings for Carol Street interim traffic calming measures can be found as Attachment D. A number of questions came up in that meeting, which staff were unable to immediately respond to during that meeting; a series of Frequently Asked Questions with responses developed by staff can be found as Attachment E. Staff have begun procurement of delineators for the interim installation, and expect to be able to complete the installation sometime in July.

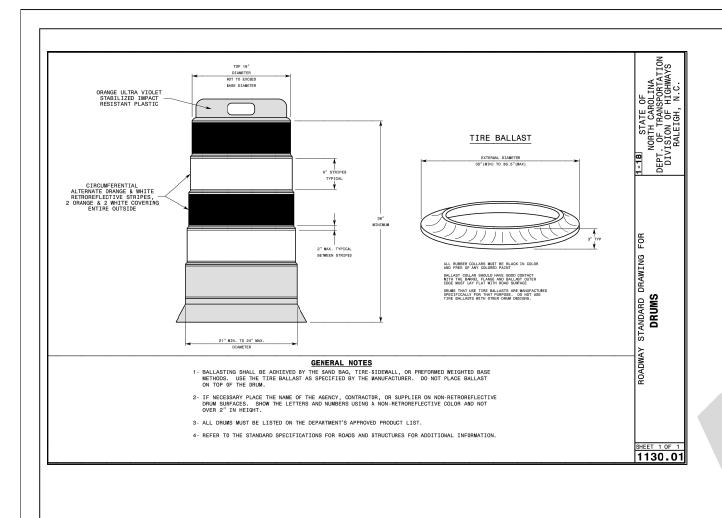
FISCAL & STAFF IMPACT: There is no impact associated with receiving this report. An estimate for the Starlite Drive traffic calming project is \$7,500. An estimate for the Barred Owl Creek interim traffic calming installation is \$4,600 plus additional costs for signage. These are to be funded from existing traffic calming budget.

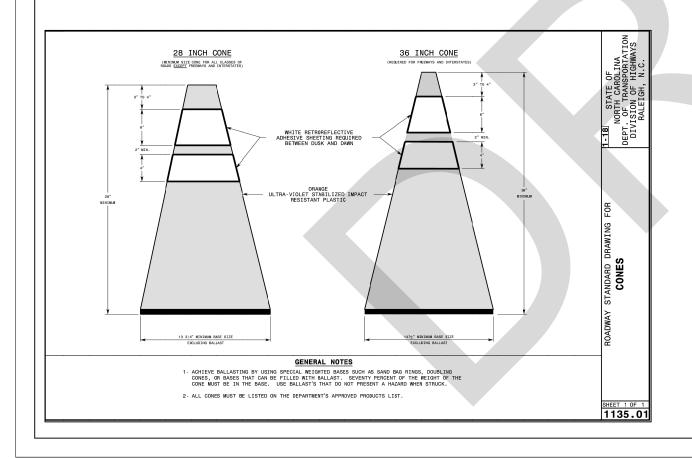
RECOMMENDATION: Staff recommend that Council receive the update and provide comments.

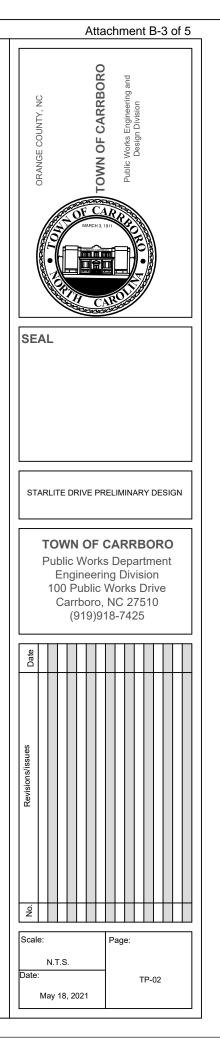


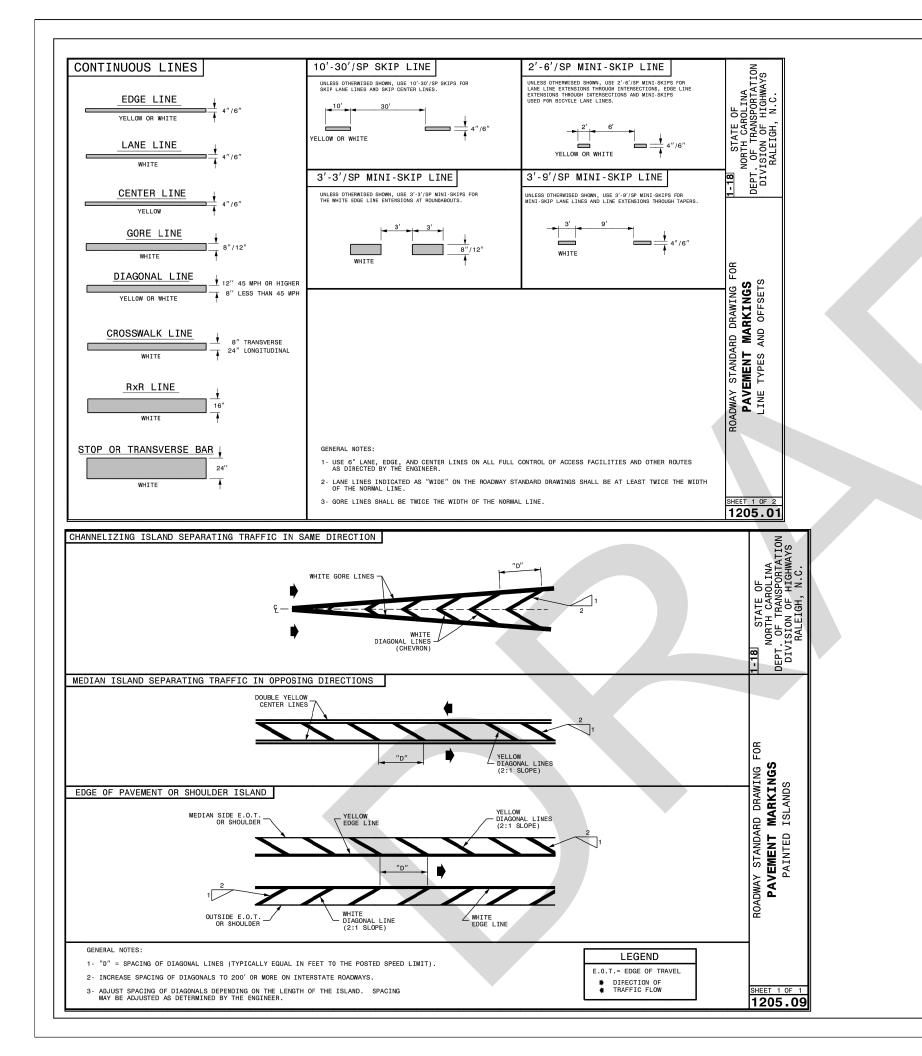


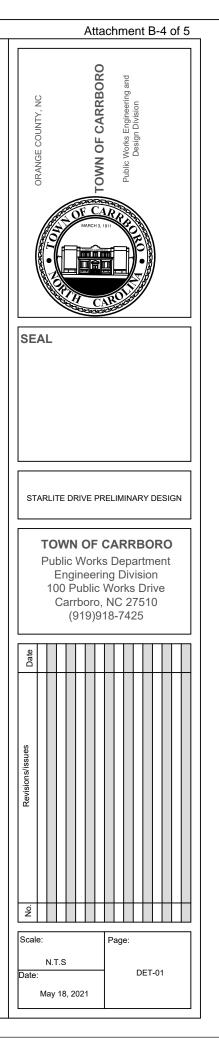


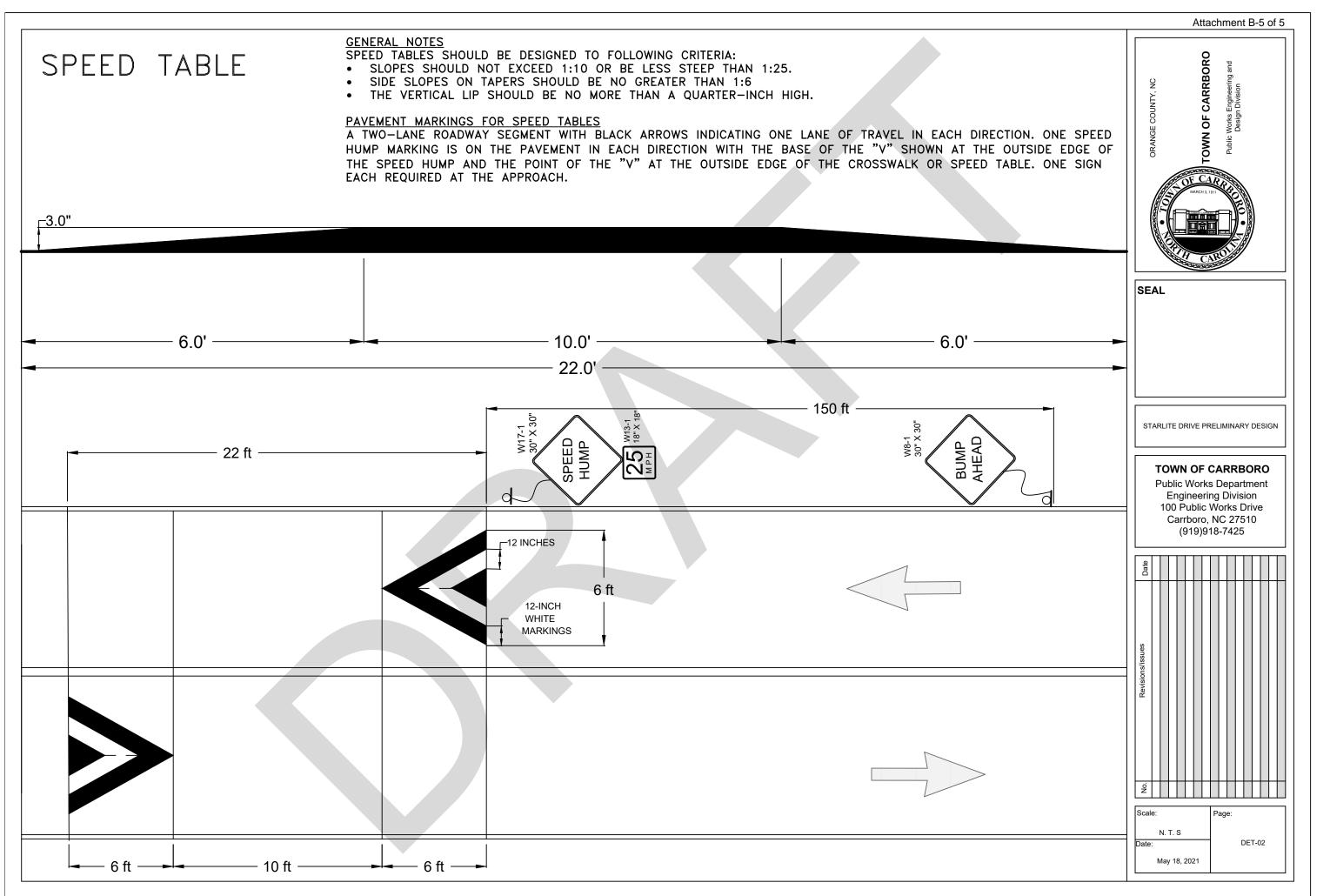












Barred Owl Creek Neighborhood Meeting

Please enter your name and email in the chat for our attendance log Saturday, June 5th, 2021 2:00 PM Barred Owl Creek Neighborhood



Attachment C-1 of 18

TRAFFIC CALMING TEST

The Town of Carrboro will be conducting traffic calming tests along Carol Street and James Street on

Thursday, May 20, 2021, between 7:30 am and 3 pm

Public Works and Fire-Rescue staff will be checking spacing, dimensions, and maneuverability with different vehicle types at the following locations:

- James Street at the 100 Block
- Carol Street at the 100 Block
- Carol Street at the 300 Block
- Carol Street at Lorraine Street

We are working toward an interim installation in early summer 2021.

Here are the anticipated next steps:

- Neighborhood meeting on interim plan Saturday, June 5
- Report to Town Council Tuesday, June 15

Learn more at: http://townofcarrboro.org/2367/Barred-Owl-Traffic-Calming

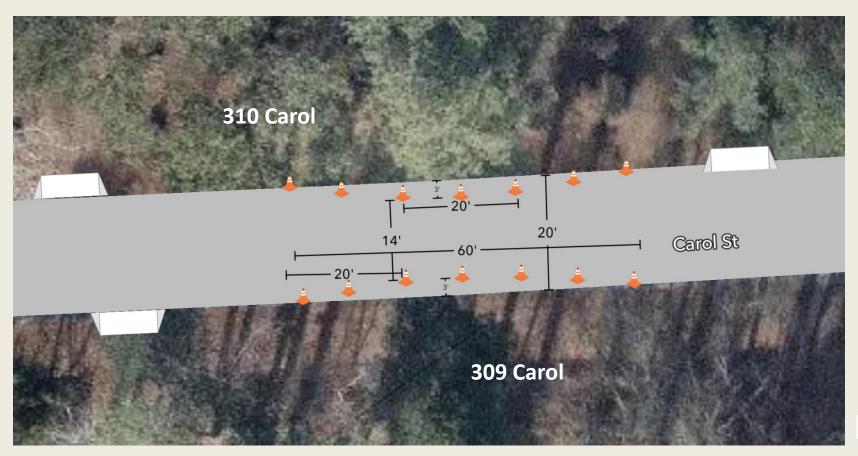


Town Contact: Transportation Planner Zach Hallock at zhallock@townofcarrboro.org or 919-918-7329

Overview

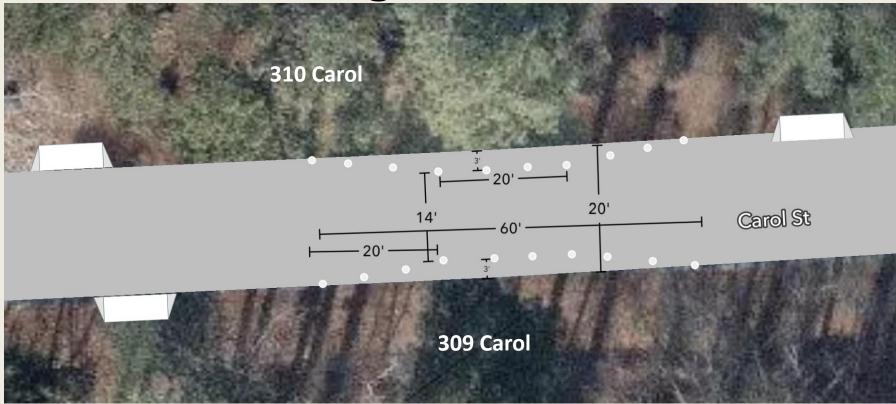
- Traffic Calming Test Feedback
 - 100 Carol
 - 300 Carol
 - Carol @ Lorraine
 - 100 James
- Next Steps
- Questions/Discussion

Traffic Calming Test – 300 Carol





Traffic Calming Interim – 300 Carol



Traffic Calming Test – 100 Carol

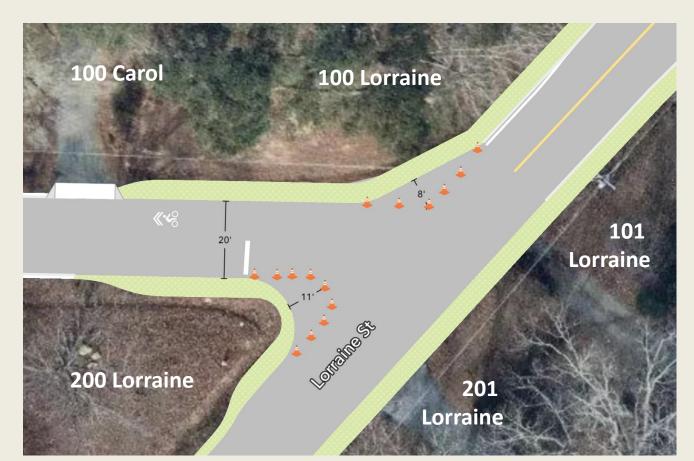


SPEED 34 Traffic Calming Demonstration This Thursday 7 30a-3 00p M

Traffic Calming Interim – 100 Carol



Traffic Calming Test – Carol/Lorraine







Traffic Calming Adjust – Carol/Lorraine



Traffic Calming Interim – Carol/Lorraine



Traffic Calming Test – 100 James





Attachment C-15 of 18

Traffic Calming Interim – 100 James



Next Steps

- Report to/Approval by Council 6/15
- Interim Installation July
- Data Collection/Evaluation Fall

Questions/Discussion

Please use the raise hand function and we will pull you over as a panelist so that you can speak.

Attachment D-1 of 3







Barred Owl Creek Traffic Calming - Frequently Asked Questions

Q: When will the interim installation be in place?

A: Installation is expected to occur sometime in July.

Q: Is the interim traffic calming plan intended to address the impacts caused by the Lloyd Farm Development?

A: No. Staff were directed to address the existing conditions on Carol Street with a solution that can be implemented quickly.

Q: Does the Traffic Impact Analysis (TIA) submitted by the developer assess the full impacts of traffic that will access the development through post office driveway?

A: Yes, the TIA analyzes a worst case scenario in that it assumes that traffic will have full access to James Street through the post office both entering and exiting Lloyd Farm.

Q: Will traffic from Lloyd Farm be able to access James Street via the Post Office?

A: No, staff have confirmed in the submitted phase 1 construction plans that there will be a median in place which will prevent traffic from Lloyd Farm accessing James Street via the post office. Traffic will still be able to access the Lloyd Farm Development from James Street via the post office.

Q: The counts collected previously by the Town were done during holidays or while schools were not in session. Doesn't this make them invalid?

A: The counts collected prior to the COVID-19 pandemic restrictions were collected between the end of January and the beginning of March. UNC and CHCCS were both in session during this period, and precaution was taken to ensure that neither of these were on spring break when data was collected.

Q: When will the plan to address the traffic impacts of Lloyd Farm be developed?

A: Staff are working to develop a timeline and will provide more information later this year.

Q: What will the \$15,000 from the developer be used for?

A: As outlined in condition 7 of the Lloyd Farm rezoning: "to conduct a neighborhood-level traffic calming study of the Plantation Acres, Plantation Acres Extension, and R.S. Lloyd subdivisions known collectively as the "Plantation Acres" neighborhood and/or to pay for the installation of traffic calming devices or other improvements."

Q: When will the Town be receiving the pavement from the developer?

A: As outlined in condition 7 of the Lloyd Farm rezoning: "Contribution shall be made at the time a building permit is granted for the first phase of the project."



Agenda Item Abstract

File Number:21-223

Agenda Date: 6/15/2021

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Public Hearing on a Text Amendment to the Land Use Ordinance Relating to Satellite Parking **PURPOSE:** The purpose of this agenda item is for the Town Council to consider a proposed text amendment to the Land Use Ordinance that would modify the regulations relating to the use of satellite parking. A draft ordinance has been prepared. The consideration of an amendment to the Land Use Ordinance is a legislative decision; the Council must receive public input before reaching a decision on the draft ordinance.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Christina Moon - 919-918-7325, <u>cmoon@townofcarrboro.org</u> <<u>mailto:cmoon@townofcarrboro.org</u>>; Marty Roupe - 919-918-7333, <u>mroupe@townofcarrboro.org</u> <<u>mailto:mroupe@townofcarrboro.org</u>>; Patricia McGuire - 919-918-7327, <u>pmcguire@townofcarrboro.org</u> <<u>mailto:pmcguire@townofcarrboro.org</u>>; Jon Hartman-Brown, 919-918-7319, <u>jhartman-brown@townofcarrboro.org</u> <<u>mailto:jhartman-brown@townofcarrboro.org</u>>; Nick Herman - 919-929 -3905, <u>gnherman@broughlawfirm.com</u> <<u>mailto:gnherman@broughlawfirm.com</u>>

INFORMATION: Chris Baldwin of 401 Main has submitted an application for a text amendment to modify the existing provisions relating to satellite parking in association with an application for a zoning permit *(Attachment B).* Section 15-298 of the Land Use Ordinance provides for the use of satellite parking to meet the parking requirements when the number of spaces cannot be reasonability accommodated on the site of the principal use. The request in the application is to allow for parking to be located off site using satellite parking whether or not the parking can be accommodated on site. This would be a departure from the way the Town has previously administered parking requirements.

A draft ordinance has been prepared with two options for a possible amendment *(Attachment A).* The language in option A restates the requested change. This language was included in the agenda item to set the public hearing on May 11th. The language in option B represents further staff review of the request in relation to the existing ordinance language and places the amendment in Section 15-299 and includes criteria for applicability. Section 15-299 of the LUO provides an exemption from the parking standards in full or in part for properties with existing buildings or within neighborhood preservation districts. The Spotted Dog restaurant is an example of site that uses this provision.

The Town Council must receive public comments before adopting amendments to the Land Use Ordinance. The draft ordinance was referred to Orange County and presented at the Joint Advisory Board meeting on June **Agenda Date:** 6/15/2021

File Type: Agendas

In Control: Board of Aldermen

Version: 1

 3^{rd} , and discussed at the Economic Sustainability Commission meeting on June 9^{th} . Comments are provided *(Attachment C)*.

FISCAL & STAFF IMPACT: The applicant has submitted the application fee for this amendment and notice has been published. No extraordinary costs have occurred in conducting the public hearing or advisory board review.

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

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING TO SATELLITE PARKING

Draft 05-28-21

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

Option A

Section 1. Subsection 15-298(a), Satellite Parking is rewritten to read as follows:

(a) Where the number of off-street parking spaces required by this chapter are not provided on the same lot where the principal use associated with these parking spaces is located, the spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off-site spaces are referred to in this section as "satellite" parking spaces.

Option B

Section 1. Subsection 15-299(a), Special Provisions for Lots With Existing Buildings and Lots within Neighborhood Preservation Districts, is amended by adding two new subdivisions that reads as follows:

- (1) Furthermore, when a business wishes to dedicate a portion of the site that would otherwise be used for parking to create an outdoor experience such as outdoor dining or seating and stage area, up to four on-site parking spaces may be relocated to satellite parking.
- (2) The flexibility provided for in subdivision (1) above shall not apply to required ADA parking spaces.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.

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 Carrboro Town Council 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):

15-291(g) requires that this business have 13 parking spaces and 15-298(a) requires parking spaces that are not able to be provided on-site may be provided as satellite parking.

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

Requesting that the language in 15-298(a) be changed to state: "Where the number of off-street parking spaces required by this chapter are not provided on the same lot where the principal use associated with these parking spaces is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off-site spaces are referred to in this section as "satellite" parking spaces."

State the reasons for the proposed amendment: 3) Fare en. have C hours 22 gaules porking Carl bakiand a CKOG ONI reistophere Salderin SIGNATURE: ADDRESS: 27510 . 619. 3608 **TELEPHONE NUMBER:**

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

THURSDAY, JUNE 3, 2021

Land Use Ordinance Text Amendment Relating to Satellite Parking

Motion was made by Sinclair for option B, and seconded by Foushee that the Planning Board of the Town of Carrboro recommends that the Town Council adopt the draft ordinance.

VOTE: AYES: (7) Poulton, Foushee, Gaylord-Miles, Sinclair, Amina, Mangum, Baker NOES: (0) ABSTENTIONS: (0) ABSENT/EXCUSED: (4) Fray, Clinton, Tooloee, Posada

Associated Findings

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

Motion was made by Foushee and seconded by Poulton that the Planning Board of the Town of Carrboro finds the proposed text amendment, is consistent with the goals and objectives for a vibrant downtown as described in the Carrboro Downtown Business District Guidelines for Design for small scale placemaking, the Downtown Carrboro New Vision for creating new special places that add to Carrboro's quirky and artsy character, and Carrboro Vision 2020, particularly the provisions relating to Carrboro's character and Downtown Vitality in Carrboro Vision 2020 such as :



- 2.41 The downtown should remain a center for the community where people work, gather, shop, socialize and recreate.
- 3.2 Downtown Carrboro should be nurtured as the social, cultural and economic center of our community. The downtown should include public social spaces as well as a mix of business types.

Furthermore, the Planning Board of the Town of Carrboro finds the proposed text amendment is reasonable and in the public interest because it will contribute toward the creation of a more vibrant and successful community.

VOTE:

AYES: (7) Poulton, Foushee, Gaylord-Miles, Sinclair, Amina, Mangum, Baker NOES: (0) ABSTENTIONS: (0) ABSENT/EXCUSED: (4) Fray, Clinton, Tooloee, Posada Qaudd Gadd-J



Transportation Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

THURSDAY, JUNE 3, 2021

Land Use Ordinance Text Amendment Relating to Satellite Parking

Motion was made by **Alexander** and seconded by **Keefe** that the Transportation Advisory Board of the Town of Carrboro recommends that the Town Council **reject** the draft ordinance.

<u>VOTE</u>: AYES: (5) Alexander, Keefe, Pcolar, Jones-Peretto, Swan NOES: (0) ABSTENTIONS: (0) ABSENT/EXCUSED: (2) Brown, Davis

Associated Findings

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

Motion was made by **Jones-Peretto** and seconded by **Pcolar** that the Transportation Advisory Board of the Town of Carrboro finds the proposed text amendment, not consistent with the Town's goals and objectives.

Furthermore, the TAB of the Town of Carrboro finds the proposed text amendment is unreasonable and not in the public interest because does not contribute toward the creation of a more vibrant and successful community.

The Transportation Advisory Board recommends a LUO amendment, which would allow satellite parking for sites which could otherwise accomodate on-site parking be reviewed and approved by the Town Council, as opposed to the proposed Option B which creates a new LUO provision based on one specific case.

<u>VOTE</u>: AYES: (5) Alexander, Keefe, Pcolar, Jones-Peretto, Swan NOES: (0) ABSTENTIONS: (0) ABSENT/EXCUSED: (2) Brown, Davis

Dave Pcolar

June 4, 2021

(Chair)

(Date)



Economic Sustainability Commission

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

THURSDAY, JUNE 3, 2021

Land Use Ordinance Text Amendment Relating to Satellite Parking

We support option B for this specific business and support a long-term policy toward option A.

Motion was made by <u>Porto</u> and seconded by <u>Shepperson</u> that the <u>ESC</u> of the Town of Carrboro recommends that the Town Council <u>approve option B</u> of the draft ordinance.

VOTE:

AYES: (5) Jessee, Porto, Mayer, Moracco, Shepperson NOES: (0) ABSTENTIONS: (0) ABSENT/EXCUSED: (0)

Associated Findings

By a unanimous show of hands, the <u>ESC</u> membership indicated that no members have any financial interests that would pose a conflict of interest to the adoption of this amendment.

Motion was made by <u>Porto</u> and seconded by <u>Shepperson</u> that the <u>ESC</u> of the Town of Carrboro finds the proposed text amendment, option B <u>is</u> consistent with the goals and objectives for a vibrant downtown as described in the Carrboro Downtown Business District Guidelines for Design for small scale placemaking, the Downtown Carrboro New Vision for creating new special places that add to Carrboro's quirky and artsy character, and Carrboro Vision 2020, particularly the provisions relating to Carrboro's character and Downtown Vitality in Carrboro Vision 2020 such as :

- 2.41 The downtown should remain a center for the community where people work, gather, shop, socialize and recreate.
- 3.2 Downtown Carrboro should be nurtured as the social, cultural and economic center of our community. The downtown should include public social spaces as well as a mix of business types.

Furthermore, the <u>ESC</u> of the Town of Carrboro finds the proposed text amendment is reasonable and in the public interest because it will contribute toward the creation of a more vibrant and successful community.

VOTE: AYES: (5) Jessee, Porto, Mayer, Moracco, Shepperson NOES: (0) ABSTENTIONS: (0) ABSENT/EXCUSED: (0)

Tina Moon for David Jessee 06/11/2021

Administration (919) 245-2575 (919) 644-3002 (FAX) www.orangecountync.gov

TRANSMITTAL DELIVERED VIA EMAIL

June 4, 2021

Christina Moon, AICP Planning Administrator Town of Carrboro 301 W. Main St. Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on May 17, 2021 and proposed for town public hearing on June 15, 2021:

- An Ordinance Amending the Carrboro Land Use Ordinance Relating to Satellite Parking.
- An Ordinance Amending the Carrboro Land Use Ordinance to Conform with Recent Changes in State Legislation Relating to the Adoption of Chapter 160D.

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan.*

If you have any questions or need additional information, please let me know.

Sincerely,

Perdita Holtz

Perdita Holtz, AICP Planning Systems Coordinator

ARTICLE XVIII

PARKING

Section 15-290 Definitions.

Unless otherwise specifically provided or unless clearly required by the context, the words and phrases defined below shall have the meaning indicated when used in this section.

- (1) **CIRCULATION AREA.** That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.
- (2) **DRIVEWAY.** That portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.
- (3) **GROSS FLOOR AREA.** The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.
- (4) **LOADING AND UNLOADING AREA**. That portion of the vehicle accommodation area used to satisfy the requirements of Section 15-300.
- (5) **PARKING AREA AISLES.** That portion of the vehicle accommodation area consisting of lanes providing access to parking spaces. (AMENDED 2/4/86)
- (6) **PARKING SPACE**. A portion of the vehicle accommodation area set for the parking of one vehicle.
- (7) **VEHICLE ACCOMMODATION AREA.** That portion of a lot that is used by vehicles for access, circulation, parking and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.
- (8) **VEHICLE STORAGE AREA.** That portion of a vehicle accommodation area used in connection with a 9.200 or 9.400 classification use as a place to park vehicles temporarily while they are waiting to be worked on or pending the pick-up of such vehicles by their owners.

Section 15-291 Number of Parking Spaces Required.

(a) Subject to Section 15-292.1, all developments shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question. In addition, all 9.200 and 9.400 classification uses shall provide sufficient vehicle storage area to accommodate the number of vehicles likely to be on the premises awaiting work or pending removal of their owners. (AMENDED 2/4/86; 5/18/04)

(b) The presumptions established by this article are that: (*i*) a development must comply with the parking standards set forth in subsection (g) to satisfy the requirement stated in subsection (a), and (*ii*) any development that does meet these standards is in compliance. However, the Table of Parking Standards is only intended to establish a presumption and should be flexibly administered, as provided in Section 15-292.

(c) Uses in the Table of Parking Requirements [subsection (g)], are indicated by a numerical reference keyed to the Table of Permissible Uses, Section 15-146. When determination of the number of parking spaces required by this table results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space.

(d) With respect to any parking lot that is required to be paved (see Section 15-296): (AMENDED 9/13/83)

- (1) The number of parking spaces required by this article may be reduced by a total of one space if the developer provides a bikerack or similar device that offers a secure parking area for at least five bicycles.
- (2) In non-residential districts, the number of parking spaces required by this article may be reduced by one space for each motorcycle pad provided, up to a total of five percent of the required number of spaces.

(e) Whenever a building is constructed with the intention that it be used in whole or in part for use classification 2.120, 2.220, 2.320, 3.120, or 3.220, the building shall be constructed on the lot in such a manner that sufficient usable space remains on the lot to add the additional parking spaces that would be required to convert the use of the building entirely to use classification 2.110, 2.210, 2.310, 3.110, or 3.210. In addition, whenever a developer proposes to construct a building to be used for purposes that require a lesser number of parking spaces than other uses to which the building might well be put at some future date, the administrator shall send to the developer a certified letter explaining that sufficient space should be left on the lot to add parking spaces at a later time if required. (AMENDED 2/4/86)

(f) The Board recognizes that the Table of Parking Requirements set forth in subsection (g) cannot and does not cover every possible situation that may arise. Therefore, in cases not specifically covered, the permit-issuing authority is authorized to determine the parking requirements using this table as a guide. In addition, the Board of Aldermen may authorize a reduction of up to 25 percent in the parking requirement when approving a Village Mixed Use Master Plan or Conditional Use Permit or an Office/Assembly development Conditional Use Permit. Land necessary to meet the full, presumptive, parking requirement must be identified during the plan approval process and must be reserved should the need for additional parking arise in the future. (AMENDED 05/25/99)

(g) Table of Parking Requirements (AMENDED 11/28/06)

	Part I.		
<u>Use</u>	PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)		
1.100	2 spaces per dwelling unit plus one space per room rented out in each dwelling unit (see Accessory Uses, Section 15-150). These required spaces shall be in addition to any space provided within an enclosed or partially enclosed garage. (AMENDED 2/24/84; 08/27/96)		

Use	Part I. Parking Requirement (except as noted in Part II of this table)			
1.200	2 spaces for each dwelling unit, except that one bedroom units require only one space.			
1.300	With respect to multi-family units located in buildings where each dwelling unit has an entrance and living space on the ground floor, the requirement shall be 1½ spaces for each one bedroom unit and 2 spaces for each unit with two or more bedrooms. Multi-family units limited to persons of low- or moderate-income or the elderly require only 1 space per unit. All other multi-family units require 1 space for each bedroom in each unit plus 1 additional space for every four units in the development. (AMENDED 5/10/83)			
1.340 1.350	 1 space per every four dwelling units. (AMENDED 01/11/00) 2 spaces for each dwelling unit, except that one bedroom units require only one space. (AMENDED 10/22/19) 			
1.410 1.420	1 space for each bedroom.			
1.430	1 space for each room to be rented.			
1.510	1 space per room plus additional spaces for restaurant or other facilities. (AMENDED 11/28/06)			
1.61 1.62 1.63	3 spaces for every five beds except for uses exclusively servicing children under 16, in which case 1 space for every 3 beds shall be required.			
1.900 1.910	 4 spaces for offices of physicians or dentists; 2 spaces for attorneys; 1 space for all others. 4 spaces for offices of physicians or dentists; 2 spaces for attorneys; 1 space for all others, plus one space for each non-resident employee. (AMENDED 10/22/19) 			
2.110	1 space per 200 square feet of gross floor area.			
2.120 2.130	1 space per 400 square feet of gross floor area.			
2.140	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to three spaces per window. (AMENDED 2/4/86)			
2.150	1 space per 200 square feet in the portion of the building to be used for retail sales plus 1 space for every two employees on the maximum shift. (AMENDED 04/15/97)			
2.210	1 space per 200 square feet of gross floor area. (AMENDED 2/4/86)			
2.220 2.230	1 space per 400 square feet of gross floor area.			

	Part I.			
<u>Use</u> 2.240	PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)			
2.240	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to three spaces per window.			
2.250	(AMENDED 10/23/18)			
2.310	1 space per 200 square feet of gross floor area.			
2.320	1 space per 400 square feet of gross floor area.			
2.330	1 space per 400 square feet of gross floor area.			
3.110	1 space per 200 square feet of gross floor area.			
3.120	1 space per 400 square feet of gross floor area.			
3.130 3.131	1 space per 150 square feet of gross floor area. (AMENDED 10/23/18)			
3.150	1 space per 200 square feet of ground floor area. (AMENDED 06/20/95)			
3.210	1 space per 200 square feet of gross floor area.			
3.220	1 space per 400 square feet of gross floor area.			
3.230	1 space per 200 square feet of area within main building plus reservoir lane capacity equal to five spaces per window (10 spaces if window serves two stations).			
3.250	3 spaces arranged in close proximity to this use. (AMENDED 09/01/92)			
3.260	1 space for every full time employee; 1 space for every 2 part time employees; 1 space for every 3 volunteers; 1 space for every 20 seats in the portion of the building used for dining and 1 space for every 100 square feet of the building dedicated toward meeting or educational space (depending on programming needs, this requirement may apply to the kitchen and dining spaces). (AMENDED 03/22/16)			
4.100 4.200	1 space for every two employees on the maximum shift except that in the B-1-G, B-2, B-3, and B-4 zones, such uses may provide 1 space per 200 square feet of gross floor area.			
5.110	1.75 spaces per classroom in elementary schools5.0 spaces per classroom in high schools.			
5.120	1 space per 100 square feet of gross floor area.			
5.130	1 space per 150 square feet of gross floor area.			
5.200	1 space per every four seats in the portion of the church building to be used for services plus spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses, plus 1 space for every 200 square feet of gross floor area designed to be used neither for services nor residential purposes.			
5.310 5.320	1 space per 300 square feet of gross floor area.			

<u>Use</u>	Part I. Parking Requirement (except as noted in Part II of this table)			
5.400	1 space per 300 square feet of gross floor area.			
6.110	1 space for every 3 persons that the facilities are designed to accommodate when fully utilized (if they can be measured in such a fashion example tennis courts or bowling alleys) plus 1 space per 200 square feet of gross floor area used in a manner not susceptible to such calculation.			
6.120 6.130	1 space for every four seats.			
6.140	1 space for every 200 square feet of gross floor area within enclosed buildings (AMENDED 2/2/88)			
6.210 6.220	1 space per 200 square feet of area within enclosed buildings, plus 1 space for every 3 persons that the outdoor facilities are designed to accommodate when used to the maximum capacity.			
6.230	Miniature golf course – 1 space per 300 square feet of golf course area plus 1 space per 200 square feet of building gross floor area; Driving range 1 space per tee plus 1 space per 200 square feet in building gross floor area; Par Three Course 2 spaces per golf hole plus 1 space per 200 square feet of building gross floor area.			
6.240	1 space per horse that could be kept at the stable when occupied to maximum capacity.			
6.250	1 space for every three seats.			
6.260	1 space per speaker outlet.			
7.100	2 spaces per bed.			
7.200	3 spaces for every 5 beds			
7.300 7.400	1 space for every two employees on maximum shift.			
8.100	1 space per 100 square feet of gross floor area. (AMENDED 2/24/87)			
8.200	1 space for every four outside seats. (AMENDED 2/24/87)			
8.300	1 space for each drive-in service spot. (AMENDED 2/24/87)			
8.400	Reservoir lane capacity equal to five spaces per drive-in window. (AMENDED 2/24/87)			
8.500	Spaces to be determined according to projected level of carry-out service. (AMENDED 2/24/87)			
8.600	1 space per 200 square feet of floor area plus one space per employee engaged in delivery service. (AMENDED 2/24/87)			

l lan	PART I.
<u>Use</u> 8.800	PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE) 1 space per 100 square feet of performing arts space plus additional spaces for associated and accessory uses as indicated in this table, either Part I or Part II, whichever is less. (AMENDED 11/27/18)
9.100	1 space per 200 square feet of gross floor area plus an extra 810 square foot vehicle storage area per repair bay.
9.200	2 regular spaces per bay plus a 1,540 square foot vehicle storage area per bay. (AMENDED 2/4/86)
9.300	1 space per 200 square feet of gross floor area of building devoted primarily to gas sales operation; plus sufficient parking area to accommodate 2 vehicles per pump without interfering with other parking spaces.
9.400	2 regular spaces per bay and office plus an 810 square foot vehicle storage area per bay. (AMENDED 2/4/86, 10/20/92)
9.500	Conveyer type1 space for every three employees on the maximum shift plus reservoir capacity equal to five times the capacity of the washing operation. Self-service type2 spaces for drying and cleaning purposes per stall plus two reservoir spaces in front of each stall.
10.210 10.220	1 space for every two employees on the maximum shift but not less than 1 space per 5,000 square feet of area devoted to storage (whether inside or outside).
11.000	1 space per 200 square feet of gross floor area.
12.100 12.200	1 space per 200 square feet of gross floor area.
13.100 13.200 13.300 13.400	1 space per 200 square feet of gross floor area.
14.100 14.200 14.300 14.400	1 space for every 2 employees on maximum shift.
15.100 15.200	1 space per 200 square feet of gross floor area.
15.300	1 space for every 2 employees on maximum shift.
15.400	1 space per 100 square feet of gross floor area.

Llor	PART I.			
<u>Use</u> 15.500	PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE) 1 space per 400 square feet of gross floor area of the collection facility plus 1 space per employee or attendant. (AMENDED 6/28/83)			
16.100	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to three spaces per window.			
16.200	1 space per 200 square feet of gross floor area.			
19.000	1 space per 1,000 square feet of lot area used for storage, display, or sales. (AMENDED 5/12/81)			
20.000 21.000	1 space per 200 square feet of gross floor area.			
22.000	1 space for every employee plus 1 space per 250 square feet of floor area used for day care in addition to spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses.			
23.000	 space per 200 square feet of gross floor area. space per room plus additional space for restaurant or other facilities. 			
34.000 34.100 34.200	 space per room plus additional spaces for restaurant or other facilities. spaces per main dwelling unit plus 1 space per room. (AMENDED 06/22/99; 11/28/06) 			
	Part II. (Applies to properties located within the $B-1(C)$, $B-$			
	<u>1(g), and B-2 Zoning Districts</u>			
<u>Use</u>	Parking Requirement			
1.100 1.200	1 per bedroom and no more than 2			
1.300	1 per bedroom and no more than 2 1 per bedroom and no more than 2			
1.500	.75 per room (Note: This does not include parking for associated conference and/or			
11500	restaurant facilities.)			
2.000	1 per 300 square feet of gross floor area			
3.000	1 per 400 square feet of gross floor area			

(AMENDED 02/04/97; 01/11/00; 5/18/04)

(h) Bicycle parking shall be provided in accordance with the provisions of this subsection by all developments that fall within the use classifications shown in the following Table of Bicycle Parking Standards.

When determination of the number of spaces required by this table results in a requirement of a fractional space, any fraction of one-half or less shall be disregarded, while a fraction in excess of one-half shall be counted as one space.

	Table of Bicycle Parking Standards (AMENDED 11/27/18)		
Use	Bicycle Parking Requirement		
1.300	1.5 spaces per unit		
2.100	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces		
2.200			
2.300			
3.100	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces		
3.200			
3.260	1 space for every 5 seats in the portion of the building used for dining		
5.100	1 space per 10 students plus 1 space per 10 employees		
6.200	1 space per 4 presumptively required auto spaces		
8.100	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces		
8.200			
8.800			
10.100	1 space per 10 auto spaces, with a minimum of 5 spaces		
34.100	1 space per 5 rooms, up to 50 rooms; 1 space per 10 rooms above 50 rooms		
(AMENI	DED 6/19/12; 3/22/16)		

Section 15-292 Flexibility in Administration Required (AMENDED 10/23/18)

(a) The Board recognizes that due to the particularities of any given development, the inflexible application of the parking standards set forth in Subsection 15-291(g) may result in a development either with inadequate parking space or parking space far in excess of its needs. The former situation may lead to traffic congestion or parking violations in adjacent streets as well as unauthorized parking in nearby private lots. The latter situation results in a waste of money as well as a waste of space that could more desirably be used for valuable development or environmentally useful open space. Therefore, as suggested in Section 15-191, the permit-issuing authority may permit deviations from the presumptive requirements of Subsection 15-291(g) and may require more parking or allow less parking whenever it finds that such deviations are more likely to satisfy the standard set forth in subsection 15-291(a). In addition, that same flexible approach shall be followed with respect to the vehicle storage area requirements set forth in the preceding table.

(a1) The Board also recognizes that due to the particularities of any given development, the inflexible application of bicycle parking standards set forth in Subsection 15-291(h) and 15-295.1 may result in a development either with inadequate parking space or parking space in excess of its needs. Therefore, the permit-issuing authority may permit deviations from the presumptive requirements of Subsection 15-291(h) and 15-295.1 may require more or less bicycle parking subject to the criteria in Subsection 15-292(b1).

(b) Without limiting the generality of the foregoing, the permit-issuing authority may allow deviations from the parking requirements set forth in Subsection 15-291(g) when it finds that:

(1) A residential development is irrevocably oriented toward the elderly;

- (2) A residential development is located on a bus line, is located in close proximity to the central business district, and is committed to a policy of placing restrictions on the vehicle ownership of its tenants.
- (3) A business is primarily oriented to walk-in trade.

(b1) The permit-issuing authority may allow deviations from the bicycle parking requirements set forth in Subsection 15-291(h) when it finds at least one of the following:

(1) A residential development is irrevocably oriented toward the elderly, and or persons with disabilities; or

(2) A residential or commercial development is located on a lot, constrained by size or topography, such that the installation of the presumptive number bicycle parking spaces that comply with the Design Standards for Bicycle Parking in Section 15-295.1 is impracticable. In those cases, the development shall instead provide the maximum number of bicycle parking spaces practicable.

(c) Whenever the permit-issuing authority allows or requires a deviation from the presumptive parking requirements set forth in subsections 15-291(g), 15-291(h) and 15-295.1, it shall enter on the face of the permit the parking requirement that it imposes and the reasons for allowing or requiring the deviation.

(d) If the permit-issuing authority concludes, based upon information it receives in the consideration of a specific development proposal, that the presumption established by subsections 15-291(g) and 15-291(h) for a particular use classification is erroneous, it shall initiate a request for an amendment to the Table of Parking Requirements in accordance with the procedures set forth in Article XX.

Section 15-292.1 Payment of Fee In Lieu of Providing Parking Spaces

(a) With respect to properties within the B-1(C), B-1(G), and B-2 districts that are developed for commercial purposes, the permit issuing authority may authorize the developer to forego the construction of parking spaces otherwise required on the developer's property pursuant to the provisions of Section 15-291 of this Article for commercial uses if (i) the permit issuing authority finds that the parking needs of such development can be met by public parking facilities that are located or expected to be constructed within a reasonable time within reasonable proximity to the proposed development, and (ii) the developer pays to the town for each such space that is not constructed a fee in lieu of providing that space in an amount determined as provided in subsection (b) of this section. This fee shall be paid before an occupancy permit is issued to the development, unless the permit issuing authority by condition establishes another time.

(b) The amount of the fee authorized by this section shall be determined by estimating the cost of providing a paved parking space (including land and improvement costs) that meets

the requirements of this Article. This determination shall be made annually and the fee shall be included in the Miscellaneous Fees and Charges Schedule adopted by the Board of Aldermen.

(c) Any fees collected in accordance with this section shall be reserved and used exclusively to meet the purposes for which they have been obtained as specified above in subsection (a).

Section 15-293 Parking Space Dimensions (AMENDED 9/13/83)

(a) Subject to subsection (b) and (c), parking spaces shall contain a rectangular area at least eight and one-half feet wide and eighteen feet long. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, as long as the parking spaces so created contain within them the rectangular area required by this section. (AMENDED 2/5/08)

(b) In parking areas containing ten or more spaces, up to 40% of the parking spaces may be set aside for the exclusive use of compact cars, provided the compact car area is designated for exclusive use by compact cars, and that adequate signs are provided designating and informing the public of the exclusive use. A compact parking space shall contain a rectangular area eight feet wide and fifteen feet long. (AMENDED 4/24/12)

(c) Wherever parking consists of spaces set aside for parallel parking, one foot shall be added to the minimum required width, and three feet to the minimum required length.

(d) Motorcycle pads shall contain a rectangular area at least four feet wide and eight feet long. Spaces shall be located at either end of parking aisles and shall have, centered, a concrete or metal strip one square foot in area to accommodate the use of kick stands.

Section 15-294 Required Width of Parking Area Aisles (AMENDED 5/18/04)

(a) Subject to subsections (b) and (c) parking area aisles shall have a minimum width between parking spaces as follows: (AMENDED 6/26/84)

	STANDARD, OR NON-SUBCOMPACT AREA PARKING ANGLE			
AISLE TYPE	0°	45 °	60°	90°
ONE WAY	13	13	18	24
TWO WAY	19	21	23	24

Art. XVIII PARKING

(b) In parking areas where subcompact spaces are provided pursuant to 15-293(b) of this ordinance, parking aisle spaces adjoining subcompact spaces shall have a minimum width between such parking spaces as follows:

	STANDARD AREA PARKING ANGLE			
AISLE TYPE	0 °	45°	60°	90°
ONE WAY	13	13	14	20
TWO WAY	19	21	23	24

- (c) The width of a parking aisle serving 90° angle parking may be reduced to eighteen feet if *(i)* not more than ten spaces are to be served by an aisle with such reduced width, and *(ii)* the aisle "dead ends", i.e., is not used as an access way to other areas. (AMENDED 6/26/84)
- (d) Driveways shall be not less than ten feet in width for one way traffic and eighteen feet in width for two way traffic, except that ten foot wide driveways are permissible for two way traffic when (i) the driveway is not longer than fifty feet, (ii) it provides access to not more than ten spaces, and (iii) sufficient turning space is provided so that vehicles need not back into a public street. (AMENDED 6/26/84)
- (e) Notwithstanding the other provisions of this section, the permit issuing authority may allow the use of geometric standards other that those specified in this section if the permit issuing authority finds that (i) the plans for the vehicle accommodation area are sealed by a registered engineer with recognized expertise in parking facility design, and (ii) the alternative design will satisfy off-street parking requirements as adequately as would a facility using the specifications set forth in this section and would otherwise be consistent with public safety.

Section 15-295 General Design Requirements (AMENDED 5/18/04)

(a) Vehicle accommodation areas shall be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas consisting of driveways that serve one or two dwelling units.

(b) Every vehicle accommodation area shall be designed so that vehicles cannot extend beyond the perimeter of such area onto adjacent properties or public rights-of-way. Such areas shall also be designed so that vehicles do not extend over sidewalks or tend to bump against or damage any wall, vegetation, or other obstruction.

(c) Circulation areas shall be designed so that vehicles can proceed safely without posing a danger to pedestrians or other vehicles and without interfering with parking areas.

- (d) Vehicle storage areas are not required to observe any particular configuration but shall be so located and designed so that the entire amount of required square footage of such areas can be used for the purpose intended without creating any substantial danger of injury to persons or property and without impeding vehicular movement in the adjacent street. (AMENDED 2/4/86)
- (e) To the extent practicable, parking shall not be allowed between a building façade and a street right-of-way in the B-1(c), B-1(g), and B-2 zoning districts.

Section 15-295.1 Design Standards for Bicycle Parking (AMENDED 6/19/12; 11/19/13)

(a) Bicycle parking may be located in any parking area or in other locations that are easily accessible, clearly visible from the entrance it serves, and do not impede pedestrian or motorized vehicle movement into or around the site. At least 50 percent of bicycle parking shall be sheltered. Designating space for bicycle parking within buildings is an option to consider when feasible.

(b) When a percentage of the required motorized vehicle spaces are provided in a structure, an equal percentage of the required bicycle spaces shall be located inside that structure, unless an equivalent number of other accessible covered bicycle parking spaces are located elsewhere on the site.

(c) Where bicycle parking facilities are not clearly visible to approaching cyclists, signs shall be posted to direct cyclists to the facilities.

(d) Facilities shall provide at least a 30 inch clearance from the centerline of each adjacent bicycle rack/support structure and at least 24 inches from walls or other obstructions.

(e) An aisle or other space shall be provided for bicycles to enter and leave the facility. The aisle shall have a width of at least four feet to the front or the rear of a standard six-foot bicycle parked in the facility.

(f) Each bicycle parking space shall be sufficient to accommodate a bicycle at least six feet in length and two feet wide. Overhead clearance shall be at least seven feet.

(g) Bicycle parking spaces shall be clearly marked as such and shall be separated from motorized vehicle parking by some form of physical barrier designed to protect a bicycle from being hit by a motorized vehicle.

(h) Each bicycle parking space shall be provided with some form of stable frame permanently anchored to a foundation to which a bicycle frame and both wheels may be conveniently secured using either a chain and padlock or a U-lock. The frame shall sup-

port a bicycle in a stable position without damage to the frame, wheels, or components. The rack designs commonly known as "inverted U", "A", and "post-and-loop" are preferred types. The "wave", "toast", and "comb" racks, as described in Chapter 7, Figure 7-60, of the Comprehensive Bicycle Transportation Plan, are discouraged and shall not count toward fulfillment of the requirements in Sec. 15-291(h). (AMENDED 11/19/13)

(i) Bicycle racks should be designed and constructed according to Design Guidelines of the Carrboro Bicycle Plan.

Section 15-296 Vehicle Accommodation Area Surfaces

(a) Subject to subsections (e), (f), (g), and (h) vehicle accommodation areas that (i) include lanes for drive-in windows; (ii) are required to contain more than 1,000 square feet of vehicle storage area; or (iii) contain parking areas that are required to have more than ten parking spaces and that are used regularly at least five days per week shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Specifications for surfaces meeting the standard set forth in this subsection are contained in Appendix D. (AMENDED 2/4/86; 3/4/86; 6/26/90; 5/6/03)

(b) Vehicle accommodation areas that are not provided with the type of surface specified in subsection (a) shall be graded and surfaced with crushed stone, gravel, or other suitable material (as provided in the specifications set forth in Appendix D) to provide a surface that is stable and will help to reduce dust and erosion. The perimeter of such parking areas shall be defined by bricks, stones, railroad ties, or other similar devices. In addition, whenever such a vehicle accommodation area abuts a paved street, the driveway leading from such street to such area (or, if there is no driveway, the portion of the vehicle accommodation area that opens onto such streets), shall be paved as provided in subsection (a) for a distance of fifteen feet back from the edge of the paved street. This subsection shall not apply to single-family residences, duplexes, multi-family residences consisting of two dwelling units, homes for the handicapped or infirm, or other uses that are required to have only one or two parking spaces.

(c) Parking spaces in areas surfaced in accordance with subsection (a) shall be appropriately demarcated with painted lines or other markings. Parking spaces in areas surfaced in accordance with subsection (b) shall be demarcated whenever practicable.

(d) Vehicle accommodation areas shall be properly maintained in all respects. In particular, and without limiting the foregoing, vehicle accommodation area surfaces shall be kept in good condition (free from potholes, etc.) and parking space lines or markings shall be kept clearly visible and distinct.

(e) Vehicle accommodation areas that constitute 10.100 classification uses (independent automobile parking lots or garages) and that contain more than ten parking spaces shall meet the surfacing requirements set forth in subsection (a) unless it clearly appears that the 10.100 classification use is intended to be temporary (not exceeding four years). In no event may the 10.100 use continue for more than four years unless the lot is paved in accordance with this subsection. Notwithstanding the

provisions of Article VIII (Nonconforming Situations), (i) any parking lot made nonconforming by this subsection on its effective date shall be brought into compliance within twelve months after the effective date, and (ii) unpaved temporary 10.100 uses in operation on the effective date of this subsection must be paved or terminated within one year thereafter or four years from the initial use of such lot, whichever comes later. (AMENDED 3/11/86)

(f) The paving requirement of subsection (a) shall not apply to parking areas owned or leased by the town that are used for public parking for a period of time less than four years. If such areas are used for parking for a period in excess of four years, then such areas must be paved if otherwise required under the standards set forth in subsection (a). (AMENDED 3/4/86)

- (g) The paving requirement of subsection (a) shall not apply to any lot within the B-1(c) zoning district. However, lots that would otherwise be required to be paved but for this exception shall be required to comply with the shading provisions set out in Subsection 15-317. (AMENDED 6/26/90)
- (h) When any tract of land is developed under circumstances requiring the issuance of a special or conditional use permit, and paving is required per Section 15-296(a), the vehicle overhang area located behind a parking stop may be unpaved as shown in Appendix D-3. (AMENDED 5/6/03)

Section 15-297 Joint Use of Required Parking Spaces (AMENDED 5/18/04)

(a) One parking area may contain required spaces for several different uses, but except as otherwise provided in this section, the required space assigned to one use may not be credited to any other use.

(b) To the extent that developments that wish to make joint use of the same parking spaces operate at different times, the same spaces may be credited to both uses. For example, if a parking lot is used in connection with an office building on Monday through Friday but is generally 90% vacant on weekends, another development that operates only on weekends could be credited with 90% of the spaces on that lot. Or, if a church parking lot is generally occupied only to 50% of capacity on days other than Sunday, another development could make use of 50% of the church lot's spaces on those other days.

(c) With respect to properties within the B-1(c), B-1(g), and B-2 districts where two or more use classifications on the same site have two or more distinct peak parking usage periods, the number of parking spaces required may be reduced to the amount that results from dividing the total number of spaces otherwise required by the following ratios:

Use Classifications	Reduction Ratio
2.000 and 3.000 uses	1.2
2.000 and 1.500 uses	1.3
2.000 and 1.100/1.200/1.300 uses	1.2
3.000 and 1.500 uses	1.7

Use Classifications	Reduction Ratio
3.000 and 1.100/1.200/1.300	1.4
1.500 and 1.100/1.200/1.300	1.1

(d) If the joint use of the same parking spaces by two or more principal uses involves satellite parking spaces, then the provisions of Section 15-298 are also applicable.

<u>Section 15-297.1</u> Creation of Public Parking Lots from Private Parking Areas (AMEND-MENT 4/15/03)

Notwithstanding any other provision of this chapter, within the B-1(c) and B-1(g) zoning districts:

- (1) The town may acquire through lease or purchase portions of one or more lots and create out of the area so acquired an independent parking lot (use classification 10.100);
- (2) Acquisition by the town and use of portions of lots as provided in this section shall not be regarded as creating a non-conforming situation with respect to parking on such lots or making any existing situation more non-conforming with respect to parking.
- (3) When the town acquires and uses portions of lots as provided in this section, the number of spaces within the public parking lot so created that are attributable to the portion of the parking lot acquired from each "donor" lot shall be regarded as still being located on each "donor" lot for purposes of determining whether each "donor" lot complies with the parking requirements of this article.

Section 15-298 Satellite Parking

(a) If the number of off-street parking spaces required by this chapter cannot reasonably be provided on the same lot where the principal use associated with these parking spaces is located, then spaces may be provided on adjacent or nearby lots in accordance with the provisions of this section. These off- site spaces are referred to in this section as "satellite" parking spaces.

(b) All such satellite parking (except spaces intended for employee use or spaces required in relation to use 8.800, Performing Arts Space) may be located within 1000 feet of the public entrance of a principal building housing the use associated with such parking. (AMENDED 11/27/18)

(c) The developer wishing to take advantage of the provisions of this section must present satisfactory written evidence that he has the permission of the owner or other person in charge of the satellite parking spaces to use such spaces. The developer must also sign an acknowledgment that the continuing validity of his permit depends upon his continuing ability to provide the requisite number or parking spaces.

(d) Subject to subsection (e), persons who obtain satellite parking spaces in accordance with this section shall not be held accountable for ensuring that the satellite parking areas from which they obtain their spaces satisfy the design requirements of this article. (AMENDED 3/11/86)

(e) Satellite parking may be obtained from an independent automobile parking lot or garage [use classification 10.100, see definition subdivision 15-15(32.1)]. However, if a separate lot is owned by an enterprise needing off-site parking and is leased by that enterprise for a period of more than four years (including automatic renewals or renewal options) and is used as a parking lot by that enterprise (and others may lawfully be excluded), then such off-site lot shall be regarded as part of the lot on which the enterprise is located for purposes of the paving and other design requirements of this chapter. (AMENDED 3/11/86)

<u>Section 15-299</u> Special Provisions for Lots With Existing Buildings and Lots within <u>Neighborhood Preservation Districts</u> (AMENDED 9/26/89)

(a) Notwithstanding any other provisions of this chapter, whenever (i) there exists a lot with one or more structures on it constructed before the effective date of this chapter, and (ii) a change in use to other than a performing arts space (use classification 8.800) that does not involve any enlargement of a structure is proposed for such lot, and (iii) the parking requirements of Section 15-291 that would be applicable as a result of the proposed change cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking, then the developer need only comply with the requirements of Section 15-291 to the extent that (i) parking space is practicably available on the lot where the development is located, and (ii) satellite parking space is reasonably available as provided in Section 15-298. However, if satellite parking subsequently becomes reasonably available, then it shall be a continuing condition of the permit authorizing development on such lot that the developer obtain satellite parking when it does become available. (AMENDED 11/27/18)

(b) Whenever the neighborhood preservation district commission determines that the number of parking spaces otherwise required by this article for a development within the neighborhood preservation district would render such development incongruous with the special character of the district, it may recommend that the permit-issuing authority wholly or partially waive such parking requirements. Upon such recommendation, the permit-issuing authority may authorize a lesser number of parking spaces than that presumptively required under this article if it concludes that such deviation (i) will not create problems due to increased on-street parking and (ii) will not constitute a threat to public safety. (AMENDED 09/26/89)

Section 15-300 Loading and Unloading Areas.

(a) Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area must be provided in accordance with this section to accommodate the delivery or shipment operations in a safe and convenient manner.

(b) The loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area, given the nature of the development in question. The following table indicates the number and size of spaces that, presumptively, satisfy the standard set forth in this subsection. However, the permit-issuing authority may require more or less loading and unloading area if reasonably necessary to satisfy the foregoing standard.

GROSS LEASABLE AREA OF BUILDING	NUMBER OF SPACES WITH MINIMUM DIMENSIONS OF 12'x 55' AND OVERHEAD CLEARANCE OF 14' FROM THE STREET GRADE
1,000 - 19,999	1
20,000 - 79,999	2
80,000 - 127,999	3
128,000 - 191,999	4
192,000 - 255,999	5
256,000 - 319,999	6
320,000 - 391,999	7
Plus one (1) for each additional	72,000 square feet or fraction thereof.

(c) Loading and unloading areas shall be so located and designed that the vehicles intended to use them can (*i*) maneuver safely and conveniently to and from a public right-of-way, and (*ii*) complete the loading and unloading operations without obstructing or interfering with any public right-of-way or any parking space or parking lot aisle.

(d) No area allocated to loading and unloading facilities may be used to satisfy the area requirements for off-street parking, nor shall any portion of any off-street parking area be used to satisfy the area requirements for loading and unloading facilities.

Section 15-301 No Parking Indicated Near Fire Hydrants.

Whenever a fire hydrant is located adjacent to any portion of a vehicle accommodation area required to be paved under subsection 15-296(a), the pavement shall be clearly marked to indicate that parking within fifteen feet of such hydrant is prohibited. (AMENDED 4/27/82)

Section 15-302 Limitation on the Total Lot Coverage Devoted to Surface Parking

No development approved after the effective date of this section may construct more than 110 percent of the number of parking spaces determined by the permit issuing authority to be necessary to satisfy the requirements of Section 15-291.

Section 15-303 Reserved.



Agenda Item Abstract

File Number:21-224

Agenda Date: 6/15/2021

File Type: Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Public Hearing on Text Amendments to the Land Use Ordinance for Compliance with N.C.G.S. Chapter 160D

PURPOSE: The purpose of this agenda item is for the Town Council to consider text amendments that would bring the Land Use Ordinance into conformance with N.C.G.S. Chapter 160D. A draft ordinance has been prepared. The consideration of an amendment to the Land Use Ordinance is a legislative decision; the Council must receive public input before reaching a decision on the draft ordinance.

DEPARTMENT: Planning Department, Town Attorney's Office

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

INFORMATION: Legislation adopted as Part II of S.L. 2019-111 and revised with the adoption of S.L. 2020-15 reorganized the state's planning and development regulations combining the previously separate county (G.S. Chapter 153A) and municipal statutes (G.S. 160A) into one chapter, and relocating some regulations previously located in separate sections into the same chapter. Staff has been working closely with the Town Attorney's office to review the legislation and to identify necessary amendments to bring town regulations into compliance with the state legislation.

As noted previously, some of the key elements of the legislation include:

- The removal of conditional use districts as a rezoning mechanism (rezoning & conditional use permit at the same time); existing conditional use districts will automatically become conditional districts.
- The elimination of conditional use permits. All quasi-judicial permits will become special use permits; this change will also occur automatically.
- Comprehensive plans will become required.
- Conflict of interest provisions for legislative decisions (text amendments/rezonings) have been expanded. New conflict of interest provisions will apply to staff.
- New provisions for proportional representation will require ETJ representation on certain advisory boards.
- Provisions relating to vested rights have been updated and new provisions relating to permit choice added.

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1

File Type: Agendas

• Procedures relating to administrative determinations (staff decisions) have been added along with provisions for appealing administrative determinations.

A draft ordinance has been prepared (*Attachment A*). The process for preparing the amendments for 160D has provided an opportunity to make other modifications to the Land Use Ordinance such as changing the name of the Board of Aldermen to the Town Council, editing language to use gender neutral terms and pronouns, and correcting clerical errors that have inadvertently occurred over the years. The draft ordinance is slightly shorter in length than the version included in the agenda item to set the public hearing. No substantive changes have been made; rather, duplications in the draft ordinance relating to administrative changes have been eliminated. A short staff report with a bulleted list of some of the key changes brought forth with the adoption of Chapter 160D is provided (*Attachment B*). A copy of the working table providing information on the purpose of the change and specific section/provision(s) to be amended is also provided (*Attachment C*).

The preparation of the text amendments have involved most of the articles in the Land Use Ordinance. Copies of the articles showing changes in tracking have been loaded to a ShareFile and may be accessed using the following link: https://townofcarrboro.sharefile.com/d-sf58592af81844b0d95de1eba72b0a500>.

Links to the previous meeting agendas are provided below.

--October 13, 2020 -<<u>https://carrboro.legistar.com/MeetingDetail.aspx?ID=679784&GUID=7D469578-03C6-4BC6-A6F7-</u> DA8A23CD41D9&Options=&Search=> (Update/overview of project)

--January 26, 2021 - <u>Town of Carrboro - Meeting of Town Council on 1/26/2021 at 7:00 PM (legistar.com)</u> <<u>https://carrboro.legistar.com/MeetingDetail.aspx?ID=823936&GUID=D387AE20-BC4A-444C-A4C3-58F350776615&Options=&Search=></u> (Informational Update #1)

--February 16, 2021 - Town of Carrboro - Meeting of Town Council on 2/16/2021 at 7:00 PM (legistar.com) https://carrboro.legistar.com/MeetingDetail.aspx?ID=823939&GUID=3D78913E-0653-46D9-A733-8346B5C8DC69&Options=&Search=> (Informational Update #2)

--March 16, 2021 - Town of Carrboro - Meeting of Town Council on 3/16/2021 at 7:00 PM (legistar.com) <https://carrboro.legistar.com/MeetingDetail.aspx?ID=849505&GUID=446F084C-5574-4E34-84D7-E4D80E77C561&Options=&Search=> (Informational Update #3) /April 6, 2021 - Town of Carrboro - Meeting of Town Council on 4/6/2021 at 7:00 PM (legistar.com) <https://carrboro.legistar.com/MeetingDetail.aspx?ID=855658&GUID=AB1C4E38-592D-47A5-A5E8-F7D178B4ED57&Options=&Search=> (Informational Update #3 - Rescheduled)

May 11, 2021 - <u>Town of Carrboro - Meeting of Town Council on 5/11/2021 at 7:00 PM (legistar.com)</u> <<u>https://carrboro.legistar.com/MeetingDetail.aspx?ID=823951&GUID=6129DF98-B509-4C9C-A6CF-6606843C3428&Options=&Search=></u> (Request-to-Set a Public Hearing)

The Town Council must receive public comments before adopting amendments to the Land Use Ordinance. The draft ordinance was referred to Orange County and presented to the Planning Board on May 20th. Comments are provided (*Attachment D*).

Agenda Date: 6/15/2021 In Control: Board of Aldermen Version: 1 File Type: Agendas

FISCAL & STAFF IMPACT: Public notice costs and staff time are associate with the review of text amendments for public hearings and advisory board review.

RECOMMENDATION: Staff recommends that the Town Council hold a public hearing to receive comment on the proposed text amendments. Public comments may be submitted to the Town Clerk up to 24 hours after the close of the public hearing. A subsequent agenda item will be scheduled for the Council on June 22nd to finish its deliberations and adopt the text amendments before July 1, 2021 as required by state statute.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO CONFORM WITH RECENT CHANGES IN STATE LEGISLATION RELATING TO THE ADOPTION OF CHAPTER 160D

DRAFT 06-09-2021

THE CARRBORO TOWN COUNCIL ORDAINS:

Section 1. Section 15-2, Authority, is amended to update the references to the North Carolina General Statutes to read as follows:

Section 15-2 Authority.

This chapter is adopted pursuant to the authority contained in Article 2 of G.S. Chapter 160D; Article 21 (Part 6) of G.S. Chapter 143; G.S. 143-215.6A; G.S. 143-214.5; Article 4 of G.S. Chapter 113A; as well as Chapter 527 of the Session Laws of 1953; Chapters 122 and 136 of the Session Laws of 1963; Chapter 260 of the Session Laws of 1977; Chapter 753 of the Session Laws of 1979; Chapters 233 and 476 of the 1987 Session Laws; Chapters 216 and 484 of the 2009 Session Laws; and other state and local laws. (AMENDED 4/27/82; (REWRITTEN 6/26/12).

Section 2. Section 15-3, Jurisdiction, is rewritten to read as follows:

Section 15-3 Jurisdiction.

(a) This chapter shall be effective throughout the town's planning jurisdiction. The town's planning jurisdiction comprises the area described by Chapters 122 and 636 of the Session Laws of 1963, as modified from time to time in accordance with Section 160D-200; 202; 903 of the North Carolina General Statutes.

(b) If a parcel of land lies within the planning and development regulation jurisdiction of more than one local government, the local governments may, by mutual agreement and with the written consent of the landowner, assign exclusive planning and development regulation jurisdiction for the entire parcel to any one of those local governments in accordance with the process described in G.S. 160D-203.

(c) In addition to other locations required by laws, a copy of a map showing the boundaries of the town's planning jurisdiction shall be available for public inspection in the planning department. Maps may be maintained either in paper or digital format.

Section 3. Chapter 15 of the Town Code, the Land Use Ordinance, is amended to replace all references to the 'Board of Aldermen,' or 'Board' to the 'Town Council' or 'Council,' respectively.

Section 4. Section 15-6, Relationship to Land Use Plan is rewritten to read as follows:

Section 15-6 Relationship to Comprehensive Plan, Land Use Plan and other Adopted Plans.

(a) Pursuant to the intent and requirements of G.S. 160D-501, the Town shall adopt a Comprehensive Plan setting forth the goals, policies, and programs intended to guide the present and future physical, social, and economic development of the Town. The Comprehensive Plan may, among other topics, address any of the following: land use, economic sustainability, affordable housing, recreation, parks and open space, transportation, water and wastewater, energy and utilities, environmental systems and resilience, stormwater management, and public services.

- (1) The adoption and amendment of the comprehensive plan is a legislative decision and shall follow the process mandated for zoning text amendments set by G.S. 160D-601 and Article XX of this chapter.
- (2) The comprehensive plan shall periodically be reviewed and maintained to ensure the relevance of the policies to current and projected conditions.

(b) It is the intention of the Town Council that this chapter implement the planning policies adopted by the Council for the town and its extraterritorial planning area, as reflected in the Comprehensive Plan, Land Use Plan and other planning documents. While the Council reaffirms its commitment that this chapter and any amendment to it be in conformity with adopted planning policies, the Council hereby expresses its intent that neither this chapter nor any amendment to it may be challenged on the basis of any alleged nonconformity with any planning document.

- (1) If an amendment to the Official Zoning Map is adopted and the action is deemed inconsistent with the adopted Comprehensive Plan, the Official Zoning Map amendment shall have the effect of also amending the Future Land Use Map of the Comprehensive Plan.
- (2) In such case, no additional application or fee for an amendment to the Comprehensive Plan shall be required of the applicant.

Section 5. Subsection 15-8(a), Fees, is amended to delete the reference to conditional use permits.

Section 6. Section 15-15 (Basic Definitions and Interpretations) of the Carrboro Land Use Ordinance is amended by adding twenty-two new definitions and modifying sixteen existing definitions, "adult care home, class B," "applicable codes," "berm," "childcare home, class A," "childcare home, class B," "conditional use permit," "developer," "development," "drainage facilities," "maternity home," "modular home," "nursing care home," "planning and development regulation jurisdiction," "special use permit," "subdivision," and "wireless facility", as shown below, and by renumbering the entire section in alphabetical order.

ADMINISTRATIVE DECISION. Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in this chapter, also referred to as administrative determinations.

ADMINISTRATIVE HEARING. A proceeding to gather facts needed to make an administrative decision.

BERM. A human-made mound of earth whose length exceeds its height by a factor or at least five and whose side slopes are constructed at a steepness ratio of 6:1 or steeper. (The side slope of a berm shall not be constructed steeper than 2:1) (**AMENDED 05/19/98**)

BONA FIDE FARM. Agricultural activities as set forth in G.S. 160D-903.

CHARTER. As defined in G.S. 160A-1(2).

CHILD CARE HOME, CLASS A. All group homes for minor children other than Class B group homes. This definition specifically includes but is not limited to group homes for minor children who are in need of such a residential arrangement because they are orphaned, abused, neglected, or dependent, or who have a "handicap" as defined in the Fair Housing Act (42 U.S.C. § 3602), or are "persons with disabilities" as that term is defined in G.S. 160D-907(b)(2). (AMENDED 6/22/04)

COMPREHENSIVE PLAN. A comprehensive plan that has been officially adopted by the Town Council pursuant to G.S. 1660D-501.

CONDITIONAL USE PERMIT. A permit that was issued by the Town Council, prior to June 22, 2021, authorizing the recipient to make use of property in accordance with the requirements of this chapter as well as any additional requirements imposed by the Town Council. Pursuant to G.S. Chapter 160D, all valid conditional use permits were automatically converted to special use permits-A on June 22, 2021. [See also special use permit.]

CONDITIONAL ZONING. A legislative zoning map amendment with site-specific conditions incorporated into the zoning map amendment.

DETERMINATION. A written, final, and binding order, requirement, or determination regarding an administrative decision.

DEVELOPER. A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property.

DEVELOPMENT. Any of the following:

- a. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.
- b. The excavation, grading, filling, clearing, or alteration of land.
- c. The subdivision of land as defined in G.S. 160D-802.
- d. The initiation or substantial change in the use of land or the intensity of use of land.

DEVELOPMENT APPROVAL. An administrative or quasi-judicial approval made pursuant to this chapter that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to, zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations adopted pursuant to this chapter, including plat approvals, permits issued, development agreements entered into, and building permits issued.

DEVELOPMENT REGULATION. A unified development ordinance, zoning regulation, subdivision regulation, erosion and sedimentation control regulation, floodplain or flood damage prevention regulation, mountain ridge protection regulation, stormwater control regulation, wireless telecommunication facility regulation, historic preservation or landmark regulation, housing code, State Building Code enforcement, or any other regulation adopted pursuant to G.S. Chapter 160D, this chapter or the Town Code or Town charter.

DRAINAGE FACILITIES. Any temporary or permanent natural or human-made facility utilized to divert, convey, or store stormwater runoff. Such facilities shall include (but are not limited to): drainage pipes and culverts, swales and ditches, intermittent and permanent streams, catch basins, drainage junction boxes and manholes, yard inlets, retention and detention basins and ponds, curbing which will carry runoff, dams and weirs, and culvert outlet stabilization and protection devices. (AMENDED 04/03/90)

DWELLING. Any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

EVIDENTIARY HEARING. A hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation adopted under this chapter. [See Article VI.]

INTERESTED PERSON. For purposes of quasi-judicial evidentiary hearings an interested person or party is one who has standing as defined in G.S. 160D-1402(c). [See Article VI].

LANDOWNER OR OWNER. The holder of the title in fee simple. Absent evidence to the contrary, the Town may rely on the county tax records to determine who is a landowner. The landowner may authorize a person holding a valid option, lease, or contract to purchase to act as the agent or representative for the purpose of making applications for development approvals.

LEGISLATIVE DECISION. The adoption, amendment, or repeal of a regulation under G.S. Chapter 160D, and Article XX of this chapter. The term also includes the decision to approve, amend, or rescind a development agreement consistent with the provisions of Article 10 of G.S. Chapter 160D.

LEGISLATIVE HEARING. A hearing to solicit public comment on a proposed legislative decision. [See Article XX.]

MULTI-PHASE DEVELOPMENT. A development at is submitted for development permit approval to occur in more than one phase and subject to a master development plan with committed elements showing the type and intensity of use of each phase. [See Article VIII.]

MANUFACTURED HOME. A structure as defined in G.S. 143-145(7). [See also Mobile Home.]

MATERNITY HOME. A group home licensed as a maternity home by the North Carolina Department of Health and Human Services pursuant to G.S. § 131D-10.10. (**AMENDED 6/22/04**)

PLANNING AND DEVELOPMENT REGULATION JURISDICTION. The area within the town limits as well as the area beyond the town limits within which the town is authorized to plan for and regulate development pursuant to the authority granted in Article 2 of Chapter 160D of the N.C. General Statutes and Chapter 122 of the Session Laws of 1963. (AMENDED 6/22/82)

QUASI-JUDICIAL DECISION. A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on the approval of subdivision plats and site plans are quasi-judicial in nature if the regulation authorizes a decision-making board, Town Council or board of adjustment, to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision-making board.

SITE PLAN. A scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include site specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads, and stormwater control facilities that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review. A site plan approval based solely upon application of objective standards is an administrative decision and a site plan approval based in whole or in part upon the application of standards involving judgment and discretion is a quasi-judicial decision. A site plan may also be approved as part of a conditional zoning decision.

SITE SPECIFIC VESTING PLAN. An approved plan that describes, with reasonable certainty, using a combination of graphic illustrations and written notes, the type and intensity of use for a specific parcel or parcels of property located within the Town's planning jurisdiction. Conditional districts, planned unit

developments, special use permits and zoning permits can be approved as site specific vesting plans in accordance with G.S. 160D-108. [See Article VIII.]

SPECIAL USE PERMIT. A permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. The term includes permits previously referred to as conditional use permits.

SUBDIVISION. All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions when any one or more of those divisions is created for the purpose of sale or building development (whether immediate or future) and including all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations of this chapter applicable strictly to subdivisions: (i) the combination or recombination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the minimum standards set forth in this chapter, (ii) the division of land into parcels greater than ten acres where no street right-of-way dedication is involved; or (iii) the public acquisition by purchase of strips of land for widening or opening of streets or for public transportation system corridors; or (iv) the division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the minimum standards set forth in this chapter; or (v) the division of a tract in single ownership whose entire area is no greater than two acres into not more than three lots, where no street right-of-way dedication is involved and where the resultant lots are equal to or exceed the minimum standards set forth in this chapter; or (v) the division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the North Carolina General Statutes.

WIRELESS FACILITY. Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (i) equipment associated with wireless communications and (ii) radio transceivers, antennas, wires, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. The term includes small wireless facilities. Also refers to Wireless Telecommunications Facility. The term shall not include any of the following: (AMENDED 6/23/20)

- (1) The structure or improvements on, under, within, or adjacent to which the equipment is collocated.
- (2) Wireline backhaul facilities.
- (3) Coaxial or fiber-optic cable that is between wireless structures or utility poles or city utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.
- (4) Amateur radio antennas. See also, Section 15-150(5) Towers and antennas constructed on residential property and G.S. § 160D-931

ZONING MAP AMENDMENT OR REZONING. An amendment to a zoning regulation for the purpose of changing the zoning district that is applied to a specified property or properties. The term also includes (i) the initial application of zoning when land is added to the territorial jurisdiction of the town that has previously adopted zoning regulations and (ii) the application of an overlay zoning district or a conditional zoning district. The term does not include (i) the initial adoption of a zoning map by the town, (ii) the repeal of a zoning map and readoption of a new zoning map for the entire planning and development regulation jurisdiction, or (iii) updating the zoning map to incorporate amendments to the names of zoning district or land uses permitted in the district.

Section 7. Section 15-21, Appointment and Terms of Planning Board Members, is amended by adding a new subsection (a1) to read as follows:

(a1) To ensure proportional representation, the number of ETJ representatives on the planning board

shall be based on the population for residents within the town's extraterritorial planning area. The population estimates for this calculation shall be updated no less frequently than after each decennial census, and pursuant to G.S. 160D-307, board representation adjusted as needed to maintain proportionality.

Section 8. Chapter 15 of the Town Code, the Land Use Ordinance is amended by replacing any gender specific terms or pronouns such as 'chairman' or himself with gender neutral terms such as 'chair' or themselves wherever such terms appear in the ordinance.

Section 9. Chapter 15 of the Town Code, the Land Use Ordinance is amended by changing the names of 'conditional use permits' and 'special use permits' to 'special use permits-A' and 'special use permits-B,' respectively throughout the ordinance.

Section 10. Subsection 15-22(b) is rewritten to read as follows:

(b) The board shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas to assist with the preparation of advisory comments and recommendations for the Town Council and board of adjustment, or as otherwise directed by the Council.

Section 11. Section 15-25, Powers and Duties of the Planning Board, is amended by adding a new provision (4) allowing the planning board to make recommendations to the board of adjustment relating to special use permits-B, and renumbering the existing provision (4) to provision (5).

Section 12. Subsection 15-26(a), Advisory Committees, is rewritten to read as follows:

(a) From time to time, the Town Council may appoint one or more individuals to assist the planning board to carry out its planning responsibilities with respect to a particular subject area. By way of illustration, without limitation, the Town Council may appoint advisory committees to consider long range transportation plans, including pedestrian and bicycle plans, housing plans, economic development plans, etc..

Section 13. Subsection 15-26(d) is rewritten to read as follows:

(d) If an advisory committee provides direct advice to the Town Council (i.e. it does not report to the planning board), a member of that board shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. 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.

Section 14. Subsection 15-27(h)(3) is amended by adding the words, 'character and,' to read as follows:

(3) Use the studies above as the basis of its development of, and recommendations for, additional policies, objectives, goals, plans, ordinances, and administrative actions that will preserve and enhance that special character and relate to its growth.

Section 15. Section 15-29, Appointment and Terms of Board of Adjustment is amended to add a new subsection (a1) to read as follows:

(a1) To ensure proportional representation, the number of ETJ representatives on the board of adjustment shall be based on the population for residents within the town's extraterritorial planning area. The population estimates for this calculation shall be updated no less frequently than after each decennial census,

and pursuant to G.S. 160D-307, board representation adjusted as needed to maintain proportionality.

Section 16. Subsection 15-32(f) is rewritten to read as follows:

(f) A motion to allow a member to be excused from voting or excused from the remainder of the meeting is in order if made by or at the initiative of the member directly affected or to decide an objection to a member's participation at or prior to a hearing

Section 17. Subsection 15-34(a), Powers and Duties of the Board of Adjustment, is amended to add a new provision (8) to read as follows:

(8) Questions involving administrative determinations as provided in Subsection 15-93.1.

Section 18. Section 15-37, Land Use Administrator, is amended by adding two new paragraphs defining new conflicts of interest provisions for staff, to read as follows:

Pursuant to G.S. 160D-109(c), no staff member shall make a final decision on an administrative decision required by this chapter if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. If a staff member has a conflict of interest under this section, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.

No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under this chapter unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is inconsistent with their duties or with the interest of the Town, as determined by the Town.

Section 19. Subsection 15-40(a) is rewritten to read as follows:

(a) The Town Council, in considering special use permit-A applications, acts in a quasi-judicial capacity and, accordingly, is required to observe the procedural requirements set forth in Articles IV and VI of this chapter.

Members of the Town Council shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to:

- (1) A member having a fixed opinion prior to hearing the matter that is not susceptible to change,
- (2) Undisclosed ex parte communications,
- (3) A close familial, business, or other associational relationship with an affected person, or
- (4) A financial interest in the outcome of the matter.

Section 20. Section 15-42, Appointment and Terms of Appearance Commission, is amended by rewriting subsection (a) and by adding a new subsection (a1) to read as follows:

(a) There shall be an appearance commission consisting of nine members. Seven members, appointed by the Town Council, shall reside within the town. One member, appointed by the Orange County Board of Commissioners, shall reside within the town's extraterritorial planning area. One member, appointed

by the Orange County Board of Commissioners, shall reside within the town's joint planning transition area. If, despite good faith efforts, residents of the extraterritorial planning and joint planning transition areas cannot be found to fill the seats reserved for residents of such area, then the Orange County Board of Commissioners may appoint other residents of the county (including residents of the Town of Carrboro) to fill these seats. If the Orange County Board of Commissioners fails to make these appointments within ninety days after receiving a resolution from the Town Council requesting that they be made, the Town Council may make them.

(a1) To ensure proportional representation, the number of ETJ representatives on the board of adjustment shall be based on the population for residents within the town's extraterritorial planning area. The population estimates for this calculation shall be updated no less frequently than after each decennial census, and pursuant to G.S. 160D-307, board representation adjusted as needed to maintain proportionality.

Section 21. Section 15-42, Appointment and Terms of Appearance Commission, is amended by adding a new subsection (d1) to read as follows:

(d1) Whenever a historic district is designated, subject to the provisions of Section 15-338 of this chapter, in the town's extraterritorial planning area, the Town Council shall appoint persons residing in the town's extraterritorial planning area to serve on the Appearance Commission to provide proportional representation as required by G.S. 160D-307.

Section 22. Subsection 15-43(b) is rewritten to read as follows:

(b) Since the commission has only advisory authority, it need not conduct its meetings strictly in accordance with the quasi-judicial procedures set forth in Articles IV and VI except when, pursuant with subsection 15-43(f), the commission is acting in its capacity as the historic district commission in accordance with Article XXI. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.

Section 23. Article III, Part VII., Membership Limitations on Boards, Committees, Advisory Groups, and Commissions, is amended by adding a sentence requiring newly appointed board members to take an oath of office prior to beginning a term of service.

Section 24. Section 15-46, Permits Required, is rewritten to read as follows:

Section 15-46 Permits Required.

(a) Subject to Section 15-271 (Sign Permits) and subsection (e) of this section, the use made of property may not be substantially changed (see Section 15-152), substantial clearing, grading or excavation may not be commenced, and buildings or other substantial structures may not be constructed, erected, moved, or substantially altered except in accordance with and pursuant to one of the following permits: (AMENDED 10/22/91)

- (1) A zoning permit issued by the administrator;
- (2) A special use permit-B issued by the board of adjustment;
- (3) A special use permit-A issued by the Town Council.

(a1) Pursuant to G.S. sections 160D-705(c) and 160D-102(30), any valid 'conditional use permit' issued prior to June 22, 2021 shall automatically convert to a 'special use permit-A.' Any valid 'special use permit' shall automatically convert to a 'special use permit-B.' Any 'conditional use zoning district,' adopted in accordance with section 15-141.3 and Article XX of this chapter shall be deemed 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.' Requests for modifications to special use permits shall be consider in accordance with the procedures in section 15-64 of this chapter.

(b) Zoning permits, special use permits-B, special use permits-A, and sign permits are issued under this chapter in respect to plans submitted by the applicant that demonstrate compliance with the ordinance provisions contained herein. Such plans as are finally approved are incorporated into any permit issued in reliance thereon, and except as otherwise provided in Section 15-64, all development shall occur strictly in accordance with such approved plans. Approvals shall be in writing, issued in print or electronic form, and may contain a provision that the development shall comply with all applicable State and local laws. (AMENDED 1/10/81)

(c) Physical improvements to land to be subdivided may not be commenced except in accordance with a special use permit-A issued by the Town Council (for major subdivisions containing more than twelve lots and all subdivisions in watershed districts) or a special use permit-B issued by the board of adjustment (for major subdivisions outside the watershed districts containing between five and twelve lots) or after final plat approval by the planning director for minor subdivisions (see Part II of this article). (AMENDED 12/15/87)

(d) A zoning permit, special use permit-A, special use permit-B, or sign permit shall be issued in the name of the applicant (except that applications submitted by an agent shall be issued in the name of the principal), shall identify the property involved and the proposed use, shall incorporate by reference the plans submitted, and shall contain any special conditions or requirements lawfully imposed by the permit-issuing authority. All such permits issued with respect to tracts of land in excess of one acre (except sign permits and zoning permits for single-family residential uses and duplexes) shall be recorded in the Orange County Registry after execution by the record owner as provided in Section 15-63. (AMENDED 5/26/81)

(e) Notwithstanding the provisions of subsection (a) of this section, no permit under this chapter shall be required for the substantial alteration of a building or structure located within a B-1(c), B-1(g) or B-2 zoning district if such alteration does not change the exterior of such building or structure in any substantial way. (AMENDED 10/22/91)

(f) Property located in the town's extraterritorial planning area and development regulation jurisdiction that is used for bona fide farm purposes, as defined in G.S. sections 106-581.1 and 106-743.2 is exempt from the regulations in this chapter. As used in this subsection, "property" means a single tract of property or an identifiable portion of a single tract. Property that ceases to be used for bona fide farm purposes becomes subject to exercise of the town's extraterritorial planning and development regulation jurisdiction under this chapter. [See also the definition of bona fide farm in Article II of this chapter.]

Section 25. Section 15-48, Who May Submit Permit Applications, is amended by adding an additional sentence at the end of the subsection 15-48(a) that reads as follows:

An easement holder may also apply for development approval for such development as is authorized by the easement.

Section 26. Subsection 15-48.1(c) is rewritten to read as follows:

(c) Following compliance with the provisions of subsection (b), the applicant shall attend a Joint Advisory Board meeting comprising at least the following boards: Planning Board, Appearance Commission, Transportation Advisory Board, and Environmental Advisory Board. The planning staff may notify the Economic Sustainability Commission, Recreation and Parks Commission, Northern Transition Area Advisory Committee, Affordable Housing Advisory Commission, or other boards when issues relevant to those boards are raised by a proposed development and members of those boards may attend. (AMENDED 06/25/19)

Section 27. Subsection 15-49(a), Applications To Be Complete, is rewritten to read as follows:

(a) All applications for zoning permits, special use permits-A, special use permits-B, or sign permits must be complete before the permit-issuing authority is required to consider the application.

Section 28. Subdivision 15-49(c1)(1) is amended to corrected to replace the word 'by' in the last phase of the last sentence with 'but' to read, "and concerns about potentially harmful pollutants including but not limited to dust, debris and aerosols."

Section 29. Subsection 15-50(a) is amended by deleting the words, 'conditional or' as follows:

(a) Before submitting an application for a special use permit for a major subdivision, the applicant shall comply with the requirements of this section.

Section 30. Subsection 15-50(c) is rewritten to read as follows:

(c) After the site analysis plan has been submitted, the planning staff shall schedule a mutually convenient date to walk the property with the applicant and the applicant's site designer. Designated members of the Planning Board, Appearance Commission, Transportation Advisory Board, Environmental Advisory Board, Northern Transition Area Advisory Commission, and Affordable Housing Advisory Commission, or other boards when issues relevant to those boards are raised by the proposed subdivision, shall be notified of the date and time of this "on-site walkabout." The purpose of this visit is to familiarize town officials with the property's special features and to provide an informal opportunity for an interchange of information as to the developer's plans and the town's requirements. (**REWRITTEN 02/25/14**) (AMENDED 06/25/2019).

Section 31. Subdivision 15-50(g)(14) is amended to reference the Design and Management Handbook for Preservation Areas, as Appendix K.

Section 32. Subsection 15-52(f) is amended to update the reference to the North Carolina General Statutes from Part 3. N.C. Gen. Stat. Chapter 160A, Art. 19, Part 3E. to G.S. 160D Art. 9, Part 3.

Section 33. Section 15-53 is amended to reference the applicable performance guarantee provisions in 15-60(b), to read as follows:

In cases when, because of weather conditions or other factors beyond the control of the zoning permit recipient (exclusive of financial hardship), it would be unreasonable to require the zoning permit recipient to comply with all of the requirements of this chapter (including approved plans) before commencing the intended use of the property or occupying any buildings, the administrator may authorize the commencement of the intended use or occupancy of buildings (insofar as the requirements of this chapter are concerned) if the permit recipient provides a surety bond, letter of credit or other security that complies with all of the standards applicable to security guarantees in subsection 15-60(b) of this chapter and is satisfactory to the administrator.

Section 34. Subsection 15-54(c) is amended to read as follows:

(c) The board of adjustment or the Town Council, respectively, shall issue the requested permit unless it concludes, based upon the information submitted at the evidentiary hearing, that:

- 1) The requested permit is not within its jurisdiction according to the table of permissible uses;
- 2) The application is incomplete, or

- 3) If completed as proposed in the application, the development will not comply with one or more requirements of this chapter (not including those the applicant is not required to comply with under the circumstances specified in Article VIII, Nonconforming Situations, involving permit choice);
- 4) If completed as proposed, the development, more probably than not:
 - a) Will materially endanger the public health or safety; or
 - b) Will substantially injure the value of adjoining or abutting property; or
 - c) Will not be in harmony with the area in which it is to be located; or
 - d) Will not be in general conformity with the Comprehensive Plan, Land Use Plan, Long Range Transportation Plans, or other plans officially adopted by the Council.

Section 35. Section 15-54.1, Affordable Housing Goal and Alternative Methods of Achieving the Goal, is amended by deleting the words 'or conditional' in subdivisions (c)(1) and (c)(3).

Section 36. Subsection 15-54.1(e) is rewritten to read as follow:

(e) The applicant for any residential development containing five or more lots or dwelling units, and therefore required to obtain either a special use permit-B from the Board of Adjustment or a special use permit-A from the Town Council, shall be required to participate in an Affordable Housing Review Meeting with the Town Council if the residential development does not meet the Council's affordable housing goal in any of the ways described in this section or Section 15-182.4.

Section 37. Section 15-55 is amended by replacing the word 'board' with 'authority' in the first sentence in subsection (a), and replacing the word 'board' with 'council,' and 'board of adjustment,' and adding the word 'evidentiary,' in front of the word 'hearing,' in the second sentence in subsection (a). Subsection 15-55(b) is amended by replacing the word 'board,' with 'authority' and the word 'his' with 'their' to read as follows:

(a) The burden of presenting a complete application (as described in Section 15-49) to the permit-issuing authority shall be upon the applicant. However, unless the council or board of adjustment informs the applicant at the evidentiary hearing in what way the application is incomplete and offers the applicant an opportunity to complete the application (either at that meeting or at a continuation hearing) the application shall be presumed to be complete.

(b) Once a complete application has been submitted, the burden of presenting evidence to the permit-issuing authority sufficient to lead it to conclude that the application should be denied for any reasons stated in Subdivisions 15-54(c)(1), (3), or (4) shall be upon the party or parties urging this position, unless the information presented by the applicant in their application and at the public hearing is sufficient to justify a reasonable conclusion that a reason exists for denying the application as provided in Subdivision 15-54(c)(1), (3), or (4).

Section 38. Subsection 15-55.1(3) is rewritten to read as follows:

(3) Will be in general conformity with the Comprehensive Plan, Land Use Plan, Long Range Transportation Plans, and other plans officially adopted by the Council.

Section 39. Subsection 15-56(a) is amended by adding the word 'evidentiary' before the word 'hearing' and the letter 'B' after the word permit in the first sentence.

Section 40. Subsection 15-56(c) is rewritten to read as follows:

(c) The board of adjustment may, by general rule applicable to all cases or any class of cases, or on a case by case basis, refer applications to the planning board, the appearance commission, transportation advisory board, the environmental advisory board, the affordable housing advisory commission, or to other relevant advisory board, to obtain the recommendations of some or all of these boards. (**REWRITTEN 02/25/14, AMENDED 06/25/19).**

Section 41. Section 15-57, Recommendations on Conditional Use Permits, is rewritten to read as follows:

Section 15-57 Recommendations on Special Use Permits-A.

(a) Before being presented to the Town Council, an application for a special use permit-A shall be referred to the planning board, appearance commission, transportation advisory board, environmental advisory board, the affordable housing advisory commission, or other relevant advisory board for joint review and action in accordance with this section. The Town Council may not hold a public hearing on a special use permit application-A until the planning board, appearance commission, transportation advisory board, environmental advisory board, affordable housing advisory commission, or other relevant advisory board advisory board, environmental advisory board, affordable housing advisory commission, or other relevant advisory board have had an opportunity to consider the application (pursuant to standard agenda procedures) at one regular meeting. In addition, at the request of the planning board, appearance commission, transportation advisory board, environmental advisory board, affordable housing advisory commission, or other advisory board, the Town Council may continue the public hearing to allow the respective boards more time to consider the application. (AMENDED 09/19/19, REWRITTEN 02/25/14, AMENDED 06/25/19).

(b) When presented to the planning board, appearance commission, transportation advisory board, environmental advisory board, affordable housing advisory commission, or other advisory board, the application shall be accompanied by a report setting forth the planning staff's proposed findings concerning the application's compliance with Section 15-49 and other requirements of this chapter, as well as any staff recommendations for additional requirements to be imposed by the Town Council. If the planning staff report proposes a finding or conclusion that the application fails to comply with Section 15-49 or any other requirement of this chapter, it shall identify the requirement in questions and specifically state supporting reasons for the proposed findings and conclusions. (AMENDED 09/19/95, AMENDED 06/25/19).

(c) The planning board, appearance commission, transportation advisory board, environmental advisory board, affordable housing advisory commission, or other board, shall consider the application and the attached staff report in a timely fashion, and may, in its discretion, hear from the applicant or members of the public. (AMENDED 09/19/95, AMENDED 06/25/19).

(d) After reviewing the application, the planning board, appearance commission, transportation advisory board, environmental advisory board, affordable housing advisory commission or other advisory board, shall, in their advisory capacity, report to the Town Council whether it concurs in whole part with the staff's proposed findings and conditions, and to the extent there are differences the respective boards shall propose their own recommendations and the reasons therefore. (AMENDED 09/19/19, REWRITTEN 02/25/14, AMENDED 06/25/19).

(e) In response to the planning board's, the appearance commission's, transportation advisory board's, environmental advisory board's, affordable housing advisory commission's or other advisory board's recommendations, the applicant may modify his application prior to submission to the Town

Council, and the planning staff may likewise revise its recommendations. (AMENDED 09/19/19, REWRITTEN 02/25/14, AMENDED 06/25/19).

Section 42. Section 15-58, 'Board Action on Special use Permits,' is renamed, 'Board of Adjustment Action On Special Use Permits-B and Town Council Action on Special Use Permits-A..

Section 43. Section 15-59, Additional Requirements on Special Use and Conditional Use Permits, is rewritten to read as follows:

Section 15-59 Additional Requirements on Special Use Permits A or B.

(a) Subject to subsection (b), in granting special use permit—B or special use permit-A, the board of adjustment or Town Council, respectively, may attach to the permit such reasonable requirements in addition to those specified in this chapter as will ensure that the development in its proposed location: (AMENDED 3/23/10)

- (1) Will not endanger the public health or safety; or
- (2) Will not injure the value of adjoining or abutting property; or
- (3) Will be in harmony with the area in which it is located;-or
- (4) Will be in conformity with the Carrboro Comprehensive Plan, Land use Plan, Long Range Plan, or other plan officially adopted by the Council.

(b) The permit-issuing authority may not attach additional conditions that modify or alter the specific requirements set forth in this ordinance unless the development in question presents extraordinary circumstances that justify the variation from the specified requirements. (AMENDED 5/26/87)

- (5) Conditions and safeguards imposed under this subsection shall not include requirements for which the town does not have authority under statute to regulate nor requirements for which the courts have held to be unenforceable if imposed directly by the town, 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.
- (6) The applicant/landowner shall provide written consent to all conditions relating to the special use permit.

(b) Without limiting the foregoing, the board may attach to a permit a condition limiting the permit to a specified duration.

(c) (Repealed.)

(d) All additional conditions or requirements authorized by this section are enforceable in the same manner and to the same extent as any other applicable requirement of this chapter.

(e) A vote may be taken on additional conditions or requirements before consideration of whether the permit should be denied for any of the reasons set forth in Subdivision 15-54(c)(3) or (4).

Section 44. Section 15-60, Authorizing Use, Occupancy, or Sale Before Completion of

Development under Special Use Permits, is rewritten to read as follows:

<u>Section 15-60</u> Authorizing Use, Occupancy, or Sale Before Completion of Development Under Special Use Permits (AMENDED 10/08/96; 10/24/06; 6/22/10).

(a) With respect to unsubdivided developments, in cases when, because of weather conditions or other factors beyond the control of the special use permit recipient (exclusive of financial hardship), it would be unreasonable to require the permit recipient to comply with all of the requirements of this chapter (including approved plans) before commencing the intended use of the property or occupying any buildings, the manager may authorize the commencement of the intended use or occupancy of buildings (insofar as the requirements of this chapter are concerned) if the permit recipient provides a surety bond, letter of credit or other security that complies with all of the standards applicable to security guarantees in subsection 15-60(b) of this chapter and is satisfactory to the manager

(b) With respect to subdivided developments, the manager may authorize final plat approval and the sale of lots before all the requirements of this chapter (including approved plans) are fulfilled if the subdivider provides a surety bond, letter of credit, or other security pursuant to G.S. 160D-804.1 and satisfactory to the manager to ensure that all of these requirements will be fulfilled within a reasonable period, as described below. (By way of illustration without limitation, where it is sensible to delay the final coat of pavement of a street until heavy construction within the subdivision is essentially complete, or where completion of a bioretention area should be delayed until site disturbance is nearly finished).

To assure compliance with G.S.160D-804, 160D-804.1, and other development regulation requirements, the town may provide for performance guarantees to assure successful completion of required improvements. For purposes of this section, all of the following apply with respect to performance guarantees:

- (1) Type. The type of performance guarantee shall be at the election of the developer. The term "performance guarantee" means any of the following forms of guarantee:
 - a. Surety bond issued by any company authorized to do business in this State.
 - b. Letter of credit issued by any financial institution licensed to do business in this State.
 - c. Other form of guarantee that provides equivalent security to a surety bond or letter of credit.
- (2) Duration. The duration of the performance guarantee shall initially be one year, unless the developer determines that the scope of work for the required improvements necessitates a longer duration. In the case of a bonded obligation, the completion date shall be set one year from the date the bond is issued, unless the developer determines that the scope of work for the required improvements necessitates a longer duration.
- (3) Extension. A developer shall demonstrate reasonable, good-faith progress toward completion of the required improvements that are secured by the performance guarantee or any extension. If the improvements are not completed to the specifications of town standards, and the current performance guarantee is likely to expire prior to completion of the required improvements, the performance guarantee shall be extended, or a new performance guarantee issued, for an additional period. An extension under this subdivision shall only be for a duration necessary to complete the required improvements. If a new performance guarantee

is issued, the amount shall be determined by the procedure provided in subdivision (e) of this subsection and shall include the total cost of all incomplete improvements.

- (4) Release. The performance guarantee shall be returned or released, as appropriate, in a timely manner upon the acknowledgement by the town that the improvements for which the performance guarantee is being required are complete. The town shall return letters of credit or escrowed funds upon completion of the required improvements to its specifications or upon acceptance of the required improvements, if the required improvements are subject to town acceptance. When required improvements that are secured by a bond are completed to the specifications of the town, or are accepted by the town, if subject to its acceptance, upon request by the developer, the town shall timely provide written acknowledgement that the required improvements have been completed.
- (5) Amount. The amount of the performance guarantee shall not exceed one hundred twenty-five percent (125%) of the reasonably estimated cost of completion at the time the performance guarantee is issued. The town may determine the amount of the performance guarantee or use a cost estimate determined by the developer. The reasonably estimated cost of completion shall include one hundred percent (100%) of the costs for labor and materials necessary for completion of the required improvements. Where applicable, the costs shall be based on unit pricing. The additional twenty-five percent (25%) allowed under this subdivision includes inflation and all costs of administration regardless of how such fees or charges are denominated. The amount of any extension of any performance guarantee shall be determined according to the procedures for determining the initial guarantee and shall not exceed one hundred twenty-five percent (125%) of the reasonably estimated cost of completion of the remaining incomplete improvements still outstanding at the time the extension is obtained.
- (6) Timing. The town, at its discretion, may require the performance guarantee to be posted either at the time the plat is recorded or at a time subsequent to plat recordation.
- (7) Coverage. The performance guarantee shall only be used for completion of the required improvements and not for repairs or maintenance after completion.
- (8) Legal responsibilities. No person shall have or may claim any rights under or to any performance guarantee provided pursuant to this subsection or in the proceeds of any such performance guarantee other than the following:
 - a. The town, to whom the performance guarantee is provided.
 - b. The developer at whose request or for whose benefit the performance guarantee is given.
 - c. The person or entity issuing or providing the performance guarantee at the request of or for the benefit of the developer.
- (9) Multiple guarantees. The developer shall have the option to post one type of a performance guarantee as provided for in subdivision (1) of this section, in lieu of multiple bonds, letters of credit, or other equivalent security, for all development matters related to the same project requiring performance guarantees.

(10) Exclusion. Performance guarantees associated with erosion control and stormwater control measures are not subject to the provisions of this section.

(c) The authorization provided to the manager under subsections (a) and (b) of this section shall also apply to fulfillment of additional requirements upon the special use permit recipient by the permit issuing board in accordance with Section 15-59 unless the council or board specifies a certain date by which or a schedule according to which such requirements must be met.

Section 45. Section 15-61, Completing Developments in Phases, is amended by adding a new reference at the end of subsection (a) to read as follows:

(a) If a development is constructed in phases or stages in accordance with this section, then, subject to subsection (c), the provisions of Section 15-47 (No Occupancy, Use, or Sale of Lots Until Requirements Fulfilled) and Section 15-60 (exceptions to Section 15-47) shall apply to each phase as if it were the entire development. [See Article VIII for provisions relating to vested rights for multi-phase developments.]

Section 46. Subsection 15-63(a), Effect of Permit on Successors and Assigns, is amended to delete the words 'conditional use' in the first sentence and rewrite the second sentence to read, "Such permits run with the land." Subsection 15-63(b) is amended to add the word 'or' after zoning and to delete the words 'or conditional use' in the first sentence.

Section 47. Section 15-64, Amendments to and Modifications of Permits, is amended by adding the phrase, 'including requests for a change in permitted uses or the density of the overall development,' to middle of the first sentence of subsection (c) and by adding the phrase, "unless the provisions of permit choice apply, to the end of the sentence in provision (i) in subsection (g), to read as follows:

(c) Subject to subsection (e), all other requests for changes in approved plans including requests for a change in permitted uses or the density of the overall development, will be processed as new applications. If such requests are required to be acted upon by the Town Council or board of adjustment, new conditions may be imposed in accordance with Section 15-59, but the applicant retains the right to reject such additional conditions by withdrawing his request for an amendment and may then proceed in accordance with the previously issued permit. (AMENDED 6/22/82)

(g) When (i) a request for a change in a permit is made under this section (whether for an insignificant deviation, minor modification, or major modification), and (ii) the use of the property is not changed, and (iii) some type of nonconforming situation other than a nonconforming use exists on the property, then the permit change may be approved without requiring the elimination of the nonconforming situations. However, (i) any new development authorized by the permit change shall comply with current standards to the extent reasonably practicable, unless the provisions of permit choice apply, and (ii) the permit issuing authority may require the elimination of nonconforming situations when the cost (financial and otherwise) of doing so is clearly proportional to the benefits of elimination of such nonconformity.

Section 48. Section 15-65, Reconsideration of Board Action, is rewritten to read as follows:

Section 15-65 Reconsideration of Council or Board Action.

Whenever (i) the Town Council disapproves a special use permit-A application, or (ii) the board of adjustment disapproves an application for a special use permit-B or a variance, on any basis other than the failure of the applicant to submit a complete application, such action may not be reconsidered by the council or board at a later time unless the applicant clearly demonstrates that:

- (1) Circumstances affecting the property that is the subject of the application have substantially changed; or
- (2) The application is changed in some substantial way; or
- (3) New information is available that could not with reasonable diligence have been presented at a previous hearing; or
- (4) A member of the Town Council or board of adjustment who voted to deny the application makes a motion to reconsider no later than the next regular meeting.

Section 49. Section 15-67, Maintenance of Common Areas, Improvements, and Facilities, is amended to remove the reference to conditional use permits in the first sentence.

Section 50. Section 15-77, No Subdivision Without Plat Approval, is amended to update the reference to the North Carolina General Statutes in subsection (a) from G.S. 160A-375 to G.S. 160D-807 and in subsection (b) from G.S. 160A-373 to G.S. 160D-803.

Section 51. Article IV, Part II. Major and Minor Subdivisions, is amended by adding a new section 15-78.1 to read as follows:

Section 15-78.1 Special Review for Certain Classes of Subdivisions

Pursuant to G.S. 160D-82, the town may require only a plat for recordation for the division of a tract or parcel of land in single ownership if all of the following criteria are met:

(a) The tract or parcel to be divided is not exempted under G.S.160D-802(a)(2), [the division of land into parcels greater than 10 acres where no street right-of-way dedication is involved];

(b) No part of the tract or parcel to be divided has been divided under this subsection in the 10 years prior to the proposed division;

- (c) The entire area of the tract or parcel to be divided is greater than 5 acres;
- (d) After division, no more than three lots result from the division; and
- (e) After division, all resultant lots comply with all of the following:
 - (1) All lot dimension size requirements of the applicable regulations of this chapter;
 - (2) The use of the lots is in conformity with the applicable zoning requirements, if any; and
 - (3) A permanent means of ingress and egress is recorded for each lot.

(f) Applicants for special review of certain classes of subdivision approval shall submit to the planning director a copy of a plat demonstrating that the property in question conforms with the standards in Section 15-78.1 (as well as two prints of such plat); the subdivision plat subdivision plat shall contain the following certificates in lieu of those required in Section 15-80:

(1) <u>Certificate of Ownership</u>

I hereby certify that I am the owner of the property described hereon, which property is within the subdivision regulation jurisdiction of the Town of Carrboro, and that I freely adopt this plan of subdivision.

Date

Owner

(2) <u>Certificate of Approval for Recording – Subdivision Plat</u>

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Town of Carrboro, North Carolina, and that this plat has been approved for recording in the Office of the Register of Deeds of Orange County. This plat is null and void if not recorded at the Orange County Deed Registry within sixty (60) days of the date written below.

Date

Owner

Section 52. Subsection 15-79(a), Major Subdivision Approval Process, is rewritten to read as follows:

(a) The town manager (or designee) shall approve or disapprove major subdivision final plats. Notwithstanding the foregoing, if, at the time the special use permit-A or special use permit-B was issued for the subdivision pursuant to Part I of Article IV of this Chapter, the permit issuing authority requested that the final plat be reviewed by it, then the Town Council or board of adjustment shall approve or disapprove the major subdivision final plat. (AMENDED 12/15/87; 07/27/89)

Section 53. Section 15-81, Plat Approval Not Acceptance of Dedication Offers, is amended to change the reference from the Board to the Council, and to add the words,' or designee' to read as follows:

Approval of a plat does not constitute acceptance by the town of the offer of dedication of any streets, sidewalks, parks or other public facilities shown on a plat. However, the town may accept any such offer of dedication by resolution of the Council, by issuing to the dedicator a written notice of acceptance signed by the town manager (or designee), or by actually exercising control over and maintaining such facilities. (AMENDED 06/06/89)

Section 54. Section 15-82, Protection Against Defects, is rewritten to read as follows:

Section 15-82 Protection Against Incompleteness.

(a) Whenever (pursuant to Section 15-60) occupancy, use or sale is allowed before the completion of all facilities or improvements intended for dedication, then the performance guarantee that is posted pursuant to Section 15-60 shall guarantee that any required improvements not completed shall be completed, subject to the Town collecting the performance guarantee to make the improvements. (AMENDED 04/27/82; 06/06/89)

(b) Whenever all facilities or improvements intended for dedication are installed before occupancy, use or sale is authorized, then the developer shall post a performance guarantee that any incomplete improvements will be satisfactorily installed, in accordance with subsection 16-60(b). Or the Town will make such improvements using the performance guarantee. (AMENDED 04/27/82; 06/06/89)

(c) An architect or engineer retained by the developer shall certify to the town that all facilities and improvements to be dedicated to the town have been constructed in accordance with the requirements of this chapter. This certification shall be a condition precedent to acceptance by the town of the offer of dedication of such facilities or improvements.

Section 55. Subsection 15-83.2(a) is amended to replace 'permit issuing board,' with 'permit issuing authority.'

Section 56. Section 15-86, Record Drawings, is amended by adding an additional phrase to the end of the last sentence to read as follows:

Upon completion of construction, a set of record drawings reflecting as-built conditions must be submitted prior to the final acceptance of the streets and any other facilities by the town. The record drawings must be labeled RECORD DRAWINGS and sealed and signed by the engineer preparing them. The record drawings shall be permanent reproducible drawings, on mylar, 2 mil minimum weight, or in a digital format determined acceptable by the Town.

Section 57. Subsection 15-88.1(b) is amended by replacing the words 'general use' with 'conventional' and deleting the work 'use' after conditional in the first sentence, to read as follows:

(b) A CAPS shall not be required for a conventional or conditional rezoning or for a master land use plan. The record drawings shall be permanent reproducible drawings, on mylar, 2 mil minimum weight or in a digital format determined acceptable by the Town.

Section 58. Subsections 15-88.5(a) and (b) are amended to delete references to conditional use permits.

Section 59. Article V, 'Appeals, Variances, Special Exceptions and Interpretations,' is renamed as 'Appeals, Variances, Special Exceptions, Interpretations, and Determinations.'

Section 60. Section 15-91, Appeals, is amended to update the reference to the North Carolina General Statutes from G.S. Section 160A-388 to G.S. sections 160D-302; 405; 407; 705 in subsection (a) and G.S. 160A-393(d) to G.S. sections 160D-405(b); 1402(c) in subsection (c).

Section 61. Article V, Appeals, Variances, Special Exceptions, Interpretations, and Determinations, is amended by adding a new Section 15-93.1, Determinations, to read as follows

Section 15-93.1 Determinations.

(a) The administrator is authorized to make determinations, a written, final, and binding order, requirement, or determination regarding an administrative decision. This includes any interpretation of the requirements of this chapter, affirmation of nonconforming status, notice of violation or other binding order concerning development regulations.

- (1) When making a determination, the administrator shall give written notice of the decision to the owner of the property that is the subject of the decision and to the party who sought the decision, if different from the owner.
- (2) It is conclusively presumed that all persons with standing to appeal have constructive notice of the determination from the date a sign providing notice that a determination has been made is prominently posted on the property that is the subject of the determination, provided the sign remains on the property for at least 10 days. The sign shall contain the words "Zoning Decision" or "Subdivision Decision" or similar language for other

determinations in letters at least 6 inches high and shall identify the means to contact a local government staff member for information about the determination. Posting of signs is not the only form of constructive notice. Any such posting is the responsibility of the landowner, applicant, or person who sought the determination. Verification of the posting shall be provided to the staff member responsible for the determination. Absent an ordinance provision to the contrary, posting of signs shall not be required

(b) Determinations may be appealed to the board of adjustment in accordance with Section 15-91.

Section 62. Subsection 15-96(a) is amended to add the phrase, 'of a variance,' in the second sentence of the subsection to read as follow:

(a) With respect to appeals, a motion to reverse, affirm, or modify the order, requirement, decision, or determination appealed from shall include, insofar as practicable, a statement of the specific reasons or findings that support that motion. If a motion to reverse or modify is not made or fails to receive the four-fifths vote necessary for adoption of a variance (see Section 15-32), then a motion to uphold the decision appealed from shall be in order. Insofar as practicable, this motion shall include a statement of the findings, or reasons that support it. This motion is adopted as the board's decision if supported by at least two members.

Section 63. Article VI, 'Hearing Procedures for Appeals and Applications,' is renamed 'Evidentiary Hearing Procedures for Appeals and Applications.'

Section 64. Subsection 15-101(a), Evidentiary Hearing Required on Appeals and Applications, is rewritten to read as follows:

(a) Before making a decision on an appeal or an application for an administrative decision, variance, special use permit-B, or special use permit-A, certificate of appropriateness, or a petition from the planning staff to revoke a special use permit, the board of adjustment or the town council, as the case may be, shall hold an evidentiary hearing on the appeal or application. Evidentiary hearings are also known as quasijudicial hearings. Evidentiary hearings on special use permits-A shall be set by the town council as provided in Section 2-17 of the Town Code. (AMENDED 4/27/82))

Section 65. Subsection 15-101, Evidentiary Hearing Required on Appeals and Applications, is amended by adding a new subsection (e) to read as follows:

(e) If an evidentiary hearing is set for a given date and a quorum of the board of adjustment or town council is not then present, the hearing shall be continued until then next regular meeting without further advertisement.

Section 66. Section 15-102, 'Notice of Hearing, is renamed,' 'Notice of Evidentiary Hearing.'

Section 67. Section 15-102(2), Notice of Evidentiary Hearing, is rewritten to read as follows:

(2) With respect to hearings on matters other than special use permits, notice shall be given to neighboring property owners by mailing a written notice not later than 10 days or earlier than 25 days before the hearing to those persons who are listed on Orange County's computerized land records system as owners of real property any portion of which is abutting or located within 150 feet of the lot that is the subject of the application or appeal. The planning staff shall also make reasonable efforts to mail a similar written notice not less than 10 days before the hearing to the occupants of residential rental property which is abutting or located within 150 feet of the lot that is the subject of the application or appeal. With respect to hearings on the issuance or revocation of special use permits, notice shall be given to abutting property

owners by mailing a written notice not later than 10 days or earlier than 25 days before the hearing to those persons who are listed on Orange County's computerized land records system as owners of real property any portion of which is abutting or located within 500 feet of the lot that is the subject of a special use permit-B or abutting or located within 1000 feet of the lot that is the subject of a use permit-A. The planning staff shall also make reasonable efforts to mail a similar written notice not less than 10 days or earlier than 25 days before the hearing to the non-owner occupants of residential rental property abutting or located within 1,000 feet of the lot that is the subject of the special use permit-A. In all cases, notice shall also be given by prominently posting signs in the vicinity of the property that is the subject of the proposed action. Such signs shall be posted within the same 10 to 25-day period for mailed notice. (AMENDED 10/12/82; 1/22/85; 04/15/97; 10/12/99; 3/26/02)

Section 68. Article VI, Evidentiary Hearing Procedures for Appeals and Applications, is amended by adding a new Section 15-102.1, 'Administrative Materials,' to read as follows:

Section 15-102.1. Administrative Materials.

The administrator or staff to the board of adjustment or town council shall transmit to the board or council all applications, reports, and written materials relevant to the matter being considered. The administrative may be distributed to the members of the board or council prior to the hearing if at the same time they are distributed to the board a copy is also provided to the appellant or applicant and to the landowner if that person is not the appellant or applicant.

- (1) The administrative materials, may be provided in written or electronic form, and shall become part of the hearing records.
- (2) Objections to inclusion or exclusion of administrative materials may be made before or during the hearing. Rulings on unresolved objections shall be made by the board or council at the hearing.

Section 69. Section 15-103, Evidence, is rewritten to read as follows:

Section 15-103 Evidence.

(a) The provisions of this section apply to all evidentiary hearings for which a notice is required by Section 15-101.

(b) All persons who intend to present evidence to the permit-issuing board, rather than arguments only, shall be sworn.

- (1) The applicant, the town, and any person who would have standing to appeal the decision under G.S. 160D-1402(c), and Article V of this chapter, shall have the right to participate as a party at the evidentiary hearing.
- (2) Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the board of adjustment or town council.
- (3) Any person who, while under oath during a proceeding before the board or council determining a quasi-judicial matter, willfully swears falsely is guilty of a Class 1 misdemeanor.

(c) All findings and conclusions necessary to the issuance or denial of the requested permit or appeal (crucial findings) shall be based upon reliable evidence. Competent evidence (evidence admissible in a

court of law) shall be preferred whenever reasonably available, but in no case may crucial findings be based solely upon incompetent evidence unless competent evidence is not reasonably available, the evidence in question appears to be particularly reliable, and the matter at issue is not seriously disputed.

(d) Objections regarding jurisdictional and evidentiary issues, including, but not limited to, the timeliness of an appeal or the standing of a party, may be made to the board or council. The chair shall rule on any objections, and the chair's rulings may be appealed to the full board or council. These rulings are also subject to judicial review pursuant to G.S. 160D-1402. Objections based on jurisdictional issues may be raised for the first time on judicial review.

(e) The council or board making a quasi-judicial decision under this chapter through the chair or, in the chair's absence, anyone acting as chair may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, the applicant, the town, and any person with standing under G.S. 160D-1402(c) may make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas that the chair determines to be relevant, reasonable in nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be immediately appealed to the full council or board. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the council or board or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its subpoena be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties.

Section 70. Section 15-104, Modification of Application at Hearing, is amended by adding a new subsection (c) to read as follows:

(c) The administrator who made the decision or the person currently occupying that position, if the decision maker is no longer employed by the local government, shall be present at the evidentiary hearing as a witness. The appellant shall not be limited at the hearing to matters stated in a notice of appeal. If any party or the town would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the council or board shall continue the hearing.

Section 71. Subsection 15-106(a) is amended to update the reference to the North Carolina General Statutes from G.S.160A-388(e2) to G.S. 160D-403(a).

Section 72. Article VI, Evidentiary Hearing Procedures for Appeals and Applications, is amended by adding a new Section 15-107, 'Standing,' to read as follows:

Section 15-107 Standing.

A petition may be filed under this section only by a petitioner who has standing to challenge the decision being appealed. The following persons have standing to file a petition under this section:

- (1) Any person possessing any of the following criteria:
 - a. An ownership interest in the property that is the subject of the decision being appealed, a leasehold interest in the property that is the subject of the decision being appealed, or an interest created by easement, restriction, or covenant in the property that is the subject of the decision being appealed.
 - b. An option or contract to purchase the property that is the subject of the decision being appealed

- c. An applicant before the decision-making board whose decision is being appealed.
- (2) Any other person who will suffer special damages as the result of the decision being appealed.
- (3) An incorporated or unincorporated association to which owners or lessees of property in a designated area belong by virtue of their owning or leasing property in that area, or an association otherwise organized to protect and foster the interest of the particular neighborhood or local area, so long as at least one of the members of the association would have standing as an individual to challenge the decision being appealed, and the association was not created in response to the particular development or issue that is the subject of the appeal.
- (4) The Town of Carrboro, when a town decision-making board has made a decision that the Town Council believes improperly grants a variance from or is otherwise inconsistent with the proper interpretation of a development regulation adopted by the Council.

(d) The respondent named in the petition shall be the Town of Carrboro whose decisionmaking board made the decision that is being appealed, except that if the petitioner is the town that has filed a petition pursuant to subdivision (4) of subsection (c) of this section, then the respondent shall be the decision-making board. If the petitioner is not the applicant before the decision making board whose decision is being appealed, the petitioner shall also name that applicant as a respondent. Any petitioner may name as a respondent any person with an ownership or leasehold interest in the property that is the subject of the decision being appealed who participated in the hearing, or was an applicant, before the decisionmaking board.

Upon filing the petition, the petitioner shall present the petition and a proposed writ of (e) certiorari to the clerk of superior court of Orange County. The writ shall direct the town or the respondent decision-making board, if the petitioner is the town that has filed a petition pursuant to subdivision (4) of subsection (c) of this section, to prepare and certify to the court the record of proceedings below within a specified date. The writ shall also direct the petitioner to serve the petition and the writ upon each respondent named therein in the manner provided for service of a complaint under Rule 4(j) of the Rules of Civil Procedure, except that, if the respondent is a decision-making board, the petition and the writ shall be served upon the chair of that decision-making board. Rule 4(j)(5)d. of the Rules of Civil Procedure applies in the event the chair of a decision-making board cannot be found. No summons shall be issued. The clerk shall issue the writ without notice to the respondent or respondents if the petition has been properly filed and the writ is in proper form. A copy of the executed writ shall be filed with the court. Upon the filing of a petition for writ of certiorari, a party may request a stay of the execution or enforcement of the decision of the quasi-judicial board pending superior court review. The court may grant a stay in its discretion and on conditions that properly provide for the security of the adverse party. A stay granted in favor of a city or county shall not require a bond or other security.

(f) The respondent may, but need not, file a response to the petition, except that, if the respondent contends for the first time that any petitioner lacks standing to bring the appeal, that contention must be set forth in a response served on all petitioners at least 30 days prior to the hearing on the petition. If it is not served within that time period, the matter may be continued to allow the petitioners time to respond.

Section 73. Subsection 15-114(b), Penalties and Remedies for Violations, is amended by rewriting provision (a) under subsection (3) regarding an automatic stay of the collection of civil penalties during an appeal, to read as follows:

a. An appeal of a notice of violation or other enforcement order stays enforcement of the action appealed from and accrual of any fines assessed during the pendency of the appeal to the board of adjustment and any subsequent appeal in accordance with G.S. 160D-1402 or during the pendency of any civil proceeding authorized by law or appeals therefrom, unless the official who made the decision certifies to the board after notice of appeal has been filed that, because of the facts stated in an affidavit, a stay would cause imminent peril to life or property or, because the violation is transitory in nature, a stay would seriously interfere with enforcement of the development regulation. In that case, enforcement proceedings are not stayed except by a restraining order, which may be granted by a court. If enforcement proceedings are not stayed, the appellant may file with the official a request for an expedited hearing of the appeal, and the board shall meet to hear the appeal within 15 days after such a request is filed.

Section 74. Subsection 15-116(a), Judicial Review, is rewritten to read as follows:

(a) Every quasi-judicial decision of the board shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. 160D-1402. Appeals shall be filed within the times specified in G.S. 160D-1405(d). Appeals in any such case shall be heard by the superior court of Orange County.

Section 75. Article VII, Enforcement and Review, is amended by adding a new Section 15-118, 'Statutes of Limitations,' to read as follows:

Section 15-118 Statutes of Limitations

(a) Zoning Map Adoption or Amendments. A cause of action as to the validity of any regulation adopting or amending a zoning map adopted under Article XX of this chapter or G.S. 160D-1405 or other applicable law or a development agreement adopted under Article 10 of Chapter 160D of the General Statutes accrues upon adoption of the ordinance and shall be brought within 60 days as provided in G.S. 1-54.1.

(b) Text Adoption or Amendment. Except as otherwise provided in G.S. 160D-1405(a), an action challenging the validity of a development regulation adopted under this chapter or other applicable law shall be brought within one year of the accrual of such action. Such an action accrues when the party bringing such action first has standing to challenge the ordinance. A challenge to an ordinance on the basis of an alleged defect in the adoption process shall be brought within three years after the adoption of the ordinance.

(c) Enforcement Defense. Nothing in G.S. sections 160D-1405, 1-54(10) or 1-54.1 bars a party in an action involving the enforcement of a development regulation or an action under G.S. 160D-1403.1 from raising as a claim or defense in the proceedings or enforceability or the invalidity of the ordinance. Nothing in G.S. sections 160D-1405, 1-54(10) or 1-54.1 bars a party who files a timely appeal from an order, requirement, decision, or determination made by the administrator contending that the party is in violation of a development regulation from raising in the judicial appeal the invalidity of the ordinance as a defense to the order, requirement, decision, or determination. A party in an enforcement action or appeal may not assert the invalidity of the ordinance on the basis of an alleged defect in the adoption process unless the defense is formally raised within three years of the adoption of the challenged ordinance.

(d) Termination of Grandfathered Status. When a use constituting a violation of this chapter is in existence prior to adoption of the Carrboro Land Use Ordinance creating the violation, and that use is grandfathered and subsequently terminated for any reason, the town shall bring an enforcement action within 10 years of the date of the termination of the grandfathered status, unless the violation poses an imminent hazard to health or public safety. (e) Quasi-Judicial Decisions. Unless specifically provided otherwise, a petition for review of a quasi-judicial decision shall be filed with the clerk of superior court by the later of 30 days after the decision is effective or after a written copy thereof is given in accordance with G.S. section 160D-406(j). When first-class mail is used to deliver notice, three days shall be added to the time to file the petition.

(f) Others. Except as provided by this section, the statutes of limitations shall be as provided in Subchapter II of Chapter 1 of the General Statutes.

Section 76. Article VIII, 'Nonconforming Situations,' is renamed, 'Nonconforming Situations, Vested Rights and Permit Choice.'

Section 77. Section 15-121, Definitions, is amended by adding eight new definitions, listed below, and by renumbering the section in alphabetical order.

DEVELOPMENT. As defined in G.S. 143-755(e)(1). Without altering the scope of any regulatory authority granted by statute or local act, any of the following: a) the construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure; b) excavation, grading, filling, clearing, or alteration of land; c) the subdivision of land as defined in G.S. 160D-802, or d) the initiation of substantial change in the use of land or the intensity of the use of land.

DEVELOPMENT PERMIT. As defined in G.S. 143-755(e)(2). An administrative or quasi-judicial approval that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal, including any of the following: a) zoning permits; b) site plan approvals, c) special use permits; d) variances; e) certificates of appropriateness; f) plat approvals; g) development agreements; h) building permits; i) subdivision of land; j) state agency permits for development; k) driveway permits; l) erosion and sedimentation control permits; and m) sign permits.

LAND DEVELOPMENT REGULATION. As defined in G.S. 143-755(e)(3). Any State statute, rule, or regulation, or local ordinance affecting the development or use of real property, including any of the following: a) unified development ordinance; b) zoning regulation, including zoning maps; c) subdivision regulation; d) erosion and sedimentation control regulation; e) floodplain or flood damage prevention regulation; f) mountain ridge protection regulation; g) stormwater control regulation; h) wireless telecommunication facility regulation; i) historic preservation or landmark regulation; and j) housing code.

MULTI-PHASED DEVELOPMENT. A development that is submitted for development permit approval to occur in more than one phase and subject to a master development plan with committed elements showing the type and intensity of use of each phase.

SITE SPECIFIC VESTING PLAN. An approved plan that describes, with reasonable certainty, using a combination of graphic illustrations and written notes, the type and intensity of use for a specific parcel or parcels of property located within the Town's planning jurisdiction. Conditional districts, planned unit developments, special use permits and zoning permits can be approved as site specific vesting plans in accordance with G.S. 160D-108.

SUBSTANTIALLY COMMENCED. Substantial commencement of work shall be determined by the administrator based on any of the following:

- The development has received and maintained a valid erosion and sedimentation control permit and conducted grading activity on a continuous basis and not discontinued it for more than thirty (30) days;
- (2) The development has installed substantial on-site infrastructure; or
- (3) The development has received and maintained a valid building permit for the construction and approval of a building foundation.

Even if work has substantially commenced, a development approval still expired is development work is intentionally and voluntarily discontinued for a period of not less than 24 consecutive months, as calculated and tolled pursuant to G.S. 160D-108.following:

VESTED RIGHTS. A vested right shall be deemed established upon the valid approval of the Town Council, board of adjustment or administrator of a site specific development plan. The approval authority may approve a site specific development plan upon such terms and conditions as may be reasonably necessary to protect the public health, safety and welfare. Such conditional approval shall result in a vested right being established; provided, that failure to satisfy any of the terms and conditions so imposed will result in forfeiture of vested rights. A site specific development plan shall be deemed approved as of the effective date of the approval authority's final action or adoption of an ordinance relating thereto.

VESTED RIGHTS, COMMON LAW. A statutory vested right is a validity period for a particular development approval. While the approval is valid, subsequent changes to the development regulations do not apply to the valid approval.

Section 78. Section 15-124, Extension or Enlargement of Nonconforming Situations, is amended by deleting subdivisions (e)(2) and (e1)(2) and renumbering the subsequent subdivisions.

Section 79. Section 15-128, Completion on Nonconforming Projects, is amended by deleting subsections (d) and (g) and renumbering the subsections accordingly.

Section 80. Section 15-128.1, Authorization of Nonconforming Projects is repealed.

Section 81. Section 15-128.2, 'Vested Rights: Site Specific Development Plan,' is rewritten as 'Vested Rights and Permit Choice," to read as follows:

Section 15-128.2 Vested Rights and Permit Choice

(a) Findings. The Town Council recognizes that development typically follows significant investment in site evaluation, planning, development costs, consultant fees, and related expenses, and finds that it is necessary and desirable to provide for the establishment of certain vested rights in order to ensure reasonable certainty, stability, and fairness in the development regulation process, to secure the reasonable expectations of landowners, and to foster cooperation between the public and private sectors in land-use planning and development regulation. In accordance with G.S. sections 160D-108 and 160-108.1, the provisions below and in Section 128.3 are designed to provide a balance between private expectations and the public interest.

(b) Permit Choice. If a land development regulation is amended between the time a development permit application was submitted and a development permit decision is made or if a land development regulation is amended after a development permit decision has been challenged and found to be wrongfully denied or illegal, G.S. 143-755 applies.

(c) Vested Rights. Amendments in land development regulations are not applicable or enforceable without the written consent of the owner with regard to any of the following:

- (1) Buildings or uses of buildings or land for which a development permit application has been submitted and subsequently issued in accordance with G.S. 143-755.
- (2) Subdivisions of land for which a development permit application authorizing the subdivision has been submitted and subsequently issued in accordance with G.S. 143-755.
- (3) A site-specific vesting plan pursuant to G.S. 160D-108.1.
- (4) A multi-phased development pursuant to subsection (f) of this section.
- (5) A vested right established by the terms of a development agreement authorized by Article 10 of G.S. Chapter 160D.

The establishment of a vested right under any subdivision of this subsection does not preclude vesting under one or more other subdivisions of this subsection or vesting by application of common law principles. A vested right, once established as provided for in this section or by common law, precludes any action by the town that would change, alter, impair, prevent, diminish, or otherwise delay the development or use of the property allowed by the applicable land development regulation or regulations, except where a change in State or federal law mandating town enforcement occurs after the development application is submitted that has a fundamental and retroactive effect on the development or use.

(d) Duration of Vesting. Upon issuance of a development permit, the statutory vesting granted by subsection (c) of this section for a development project is effective upon filing of the application in accordance with G.S. 143-755, for so long as the permit remains valid pursuant to law. A zoning right that has been vested as provided in this chapter shall remain vested for a period of two years after issuance of a development permit unless work authorized by the permit has substantially commenced. For the purposes of this section, a permit is issued either in the ordinary course of business of the applicable governmental agency or by the applicable governmental agency as a court directive.

The statutory vesting granted by this section, once established, expires for an uncompleted development project if development work is intentionally and voluntarily discontinued for a period of not less than 24 consecutive months, and the statutory vesting period granted by this section for a nonconforming use of property expires if the use is intentionally and voluntarily discontinued for a period of not less than 24 consecutive months. The 24-month discontinuance period is automatically tolled during the pendency of any board of adjustment proceeding or civil action in a State or federal trial or appellate court regarding the validity of a development permit, the use of the property, or the existence of the statutory vesting period granted by this section. The 24-month discontinuance period is also tolled during the pendency of any litigation involving the development project or property that is the subject of the vesting

(e) Multiple Permits for Development Project. Subject to subsection (d) of this section, where multiple town development permits are required to complete a development project, the development permit applicant may choose the version of each of the town development regulations applicable to the project upon submittal of the application for any initial development permit. This provision is applicable only for those subsequent development permit applications filed within 18 months of the date following the approval of an initial permit. For purposes of the vesting protections of this subsection, an erosion and sedimentation control permit or a sign permit is not an initial development permit.

(f) Multi-Phased Development. A multi-phased development is vested for the entire development with the land development regulations then in place at the time a site plan approval is granted for the initial phase of the multi-phased development. A right which has been vested as provided for in this

subsection remains vested for a period of seven years from the time a site plan approval is granted for the initial phase of the multi-phased development.

(g) Continuing Review. Following issuance of a development permit, the town may make subsequent inspections and reviews to ensure compliance with the applicable regulations in effect at the time of the original approval.

(h) Process to Claim Vested Right. A person claiming a statutory or common law vested right may submit information to substantiate that claim to the administrator, who shall make an initial determination as to the existence of the vested right. The decision of the administrator may be appealed under G.S. 160D-405 [See Subsection 15-93.1(b) of this chapter.]. On appeal, the existence of a vested right shall be reviewed de novo. In lieu of seeking such a determination or pursuing an appeal under G.S. 160D-405, a person claiming a vested right may bring an original civil action as provided by G.S. 160D-1403.1.

(i) Miscellaneous Provisions. The vested rights granted by this section run with the land except for the use of land for outdoor advertising governed by G.S. 136-136.1 and G.S. 136-131.2 in which case the rights granted by this section run with the owner of the permit issued by the North Carolina Department of Transportation. Nothing in this section precludes judicial determination, based on common law principles or other statutory provisions, that a vested right exists in a particular case or that a compensable taking has occurred. Except as expressly provided in this section, nothing in this section shall be construed to alter the existing common law.

Section 82. Section 15-128.3, 'Vested Rights Upon Issuance of Building Permits,' is repealed and replaced with 'Vested Rights – Site Specific Vesting Plans,' to read as follows:

Section 15-128.3 Vested Rights – Site Specific Vesting Plans.

(a) Site-Specific Vesting Plan. A site-specific vesting plan consists of a plan submitted to the town in which the applicant requests vesting pursuant to this section, describing with reasonable certainty on the plan the type and intensity of use for a specific parcel or parcels of property. The plan may be in the form of, but not be limited to, any of the following plans or approvals: a planned unit development plan, a preliminary or general development plan, a special use permit, a conditional district zoning plan, or any other land-use approval designation.

Unless otherwise expressly provided by the town, the plan shall include the requirements of the permit sought and the following if not required by the permit: approximate boundaries of the site; significant topographical and other natural features affecting development of the site; the approximate location on the site of the proposed buildings, structures, and other improvements; the approximate dimensions, including height, of the proposed buildings and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways.

(b) Establishment of Vested Right. A vested right is established with respect to any property upon the valid approval, or conditional approval, of a site-specific vesting plan as provided in this section. Such a vested right confers upon the landowner the right to undertake and complete the development and use of the property under the terms and conditions of the site specific vesting plan, including any amendments thereto. The vested right under this section commences upon the issuance of the permit or rezoning in question, and the date of issuance is to be determined in accordance with the provisions of Subsection 15-62(d) for permits and Section 15-141.4 for conditional rezonings.

(c) Approval and Amendment of Plans. If a site-specific vesting plan is based on an approval required by a town development regulation, the town shall provide whatever notice and hearing is required for that underlying approval. A duration of the underlying approval that is less than two years does not

affect the duration of the site-specific vesting plan established under this section. If the site-specific vesting plan is not based on such an approval, a legislative hearing with notice as required by G.S. 160D-602 and pursuant to Article XX of this chapter shall be held.

The town may approve a site-specific vesting plan upon any terms and conditions that may reasonably be necessary to protect the public health, safety, and welfare. Conditional approval results in a vested right, although failure to abide by the terms and conditions of the approval will result in a forfeiture of vested rights. The town shall not require a landowner to waive the landowner's vested rights as a condition of developmental approval. A site specific vesting plan is deemed approved upon the effective date of the town's decision approving the plan or another date determined by the council upon approval. An approved site-specific vesting plan and its conditions may be amended with the approval of the owner and the town as follows: any substantial modification must be reviewed and approved in the same manner as the original approval; minor modifications may be approved by the administrator, as provided for in section 15-64 of this chapter for permits and section 15-141.4 for conditional rezonings.

(d) Continuing Review. Following approval or conditional approval of a site-specific vesting plan, the town may make subsequent reviews and require subsequent approvals to ensure compliance with the terms and conditions of the original approval, provided that these reviews and approvals are not inconsistent with the original approval. The town may, pursuant to G.S. 160D-403(f), revoke the original approval for failure to comply with applicable terms and conditions of the original approval or the applicable local development regulations.

- (e) Duration and Termination of Vested Right.
 - (1) A vested right for a site-specific vesting plan remains vested for a period of two years. This vesting shall not be extended by any amendments or modifications to a site-specific vesting plan except as provided for in sections 15-64 and 15-141.4 of this chapter, or unless expressly provided by the approval authority at the time the amendment or modification is approved.
 - (2) Notwithstanding the provisions of subdivision (1) of this subsection, the Town Council may provide for rights to be vested for a period exceeding two years but not exceeding five years where warranted in light of all relevant circumstances, including, but not limited to, the size and phasing of development, the level of investment, the need for the development, economic cycles, and market conditions or other considerations. These determinations are in the sound discretion of the Town Council and shall be made following the process specified for the particular form of a site-specific vesting plan involved in accordance with subsection (a) of this section.
 - (3) Upon issuance of a building permit, the provisions of G.S. 160D-1111 and G.S. 160D-1115 apply, except that a permit does not expire and shall not be revoked because of the running of time while a vested right under this section is outstanding.
 - (4) A right vested as provided in this section terminates at the end of the applicable vesting period with respect to buildings and uses for which no valid building permit applications have been filed.
- (f) Subsequent Changes Prohibited; Exceptions.
 - (1) A vested right, once established as provided for in this section, precludes any zoning action by the town which would change, alter, impair, prevent, diminish,

or otherwise delay the development or use of the property as set forth in an approved site-specific vesting plan, except under one or more of the following conditions:

- a. With the written consent of the affected landowner.
- b. Upon findings, by ordinance after notice and an evidentiary hearing, that natural or human-made hazards on or in the immediate vicinity of the property, if uncorrected, would pose a serious threat to the public health, safety, and welfare if the project were to proceed as contemplated in the site-specific vesting plan.
- c. To the extent that the affected landowner receives compensation for all costs, expenses, and other losses incurred by the landowner, including, but not limited to, all fees paid in consideration of financing, and all architectural, planning, marketing, legal, and other consulting fees incurred after approval by the town, together with interest as provided under G.S. 160D-106. Compensation shall not include any diminution in the value of the property which is caused by the action.
- d. Upon findings, by ordinance after notice and an evidentiary hearing, that the landowner or the landowner's representative intentionally supplied inaccurate information or made material misrepresentations that made a difference in the approval by the town of the site-specific vesting plan or the phased development plan.
- e. Upon the enactment or promulgation of a State or federal law or regulation that precludes development as contemplated in the site-specific vesting plan or the phased development plan, in which case the town may modify the affected provisions, upon a finding that the change in State or federal law has a fundamental effect on the plan, by ordinance after notice and an evidentiary hearing.
- (2) The establishment of a vested right under this section does not preclude the application of overlay zoning or other development regulations which impose additional requirements but do not affect the allowable type or intensity of use, or ordinances or regulations which are general in nature and are applicable to all property subject to development regulation by the town, including, but not limited to, building, fire, plumbing, electrical, and mechanical codes. Otherwise applicable new regulations become effective with respect to property which is subject to a site-specific vesting plan upon the expiration or termination of the vesting rights period provided for in this section.
- (3) Notwithstanding any provision of this section, the establishment of a vested right does not preclude, change, or impair the authority of the town to adopt and enforce development regulations governing nonconforming situations or uses.

(g) Miscellaneous Provisions. A vested right obtained under this section is not a personal right but attaches to and runs with the applicable property, and should be recorded in the County Register of Deeds. After approval of a site-specific vesting plan, all successors to the original landowner are entitled to exercise these rights. **Section 83.** Subsection 15-135(d) is amended by changing the reference to the town's Comprehensive Land Use Plan to the town's Comprehensive Plan.

Section 84. Subsection 15-136, Commercial Districts Established, is amended to repeal the O/A-CU, Office/Assembly Conditional Use District, provision (11).

Section 85. Section 15-141.2, Village Mixed Use District Established, is rewritten to convert the VMU district from a conditional use district to a conditional district, as follows:

Section 15-141.2 Village Mixed Use District Established (AMENDED 05/25/99)

(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.
- (7) Provision of buildings for civic assembly or for other common purposes that act as visual landmarks and symbols of identity within the community.
- (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.

(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.

(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.

(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.

- (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.
- (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.
- (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.
 - 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 conditional use permit 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 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.]

Section 86. Article IX, Zoning Districts and Zoning Maps is amended to repeal Section 141.3, Conditional Use Zoning Districts.

Section 87. Section 141.4, Conditional Zoning Districts, is rewritten to read as follows:

Section 15-141.4 Conditional Zoning Districts (AMENDED 5/27/08)

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

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

B-1(C)-CZ, B-1(G)-CZ, B-2-CZ, B-3-CZ, B-3-T-CZ, B-4-CZ, CT-CZ, O-CZ, OACZ, M-1-CZ, M-2-CZ, M-3-CZ (**AMENDED 4/27/10; 06/23/15; 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) and (l), 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 general use zoning district to which the conditional district corresponds, except as those uses and regulations are limited by conditions imposed pursuant to subsection (d) 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) Notwithstanding the foregoing, 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 conditional use permit, 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).

- (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 zoned M-1-CZ (i.e. excluding specific conditions made applicable to specific property zoned M-1-CZ) with the addition of use 3.250. (Reserved)(AMENDED 11/9/11)
- (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:
 - 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 03/22/16, 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) above. (AMENDED 10/25/16)

(f) Specific conditions may be proposed by the petitioner or the Town and 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, applicable plans adopted pursuant to G.S. 160D-501, 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 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:

- 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. Meetings 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 general 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, 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).
- (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."
- (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 SUP) 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 class A special use permit 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.

Site and Building Element Categories	Examples of Performance Measures	
Stormwater management and Water conservation	1) Substantial stormwater retrofits	
	 Reduction in nitrogen loading from the site by at least 8 percent from the existing condition, as determined by the Jordan Lake Accountin 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	n
	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	6) Meets or exceeds standards for LEED Gold certification	

Performance Measures

1.	7	
production and energy conservation	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
	11)	Installation of attic insulation that exceeds the current building code R-value rating by 35 percent or greater
	12)	Use of geothermal heat system to serve the entire complex
	13)	Use of LED fixtures for parking and street lights
	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
Creation of new and	15)	The development of clean, innovative light manufacturing operation(s) that creates employment for a more than ten workers
innovative light manufacturing operations	16)	Incorporates technologies to reduce production waste by 50 percent or more
The provision	17)	Outdoor amenities such as major public art
of public art and/or	18)	Amphitheatre or outdoor theater, outdoor congregating/gathering area
provision of outdoor	19)	Outdoor eating facilities
amenities for public use	20)	Outdoor tables with game surfaces, etc.

- (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 88. Section 15-146, Table of Permissible Uses, is amended by replacing the designation "C" in the table indicating that a conditional use permit must be obtained, with the letter "A" indicating that a special use permit-A must be obtained. The Table of Permissible Uses is also amended by replacing the designation "S" in the table indicating that a special use permit must be obtained, with the letter "B" indicating that a special use permit a special use permit.

	R-	R-	R-	R-	R-	R-	DD	пр	HR-	B-	B-	B-	B-	B-	B-	M-	M-	СТ		w-	B-	WM	0	0/
DESCRIPTION	2	к- 3	K - 7.5	SIR,	15	20		R R	CC	Б -	Б- 1	2	Б- 3	Б- 3-	Б- 4	1				R R	Б- 5	-3		A A
	1			SIR2, 10						(C)	(G)			Т										
1.000 Residential	1			10																				
1.100 Single Family Residences																								
1.110 Single Family Detached																								
One Dwelling Unit Per Lot																								
1.111 Site Built/Modular	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Ζ	Z				Z		Z			Ζ	Z
1.112 Class A Mobile Home	_		Z	Z	Z	Ζ	Z	Ζ	Z											Z				
1.120 Single Family Detached	_											—	<u> </u>				<u> </u>						$\left - \right $	
More Than One Dwelling																								
Unit Per Lot																								
1.121 Site Built/Modular	*	*	*	*	*	*	*	*	*		*	*	*	*				*					*	*
1.122 Class A Mobile Home			*	*	*	*	*	*	*															
1.123 Class B Mobile Home																								
1.200 Two-Family Residences																								
1.210 Two-Family Conversion	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.220 Primary Residence with																								
Accessory Apartment	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.230 Duplex 1.231 Maximum 20% units	*	*	*	*	*	*	*	*	*	*			<u>*</u>	*			<u> </u>	*		$\left - \right $			*	*
> 3 bedrms/du	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.232 No bedroom limit	*	*			<u> </u>	<u> </u>	<u> </u>			<u> </u>		<u> </u>	<u> </u>	· ·									\vdash	<u> </u>
1.240 Two Family Apartment	*	*	*	*	*	*	*	*		*	*	*	*	*				*					*	*
1.241 Maximum 20% units																								
> 3 bedrms/du	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
1.242 No bedroom limit	*	*																						
1.300 Multi-Family Residences																								
1.310 Multi-Family Conversion	BA	BA	BA	BA	BA	BA	BA			BA	BA	BA	BA	BA				BA					BA	BA
1.320 Multi-Family Townhomes	BA	BA	BA	BA	BA	BA	BA		*	BA	BA	BA	BA	BA				BA					BA	BA
1.321 Maximum 20% units																								
> 3 bedrms/du	BA	BA	BA	BA	BA	BA	BA			BA	BA	BA	BA	BA				BA					BA	BA
1.322 No bedroom limit	BA	BA	DA				DA			DA		DA		DA				DA		$\left - \right $				DA.
1.330 Multi-Family Apartments 1.331 Maximum 20% units	BA	BA	BA	BA	BA	BA	BA			BA	BA	BA	BA	BA			<u> </u>	BA					BA	BA
> 3 bedrms/du	BA	BA	BA	BA	BA	BA	BA			BA	BA	BA	BA	BA				BA					BA	BA
1.332 No bedroom limit	BA	BA	Dir				<u> </u>			DII				<u>D11</u>				DII						
1.340 Single-Room Occupancy	BA									BA	BA	BA	BA					BA						
1.350 Triplex								*	*															
1.400 Group Homes																								
1.410 Fraternities, Sororities,																								
Dormitories and Similar																								
Housing	Α	A	Α	A	A	A	C				A	A						Α						
1.420 Boarding Houses,		D	D		P	P																		
Rooming Houses 1.430 Adult Care Home, Class A	B Z	B Z	B Z	B Z	B Z	B Z	B Z	z	z		A Z	B Z	z	Z			<u> </u>	A Z	$\left\ - \right\ $	A Z			z	Z
1.440 Adult Care Home, Class A	B	B	B	B	B	B	B	B	B		Z	Z	<u> </u>	<u>_</u>				Z		B				
1.450 Child Care Home, Class A	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z		Z			Z	Z
1.460 Child Care Home, Class B	В	В	В	B	B	B	В	В	В		Z	Z						Z		В				
1.470 Maternity Home	Z	Ζ	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z		Z			Ζ	Z
1.480 Nursing Care Home	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Ζ	Z				Ζ		Ζ			Ζ	Ζ
1.500 Temporary Residences																								
1.510 Tourist Homes and other																							\square	
Temporary Residences																				\parallel			\vdash	
Renting Rooms for												\vdash								\parallel			\vdash	
Relatively Short Periods of Time	В	В	В	В								В	\vdash	$\left - \right $	<u> </u>					\parallel	Α		\vdash	
1.600 Homes Emphasizing Services,	<u>а</u>	ы	ы				∥───		╟───				\vdash	\vdash	<u> </u>				$\parallel \parallel$	⊢┦	Λ		\vdash	
Treatment or Supervision																								
1.610 Temporary Homes for the																							\square	
Homeless	1	В	В				В			В		В	В	В										
1.620 Overnight Shelters for									1														\square	
Homeless										В		В	В	В										
1.630 Senior Citizen Residential																				Ш			Ш	
Complex				A	A		 		∥				\square						\parallel	\square			\square	
1.700						<u> </u>																	\vdash	
1.800							<u> </u>					Ļ	Ļ	Ļ				<u> </u>	\parallel	Ц			Ц	
1.900 Home Occupation	Z	Z	Z	Z	Z	Z	Z	Z	Z			B	B	В				В	\parallel	Z			Z	Z
1.910 Major Home Occupation	1	1	1	1				Ζ	Ζ							1		1	ll I					

DESCRIPTION	R- 2	R- 3	R- 7.5	R- SIR, SIR2, 10	R- 15	R- 20	RR	HR- R	HR- CC	B- 1 (C)	B- 1 (G)	B- 2	B- 3	B- 3- T	В- 4		M- 2	СТ		7- I R	B- 5	WM -3	0	O/ A
2.000 Sales and Rental of Goods, Merchandise																								
and Equipment																						!		
2.100 No Storage or Display of Goods					-															_				
Outside Fully Enclosed Building																						!		
2.110 High-Volume Traffic Generation										D.	- DA		D.4	DA	D.A	D.A	D 4			_			\square	
2.111 ABC Stores										BA BA	BA BA		BA A	BA A	BA A	BA	BA	A		_	A		\vdash	BA
2.112 Specialty High Volume				——	<u> </u>			<u> </u>		БЛ				<u>n</u>				Π	╟─╟─		-	-	-	
Retail												BA										Α		
2.120 Low-Volume Traffic Generation										ZA	ZA		ZA	ZA	ZA	ZA	ZA	Α			A	Α		ZA
2.130 Wholesale Sales											ZA			ZA	ZA	ZA	ZA	Α			A	Α		ZA
2.140 Drive-In Windows													Α	Α	Α								\square	
2.150 Retail Sales with Subordinate																								
Manufacturing and Processing										ZA					<u> </u>				╢─╢─		_⊩	Α	\vdash	
2.200 Display of Goods Outside Fully Enclosed Building				\vdash						$\left -\right $					<u> </u>				╢╢	+	$-\ $		$\left - \right $	
2.210 High-Volume Traffic				⊩—					\vdash						<u> </u>				╢╢					
Generation										ZA	ZA					ZA	ZA	ZA			A	Α		ZA
2.220 Low-Volume Traffic																								
Generation										ZA	ZA					ZA	ZA	ZA			A	Α		ZA
2.250 High Volume Retail with Outdoor															\square						_ -		\square	
Display and Curbside Pick-up and																<u> </u>			╟─╟─	_	_	!	\vdash	
or Drive Through Window (service directly to vehicle to pick-up pre-					<u> </u>					—			—		<u> </u>		<u> </u>		╟─╟─	_	_	!	\vdash	
ordered grocery or pharmacy item				——	<u> </u>			<u> </u>		—					<u> </u>				╢─╢─			-	\vdash	
for off-premises consumption	`			——	<u> </u>			<u> </u>		—					A				╢─╢─			-	\vdash	
2.230 Wholesale Sales								<u> </u>			A					ZA	ZA	ZA	╟╢╴		A	Α	\square	ZA
2.240 Drive-In Windows													Α	Α									\square	
2.300 Storage of goods outside fully																								
enclosed building																				_				
2.310 High-volume traffic																-								
generation 2.320 Low-volume traffic					<u> </u>					—			—		<u> </u>	ZA ZA	<u> </u>		╟─╟─	_	_	!	\vdash	
2.330 Wholesale Sales				——	<u> </u>			<u> </u>		—					<u> </u>	ZA ZA			╢─╢─			-	\vdash	
2.340 Drive-in Windows																2.11						-	$ \square$	
3.000 Office, Clerical, Research and Services								<u> </u>											╟╢╴			-	\square	
Not Primarily Related to Goods or																								
Merchandise																								
3.100 All operations conducted entirely																								
Within Fully Enclosed Building																								
3.110 Operations designed to																								
attract and serve																								
customers or clients on										\square													\square	
the premises, such as																			$\parallel \parallel$				\vdash	
the office of attorneys, physicians, other															<u> </u>				╢╢		$-\ $		\square	
professions, insurance and										\vdash									╢╢			$- \parallel$		
stock brokers, travel																						-		
agents, government																								
office buildings, etc.									ZA	ZA	ZA	ZA	В		ZA	ZA	ZA	Α			A		ZA	ZA
3.120 Operations designed to																			$\parallel \parallel$				\square	
attract little or no																				_		!	\vdash	
customer or client traffic other than employees of				\parallel					<u> </u>	$\left - \right $					<u> </u>				╢╢		$-\ $		\square	
the entity operating the																								
principal use									ZA	ZA	ZA	ZA	В		ZA	ZA	ZA	Α			A	Α	Ζ	ZA
3.130 Office or clinics of																								
physicians or dentists																				_				
with not more than 10,000																			$\parallel \parallel$					
square feet of gross floor												7.			-	7.		7.	$\parallel \parallel$				7.	7.
area 3.131 Office or clinics of						 		<u> </u>	ZA	ZA	ZA	ZA	В		LA	ZA		ZA	╟╢─	+	A	$- \parallel$	ΖA	ZA
physicians or dentists					<u> </u>	∥───			\vdash	\vdash				\vdash	\vdash				╟╢╴	+		$- \parallel$	-	
with not more than 30,000					<u> </u>			<u> </u>							\vdash				╟╢╴			$- \mathbf{I}$	$ \neg $	
square feet of total building																								
gross floor area															Α									

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DESCRIPTION	R- 2	R- 3	R- 7.5	R- SIR, SIR2, 10	R- 15	R- 20	RR	HR- R	HR- CC	B- 1 (C)	B- 1 (G)	B- 2	B- 3	B- 3- T	B- 4	M- 1	M- 2	СТ	С	W- R	B- 5	WM -3	0	O/ A
3.140 Watershed research		l	ĺ	1	li T	l			l									l	Α		\square			
3.150 Copy Centers/Printing Operations									ZA	ZA	ZA	ZA	В	ZA	ZA	ZA	ZA	ZA			ZA		ZA	
3.200 Operations conducted within or																								
outside fully enclosed buildings																								
3.210 Operations designed to affect																								
and serve customers or																								
clients on the premises																ZA	ZA				Α			ZA
3.220 Operations designed to attract																								
little or no customer or client																								
traffic other than employees																								
of the entity operating																								
the principal use																ZA	ZA	Α			Α	Α		ZA
3.230 Banks with drive-in window	_												Α	Α	Α									
3.240 Watershed research	_			∥															Α					
3.250 Automatic Teller Machine,							-	-																
Freestanding										Α	A		Α		Α			A					A	A
3.260 Social Service Provider with Dinir	g					Z	Z				Z									<u> </u>				
4.000 Manufacturing, Processing, Creating,																								
Repairing, Renovating, Painting,	_																							
Cleaning, Assembling of Goods,		1																						
Merchandise and Equipment																								
4.100 All operations conducted entirely																								
within fully enclosed buildings									Α		ZA					ZA	ZA	Α				Α		Α
4.200 Operations conducted within or																								
outside fully enclosed buildings																	ZA							
5.000 Educational, Cultural, Religious,																								
Philanthropic, Social, Fraternal Uses																								
5.100 Schools																								
5.110 Elementary and secondary																								
(including associated	_																							
grounds and athletic and	-																							
other facilities)	Α	Α	Α	Α	Α	Α	Α	Α	Α	Α	A				Z(1)					Z	Α			
5.120 Trade or vocational school				<u> </u>	<u> </u>	<u> </u>				Z	ZA				A	ZA	A	Α			A			
5.130 Colleges, universities, community																					<u> </u>			
colleges (including associated							-	-																
facilities such as dormitories,																								
office buildings, athletic fields, etc)						Α			Z	ZA				Α	Α		Α						
5.200 Churches, synagogues and temples, and	-																		-					
other places of worship and spiritual																								
comtemplation (including associated																								
residential structures for religious personnel																								
and associated buildings but not including elementary school or secondary school																								
buildings).	ZB	ZB	ZB	ZB	ZB	ZB	ZB	ZB	ZB	Z	ZA	ZA	ZA	ZA	ZA	ZA		ZA		Α	Α		ZA	ZA
5.300 Libraries, museums, art galleries,																								
art centers and similar uses																								
(including associated educational and																								
instructional activities)																								
5.310 Located within a building																								
designed and previously																								
occupied as a residence or																								
within a building having a																								
gross floor area not in excess																								
of 3,500 square feet	В	В	В	В	В	В	В			ZA	Z	Ζ	Ζ	Ζ	В	ZA		ZA			Α		Ζ	ZA
5 220 Located within any																			[]					
5.320 Located within any										ZA	ZA	ZA			В	ZA		ZA			Α		Α	ZA
permissible structures				Π _																				
5.400 Social, fraternal clubs and lodges,									11	ZA	ZA	ZA		i	В	B		ZA			A	1 1		
permissible structures 5.400 Social, fraternal clubs and lodges, union halls, and similar uses																-					<u> </u>	h		
permissible structures 5.400 Social, fraternal clubs and lodges, union halls, and similar uses 6.000 Recreation, Amusement, Entertainment		-																						
bit permissible structures 5.400 Social, fraternal clubs and lodges, union halls, and similar uses 6.000 Recreation, Amusement, Entertainment 6.100 Activity conducted entirely within																								
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DESCRIPTION	R- 2	R- 3	R- 7.5	R- SIR, SIR2, 10	R- 15	R- 20	RR	HR- R	HR- CC	B- 1 (C)	B- 1 (G)	B- 2	B- 3	B- 3- T	B- 4	M- 1	M- 2	СТ	С	W- R	B- 5	WM -3	0	O/ A
6.121 Seating capacity of not more than 300										ZA	ZA				ZA	В		ZA						В
6.122 Unlimited Seating										ZΛ					ZΛ	Б		ZA						D
Capacity										В	ZA				ZA	В		ZA						
6.130 Coliseums, stadiums, and all other facilities listed in the 6.100																								
classification designed to seat																								
or accommodate simultaneously more than 1000 people										Α	A				Α	Α		Α						
6.140 Community Centera Town																								
sponsored, non-profit indoor facility providing for one or																								
several of various type of																								
recreational uses. Facilities in a Community Center may in-																								
clude, but are not limited to																								
gymnasia, swimming pools, indoor court areas, meeting/																								
activity rooms, and other																								
similar uses	Z	Z	Ζ	Z	Z	Ζ	Ζ			Z	Z	Z	Z	Ζ	ZB	Ζ	Ζ	Ζ	Z		Ζ	Ζ		Ζ
6.150 Electronic Gaming Operations 6.200 Activity conducted primarily outside													<u> </u>		в				\mathbb{H}					
enclosed buildings or structures.																								
6.210 Outdoor recreational facilities developed on private lands,																								
without Town sponsorship or																								
investment, such as golf and country clubs, swimming or																								
tennis clubs, etc. and not																								
constructed pursuant to a permit authorizing the construction of																								
a residential development.	В	В	В	В	В	В	В				Α							Α	Α	A	Α			
6.220 Outdoor recreational facilities developed on public lands, or	_																							
on private lands with swimming																								
pools, parks, etc., not con-																								
structed pursuant to a permit authorizing the construction of																								
another use such as a school																								
6.221 Town of Carrboro owned and operated facilities.	z	Z	Z	Z	z	z	Z			Z	z				z	z		Z	z	Z	z	Z		
6.222 Facilities owned and																								
operated by public entities other than the																								
Town of Carrboro	Α	Α	Α	Α	A	Α	A			Α	A				Α	Α		Α	A	A	Α	Α		
6.230 Golf driving ranges not accessory to golf course, par 3																								
golf courses, miniature golf																								
course, skateboard parks, water slides, and similar uses.																ZA					A			
6.240 Horseback riding stables (not																					Α			
constructed pursuant to permit authorizing residential developmer							в	<u> </u>								Р		\vdash	7	_				
6.250 Automobile and motorcycle							в									B		L	Z	Α	A			
racing tracks																	В							
6.260 Drive-in Movie Theaters 7.000 Institutional Residence or Care of Confinement		<u> </u>										<u> </u>	<u> </u>		<u> </u>		 		$\ \cdot \ $					
Facilities																								
7.100 Hospitals, clinics, other medical																			\parallel					
(including mental health) treatment facilities in excess of 10,000 square																								
feet of floor area											A							Α	Ц					
7.200 Nursing care institutions, inter- mediate care institutions, handi-																								
capped, aged or infirm institutions,																								
child care institutions 7.300 Institutions (other than halfway houses)	Α	Α					A				A							Α	H		A			\square

13.200 Fire Stations Z	ſ	DESCRIPTION		R - 2	R- 3	R- 7.5	R- SIR, SIR2, 10	R- 15	R- 20	RR	HR- R	HR- CC		B- 1 (G)	B- 2	B- 3	B- 3- T	В- 4	M- 1	M- 2	СТ	C	W- R	B- 5	WM -3	0	0/ A
1.400 Persi and Corrections if actings			is are																								
8.400 Resturzents (including food delivery services.) Image: Service services.) Image: Serv			acilities											A				<u> </u>	<u> </u>		A				┟──┦	╟─┤	
Berry, Nght Clab. B. 100 Featurant with none of the features in the original solution and selection below B. 100 Feature in the interview of the inte	8.000 F																										
listed in use classification below A X		Bars, Night Clubs																									
as as primary activity																											
8.200 Outside Service or Consumption in vehicle or permises) Image: Construction of the construction of t			n below									•	7.4	740	٨			7						•			ZA
3.300 Drevent genvice to and consumption in vehicle on pretension? Image: Second primely for efferensies consumption? Image: Second primely for efference consuprimely for efferencond primely for efference			sumption					<u> </u>				A											-		┢──┦		ZA
8.400 Drive Through Windows (pravice dimension of the primary for off-permises consumption) 																											
directly to vehicles primary for orf-premises consumption) A A A A A A 8.500 Carry OLI Service (tood picked up inside of off-premises consumption) A A A A A 8.600 Food Berley A A A A A A 8.000 Food Delivery A A C Z Z A A 8.000 Food Delivery A A C Z Z A A 8.000 Pertoming Atts Space B B C Z Z A A A 9.000 Mater Notice Salard Service B B A Z A B B A Z A A B B A Z A A B B A Z A A B B A Z A A B B A Z A A B B A Z A A A A A A A A																		Α									
off-premises consumption)																							-				
8.500 Carry Out Service (food picked up inskle Image: Service output inskle Image: Service ou																		Δ							[]		
a for dr dr. premises consumption) a a a a a a a 8.800 Mobile prepared food vendors a																		<u></u>		<u> </u>					┢──┦		
8.700 Mobile prepared food vendors 2 Z		of off-premises consump																						Α			
8.800 Performing Arts Space I <tdi< td=""><td></td><td></td><td>· ·</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>Z</td><td></td><td>\square</td><td></td><td>П</td><td>\square</td><td>Α</td><td></td><td>Г</td><td></td></tdi<>			· ·															Z		\square		П	\square	Α		Г	
9.900 Motor Vehicle-Related Sales and Service Image: Constraints Image: Constrain	-		ndors	\parallel															Z		<u> </u>	\mathbb{H}	\square		┢──┤	⊫	<u> </u>
9.100 Motor vehicle sales or rental of sales and service 9.200 Automobile service stations A A A ZA ZA A 9.200 Automobile service stations A B B A Z Z Z 9.200 Automobile service stations A B B A Z Z Z Z 9.400 Automobile rearishop obdy shop 9.500 Car wash B A B B A Z	9 000 N		d Service	\parallel						∥	∥	∥			—	\parallel	<u> </u>	\vdash	\vdash	\vdash	<u> </u>	\mathbb{H}	\vdash		┢──┦	┢─┐	
9.100 Motro vehicle alses or rental of sales																\parallel		<u> </u>	\vdash			\parallel	\vdash				
and service A <td< td=""><td></td><td></td><td>ntal of sales</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>\mathbb{H}</td><td></td><td></td><td></td><td></td><td></td></td<>			ntal of sales																			\mathbb{H}					
9.300 (Gas sales operations) 9.300 (Gas sales operations) 8 8 7 2 2 2 9.500 Car wash 9.500 (Gar wash 7 7 8 8 7														Α					ZA								
9.400 Automobile repair shop or body shop Image: Constraint of the constraint			ons																								
9.500 Car wash																B		B									
10.000 Storage and Parking			or body snop					<u> </u>						A			в	в				-			┟──┦	╟──┦	
10.100 Independent automobile parking lots or garages	10 000 \$																			-			<u> </u>				
or garages	10.000 5	10.100 Independent automobile	parking lots																								
uses of those goods on the same lot where they are stored i		or garages											ZA	Z				Ζ	Ζ	Ζ	Α						
where they are stored 10.210 All storage within completely enclosed structures 10.20 Storage inside or outside completely enclosed structures 10.20 Storage inside or outside co		10.200 Storage of goods not rela	ated to sale or																								
10.210 All storage within completely enclosed structures (0) vehicles or storage of equip- ment outside enclosed structures where: (1) 0.300 1			the same lot																								
enclosed structures Image: structures			in completely																								
10.220 Storage inside or outside completely enclosed structures ment outside enclosed structures where: Image: Completely enclosed structure																			z	z							A
10.300 Parking of vehicles or storage of equipment are owned Image: constraint of the constrain																				_							
ment outside enclosed structures where: (i) vehicles or equipment are owned i <td></td> <td>Α</td> <td>Ζ</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>ZA</td>																			Α	Ζ							ZA
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and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot Image: Constraint of the lot of the lot of the overall use made of the lot of the lot of the overall use made of the lot over the overall use the overall use the overall use the over the overall use the overallo use the over the ove																											
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part of the overall use made of the lot																											
11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards I																											
Automobile Graveyards Image: construct of the second construction of the second consecond consequal construction of the second consequal	11.000.0	•					<u> </u>												B	B							
12.000 Services and Enterprises Related to Animals Image: Constraint of the c			, Junkyards,	\parallel												\parallel		——	\parallel			\parallel	\vdash			⊫∣	
12.100 Veterinarian Image: Constraint of the stations Image			d to Animals	╟──┤						∥───	∥	∥	∥——			$\parallel \rightarrow$		\vdash	\vdash	в	<u> </u>	\mathbb{H}	\vdash		╟──┦	╟─┤	
12.200 Kennel Image: Construct set of the	12.000 8	12.100 Veterinarian	u io Ammais							в				ZA				в	в	в		\mathbb{H}					
13.000 Emergency Services Image: Constraint of the service of the																						Н					
13.200 Fire Stations Z	13.000 F	Emergency Services																								\square	
13.300 Rescue Squad, Ambulance Service B C I I I I I I I I I I I I I I I					Ζ				Z	Z			Z		Ζ	Z	Ζ	Ζ		Ζ	Ζ	Z	Ζ		Z	Ζ	Ζ
13.400 Civil Defense Operation B B B B B B B B B B B B B B B B B B B A <th< td=""><td></td><td></td><td></td><td></td><td>Z</td><td></td><td></td><td></td><td></td><td></td><td> </td><td> </td><td>∥</td><td></td><td>Z</td><td>Z</td><td>Z</td><td>Z</td><td>Z</td><td>Z</td><td></td><td></td><td></td><td></td><td></td><td>Z</td><td>Z</td></th<>					Z								∥		Z	Z	Z	Z	Z	Z						Z	Z
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14.100 Agricultural operations, farming Image: Constraint operation, farming			87									1										\parallel					
14.120 Including livestock Image: Constraint of the system of the s		14.100 Agricultural operations, f																									
14.200 Silvicultural operations Z <t< td=""><td></td><td></td><td></td><td></td><td>Ζ</td><td>Ζ</td><td>Z</td><td>Z</td><td>Z</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>Ζ</td><td></td><td>Z</td><td></td><td></td><td></td><td>\square</td><td></td></t<>					Ζ	Ζ	Z	Z	Z											Ζ		Z				\square	
14.300 Mining or quarrying operations, in- Image: Constraint of the seles of products Image: Constraint of the seles of products Image: Constraint of the seles of the seles of products Image: Constraint of the seles of the s			ock				<u> </u>				∥	∥										Z	Z	Z	┢───┘	⊫	
cluding on-site sales of products Image:			ations in	\parallel	Z	Z					∥	∥	∥					\vdash		Z	<u> </u>	╟╢	\mid		┢──┤	╟─┤	
14.400 Reclamation landfill Z <td></td> <td></td> <td></td> <td>\vdash</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td> </td> <td> </td> <td></td> <td></td> <td><u> </u></td> <td>⊣</td> <td></td> <td></td> <td></td> <td>B</td> <td></td> <td>⊣</td> <td>H</td> <td></td> <td>┢━━┩</td> <td>⊫</td> <td></td>				\vdash											<u> </u>	⊣				B		⊣	H		┢━━┩	⊫	
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16.300 Gamilary inserting . <th></th> <th>DES</th> <th>CRIPTION</th> <th></th> <th></th> <th>R- 2</th> <th>R- 3</th> <th>R- 7.5</th> <th>R- SIR, SIR2, 10</th> <th>R- 15</th> <th>R- 20</th> <th>RR</th> <th>HR- R</th> <th>HR- CC</th> <th>B- 1 (C)</th> <th>B- 1 (G)</th> <th>B- 2</th> <th>B- 3</th> <th>B- 3- T</th> <th>В- 4</th> <th>M- 1</th> <th>M- 2</th> <th>СТ</th> <th>С</th> <th>W- R</th> <th>B- 5</th> <th>WM -3</th> <th>0</th> <th>O/ A</th>		DES	CRIPTION			R- 2	R- 3	R- 7.5	R- SIR, SIR2, 10	R- 15	R- 20	RR	HR- R	HR- CC	B- 1 (C)	B- 1 (G)	B- 2	B- 3	B- 3- T	В- 4	M- 1	M- 2	СТ	С	W- R	B- 5	WM -3	0	O/ A
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13:00 Bandary unervise. National Guard centers .												Α												П					Α
15:00 Recycing materials collecton Image: State of the state												Α									Α								
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15 510 Using collection facilities of the "An import writcles mode w		15.500	Recycling materials co	llection																									
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15.750 Data Service Provider Facility I															в	в	в	в		в	в	в	в					в	в
15.800 Town-owned and/or Operated Facilities and Services Facilities Facilities and Services		15 750	-	Facility					7B	7 B	7 B					<u> </u>	<u> </u>	-			Ľ			╢╢				Ľ	
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16.000 Dry Cheneer, Laundronmat In In <td></td> <td></td> <td>15.820 All other town</td> <td>-owned an</td> <td>nd/or</td> <td></td> <td>\square</td> <td></td> <td></td> <td></td> <td></td> <td></td>			15.820 All other town	-owned an	nd/or																			\square					
16:100 Windo dirive-in windows I <td< td=""><td></td><td></td><td>operated faci</td><td>lities and s</td><td>services</td><td>Ζ</td><td>Ζ</td><td>Z</td><td>Ζ</td><td>Z</td><td>Z</td><td>Z</td><td></td><td></td><td></td><td>Z</td><td></td><td>Z</td><td>Z</td><td></td><td>Z</td><td>Z</td><td>Ζ</td><td>z</td><td>Z</td><td>z</td><td>Z</td><td>Z</td><td>Z</td></td<>			operated faci	lities and s	services	Ζ	Ζ	Z	Ζ	Z	Z	Z				Z		Z	Z		Z	Z	Ζ	z	Z	z	Z	Z	Z
16 20 Windout drive-n windows Image: Second s	16.000	Dry Cle	aner, Laundromat																					Π					
17.000 Utility Facilities B <td></td> <td>16.100</td> <td>With drive-in windows</td> <td></td> <td>Α</td> <td>Α</td> <td>Α</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>Α</td>		16.100	With drive-in windows															Α	Α	Α									Α
17.100 Neighborhood B B B B B B B B B B B A B		16.200	Without drive-in windo	ws												Z		В	В	Ζ	В		Ζ	П		Α			В
17.200 Community or regional utility facilities Image: State of the state	17.000	Utility H	acilities																										
17.300 Cable Television Satellite Station Image: Station Station Image		17.100	Neighborhood			В	В	В	В	В	В	В				В	В	В	В	В	В	В	В	Α	Α	Α			В
17.400 Underground Utility Lines Image: State of the state of		17.200	Community or regional	utility fac	ilities				ZB												В	В		Α		Α			В
17.410 Electric Power Lines & Gas Lines B		17.300	Cable Television Satel	lite Statior	า							В						В	В	В	В	В	В					В	В
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Section 89. Section 15-126, The Table of Permissible Uses, is amended by repealing use classification 33.00 entitled "Office/Assembly Planned Development."

Section 90. Section 15-147, Use of the Designations Z,S,C in the Table of Permissible Uses is rewritten to reflect the change from conditional use permits to special use permits-A and the change from special use permits to special use permits-B, in the title of the section and throughout.

Section 91. Section 15-147, Use of the Designations Z,B,A in the Table of Permissible Uses is amended to remove references to the B-4-CU district in subsections (P) and (Q).

Section 92. Subsection 15-176.2(a), Village Mixed use Developments is amended by updating the approval requirements in provision (1) to reflect the change from a conditional use district with an associated conditional use permit to a conditional district, approved with a master plan as a condition of the rezoning, and a subsequent special use permit-A.

Section 93. Section 15-182, Residential Density, is amended to update the reference in provision (i) from Section 15-141.4(f) to 15-141.4(k).

Section 94. Subsection 15-202(b), is rewritten to read as follows:

(b) Whenever the permit issuing authority authorizes some deviation from the standards set forth in this article pursuant to subsection (a), the official record of action taken on the development application shall contain a statement of the reasons for allowing the deviation.

Section 95. Subsection 15-204(d)(1)(c) is rewritten to read as follows:

c. The DLA can be reduced to 7 percent of the land area if it meets both the criteria set forth in (d)(1)a and (d)(1)b.

Section 96. Subsection 15-204(d)(2) is rewritten to read as follows:

(2) The dollar value of the urban amenities to be installed within the downtown livability area shall be an amount equal to 7 percent of the assessed value of the land that constitutes the development site, determined as of the date the development permit is approved.

Section 97. Article XIV, Streets and Sidewalks, is amended to replace all references to the 'Board of Aldermen,' or 'Board' with the 'Town Council,' or 'Council,' respectively.

Section 98. Subsection 15-216(d1) is amended to replace the reference to a conditional use permit to a special use permit-A, and to delete the words 'B-4-CU' in the first sentence.

Section 99. Subsection 15-216(e) is rewritten to read as follows:

(e) The Council may allow a deviation from the right-of-way minimums set forth in subsections (b) and (c) if it finds that (i) the deviation is needed because in order for a development to be served by a public street the street must be constructed within an area that is not of sufficient width to comply with the right-ofway criteria set forth above, (ii) a street that meets the pavement width criteria and substantially complies with the other criteria set forth above can be constructed within the right-of-way that can be made available; and (iii) that the applicant has shown that the applicant has made a reasonable effort and attempted to purchase the necessary right-of-way. **Section 100.** Subsection 15-220(f), Public Streets and Private Roads in Subdivision, is amended to update the citation for the North Carolina General Statutes to G.S.136-102.6(f) at the end of the first and second sentences.

Section 101. Subsection 15-220.1(a) is amended to correct the spelling of 'supercede' by replacing it with 'supersede' in the second sentence.

Section 102. Section 15-236, Utility Ownership and Easement Rights, is amended to include 'fiber optic cable or conduit' in the list of utilities installed by a developer and intended to be owned, operated or maintained by a public utility or entity other than the developer.

Section 103. The table in Subsection 15-239(b), Determining Compliance With Section 15-238 is amended to change the reference to the 'Division of Environmental Management of the NC Department of Natural Resources and Community Development' to the 'NC Department of Environmental Quality (DEQ).'

Section 104. The table in Subsection 15-240(b), Determining Compliance With Section 15-240 is amended to change the reference to the 'Division of Health Services of the NC Department of Human Resources' to the 'Division of Public Health of the NC Department of Health and Human Services.'

Section 105. Section 15-246, Underground Utilities is rewritten to read as follows:

Section 15-246 Underground Utilities.

(a) All electric power lines, (not to include transformers or enclosures containing electrical equipment including, but not limited to, switches, meters or capacitors which may be pad mounted), telephone, gas distribution, fiber optic cable or conduit, and cable television lines in subdivisions developed after the effective date of this chapter shall be placed underground in accordance with the specifications and policies of the respective utility companies and located in accordance with Appendix C, Standard Drawing No. 6 or No. 7.

(b) Whenever an unsubdivided development is hereafter constructed on a lot that is undeveloped on the effective date of this chapter, then all electric power, telephone, gas distribution, and cable television lines installed to serve the development site outside of a previously existing public street right-of-way shall be placed underground in accordance with the specifications and policies of the respective utility companies. (AMENDED 1/22/85)

(c) Notwithstanding the foregoing, a developer or builder is not required to bury power lines meeting all of the following criteria:

- (1) The power lines existed above ground at the time of first approval of a plat or development plan, whether or not the power lines are subsequently relocated during construction of the subdivision or development plan.
- (2) The power lines are located outside the boundaries of the parcel of land that contains the subdivision or the property covered by the development plan.

Section 106. Section 15-251.1, Definitions, is amended by correcting an error in definition (63), Substantial Damage, to read as follows:

<u>63.</u> Substantial Damage. Damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50

percent of the market value of the structure before the damage occurred. See definition of "Substantial Improvement."

Section 107. Subsection 15-271(c), Permit Required for Signs, is amended to change the word administration in provision (2)(b) from 'administration' to 'administrator.'

Section 108. Subsection 15-271(d), Permit Required for Signs, provision (1) is written to read as follows:

(1) Such master signage plan may be approved as part of the issuance of the original special use permit-A or as a minor amendment to the original special use permit-A, provided that no such master plan shall be approved through the minor amendment process unless the Town Council first holds a public hearing on the proposed amendment. A master signage plan approved as part of a valid 'conditional use permit' prior to June 22, 2021, shall be automatically converted to a 'special use permit-A', pursuant to G.S. 160D-705 and subsection 15-46(a1) of this chapter. Amendments to a master signage plan approved under this section may be approved in accordance with the provisions of Section 15-64 (Amendments to and Modifications of Permits).

Section 109. Subsection 15-291(g), Number of Parking Spaces Required is amended by deleting the reference for 1 space per room plus additional space for restaurant or other facilities in the table under use 23.000, temporary structure or parking lots used in connection with the construction of a permanent building or for nonrecurring purpose.

Section 110. Subsection 15-295(h) is amended to add the words, '2009 Carrboro' to the last sentence, to read as follows:

The "wave", "toast", and "comb" racks, as described in Chapter 7, Figure 7-60, of the 2009 Carrboro Comprehensive Bicycle Transportation Plan, are discouraged and shall not count toward fulfillment of the requirements in Sec. 15-291(h).

Section 111. Subsection 15-298(e) is amended to delete the reference for a definition number for independent automobile parking lots or garages.

Section 112. The first paragraph of Subsection 15-319(a), Minimum Canopy Coverage Standards is rewritten to read as follows:

(a) Minimum Canopy Coverage Standards

Subject to the remaining provisions of this section, the following minimum tree canopy coverage percentages are required within the boundaries of every lot or tract for which a zoning, special use, or conditional use permit was issued after June 24th, 2014 or for which a special use permit-A or special use permit-B is issued after June 22, 2021, exclusive of required cleared active recreation areas, water bodies, access easements, public and private right-of-way, stormwater and utility easements.

Section 113. The G.S. citation in subsection (a) under 15-321.1, Regulations of Forestry Activities is changed from G.S.160A-458.5 to G.S. 160D-921.

Section 114. Section 15-320, Amendments in General, is amended to include a reference to the comprehensive plan in subsection (a), to read as follows:

(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 09/01/87)

Section 115. Provision (1) under Subsection 15-321(b), Initiation of Amendments, is rewritten to read as follows:

(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.

Section 116. Section 15-321, Initiation of Amendments, is amended by adding a new subsection (b1) that reads as follows:

(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).

Section 117. Subsection 15-321(d), Initiation of Amendments, is amended to include an additional sentence, to read as follows:

(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-60(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.)

Section 118. Section 322 of the Carrboro Land Use Ordinance, Planning Board and Other Advisory Consideration of Proposed Amendments, is rewritten to read as follows:

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 involves an economic development issue or any other board if the amendment involves an issue of which the board has expertise. (AMENDED 09/19/95, REWRITTEN 02/25/14, AMENDED 06/25/19).

(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)

(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)

(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)

Section 119. Section 15-323 is amended to update the citations referencing the applicable provisions in the North Carolina General Statutes in subsection (b) from G.S. 160A-364 to G.S. 160D-601(a) and in subsection (d) from G.S. 160A-364 to G.S. 160D-602(b).

Section 120. Section 15-323, Hearing Required: Notice, is amended to add the word 'legislative' in the section heading and in subsection (a), and to expand the mailed notice requirements under subsection (c) to more closely align with the language in the North Carolina General Statutes which speaks to abutting property as follows:

With respect to all map amendments, the planning staff shall mail, by first class mail, written (c) 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 shall also make reasonable efforts to mail a similar written notice to the nonowner 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; 04/15/97; 3/26/02)

Section 121. Subsection 15-323(e), Hearing Required: Notice, is amended to specify when notice should be posted, as follows:

(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-ofway 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.

Section 122. Section 15-324, Board Action on Amendments, is rewritten to read as follows:

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)

- (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 text or 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).

Section 123. Section 15-325, 'Ultimate Issue Before Board on Amendments,' is renamed, 'Ultimate Issue Before Council on Amendments,' and amended to remove the language relating to a request to rezone property to a conditional use district, in provision (1).

Section 124. Section 15-326, Citizen Comments on Zoning Map and Text Amendments, is rewritten to read as follows:

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 North Carolina General Statutes 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).

Section 125. Subsection 15-332(a) is amended by adding the phrase, "and provide recommendations," to the end of the first phrase in the first sentence, to read as follows:

(a) The neighborhood preservation district commission shall review, and provide recommendations on (i) all applications for zoning, sign, special use permit-B and special use permits-A required for development within a neighborhood preservation district, as well as (ii) all applications for building permits for any work involving the construction, removal, or alteration of an exterior feature of a building within a neighborhood preservation district under circumstances where no zoning, sign, or special use permit is required for such work. Notwithstanding the foregoing, no review by the neighborhood preservation district commission shall be required when mobile homes are moved in or out of a mobile home park. (AMENDED 02/01/00)

Section 126. Subsection 15-333(a), Commission Rules, Procedures and Guidelines, is amended to reference the exception for building permitted under the N.C. Residential Code for One and Two Family Dwellings in subdivision (a)(4); (5); (6) and (11) as follows:

- (4) Exterior construction materials, including but not limited to, textures and patterns (except for building permitted under the N.C. Residential Code for One and Two-Family Dwellings);
- (5) Architectural detailing, such as lintels, cornices, brick bond, foundation materials, and decorative wooden features (except for building permitted under the N.C. Residential Code for One and Two-Family Dwellings);
- (6) Roof shapes, forms and materials (except for building permitted under the N.C. Residential Code for One and Two-Family Dwellings);
- (11) Use of local or regional architectural traditions (except for building permitted under the N.C. Residential Code for One and Two-Family Dwellings);

Section 127. Section 15-336, Historic District Commission, is rewritten to read as follow:

The appearance commission established under Article III, Part V, of this chapter is hereby designated as the historic district commission and shall exercise all duties and responsibilities conferred upon the historic district commission. Pursuant to Section 15-339(d) below, when serving as the historic district commission to consider certificates of appropriateness, the appearance commission shall conduct its meetings strictly in accordance with the quasi-judicial procedures set forth in Articles IV, V, and VI.

Section 128. Article XXI, Neighborhood Preservation, is amended to change all references to 'guidelines' in Section 15-338 and 15-339 to 'standards.'

Section 129. Section 15-339, Certificates of Appropriateness, is amended to clarify the quasijudicial nature of all procedures relating to certificates of appropriateness.

Section 130. Subsection 15-399 is amended to update the reference to the North Carolina General Statutes from G.S. 160A-400.9 to G.S. section 160D-102; and 160D-947.

Section 131. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 132. This ordinance shall become effective upon adoption.



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

DELIVERED VIA: 🖂 HAND 🗌 MAIL 🖂 FAX 🗌 EMAIL

To: David Andrews, Town Manager Mayor & Town Council

From: Tina Moon, Planning Administrator

Date: June 9, 2021

Subject: Proposed Amendments to the Land Use Ordinance Relating to Chapter 160D

The following list provides an outline of the substantive changes to the Land Use Ordinance required by the adoption of N.C.G.S. Chapter 160D. Local governments have until July 1, 2021 to amend local ordinances to conform to these new regulations.

- 1. New language has been added to Article I, General Provisions, to address properties with "<u>split</u> <u>jurisdiction</u>," where a parcel or parcels are located in more than one jurisdiction.
- Local governments must have a current comprehensive plan in place by July 1, 2022 (G.S. 160D-501(a)). This requires local governments to adopt a comprehensive plan if they do not have one already or to continue maintaining a reasonability up to date plan. Work on the Town's comprehensive plan (Carrboro Connects) is underway and scheduled to meet this requirement. New language has been added to Article I, General Provisions, to reference the comprehensive plan and the legislative process for its adoption and review of future amendments.
- 3. <u>Proportional representation</u> residents in the ETJ should have proportional representation on advisory boards. The number of ETJ seats should be recalculated after the results of each census and adjusted if necessary to maintain the appropriate ratio. Three boards are specifically identified in chapter 160D as subject to this standard: the planning board, the board of adjustment and the appearance commission. Historic preservation commissions may also require ETJ representation if/when properties located in the ETJ are designed for local historic status (local historic district or local landmark). In Carrboro, the appearance commission serves as the historic preservation commission. (Amendments to Article III, Administrative Mechanisms, have been prepared to address these requirements.)
- 4. The existing <u>conflict of interest provisions for legislative decisions has been expanded</u> (the review of text and map amendments). The new provisions apply to advisory boards and the Town Council. The conflict of interest provision for quasi-judicial decisions has been revised,

this only applies to the board of adjustment and the Town Council, when considering quasijudicial matters. There is also a <u>new conflict of interest provision for staff</u>. (Amendments to Article III, Administrative Mechanisms, have been prepared to address these requirements.)

- 5. <u>Advisory board members are required to take an oath of office</u> before beginning their term. (Amendments to Article III have been prepared to meet this requirement. Staff is reviewing the provisions in Article V in Chapter 3 of the Town Code, relating to advisory boards to determine if additional amendments are needed to fully comply with Chapter 160D. Amendments to the Town Code are not subject to the same legislative public hearing process as amendments to the Land Use Ordinance.)
- 6. Chapter 160D has provided an opportunity for updating the list of plans used for determining for consistency when making legislative and quasi-judicial decisions. Amendments include adding a <u>new reference for the Carrboro Comprehensive Plan and replacing the Thoroughfare Plan with long-range transportation plans</u>. (Amendments to Article III, Administrative Mechanisms, Article IX, Zoning Districts and Zoning Map, and Article XX, Amendments, have been prepared to update the list of plans used for consistency.)
- 7. <u>Chapter 160D eliminates the use of the term conditional use permits</u>. Effective with the adoption of the draft ordinance (anticipated for June 22, 2021), all valid conditional use permits will be automatically converted to special use permits. To maintain the distinction between permits subject to Town Council review and permits subject to board of adjustment review, CUPs have been renamed special use permits-A, and special use permits have been renamed special use permits-B. (The opening section of Article IV, Permits and Final Plat Approval, explains this change, but additional references to CUPs becoming SUPs-A have been added throughout the LUO.)
- 8. <u>Permit approvals and conditions associated with permit approvals must be provided in writing.</u> (A new subdivision, Section 15-59(b)(2), has been added to Article IV.)
- 9. <u>The standards associated with performance guarantees (bonds) have been changed</u> in Chapter 160D, as noted in the 15-60(b) for subdivisions. Other provisions relating to the use of performance guarantees for zoning permits and special use permits have been updated by reference to 15-60(b). (These amendments are in Article IV, Permits and Final Plat Approvals.)
- 10. An additional phrase has been added to Section 15-64, Amendments and Modifications to Permits, in subsection (c) to clarify that <u>changes to permits involving use and density cannot be approved administratively as minor modifications</u>.
- 11. A new Section 15-78.1 has been added to Article IV, Permits and Final Plat Approval, with criteria for the special review of certain classes of subdivisions, these types of subdivision are sometimes referred to as "expedited subdivisions."
- 12. A new Section 15-93.1 has been drafted with <u>new standards relating to administrative</u> <u>determinations</u>, in Article V, Appeals, Variances, Special Exceptions, and Interpretations. Administrative determinations are staff decisions, such as the approval or denial of zoning

permits or the interpretations of language in the Land Use Ordinance. Administrative determinations can be appealed.

- 13. Language in <u>Article VI, Hearing Procedure for Appeals and Applications, has been amended to add</u> <u>the word "evidentiary"</u> in key locations throughout the article to emphasis the evidentiary nature of quasi-judicial proceedings.
- 14. A new Section 15-107 has been added to Article VI, Hearing Procedures for Appeals and Applications, which outlines detailed criteria relating to 'standing.'
- 15. The provisions on vested rights, site specific development plans have been expanded and reorganized to include provisions on permit choice and multi-phase developments. In previous iterations of the draft amendments, the provisions on permit choice and multi-phase developments were included in Article IV. This language has been reorganized and relocated to Article VIII where it is part of sections 15-128.2 (vested rights and permit choice) and 15-128.3 (vested rights and site specific developments) to more closely align with the language in 160D. Some additional refinement may still be needed to distinguish regulations relating to vested rights from those pertaining to nonconforming situations. Staff will continue to review Article VIII with the Town Attorney and bring forth future amendments if necessary.
- 16. The adoption of Chapter 160D eliminates the use of conditional use zoning, the mechanism by which applicant applies for a rezoning and conditional use permit simultaneously. As of the adoption of the ordinance, all (valid) existing conditional use districts will be automatically converted to conditional districts with an associated special use permit-A. Article IX, Zoning Districts and Zoning Map, has been substantially rewritten to repeal Section 15-141.3, Conditional Use Zoning Districts and existing conditional use districts have been restructured as conditional districts. These include the Village Mixed Use District (VMU), the O/A conditional district and the M-3 conditional district. Similarly, the B-4 conditional use district has been eliminated; the B-4 conditional district remains unchanged.
- 17. Additional language relating to amendments and minor modifications for conditional zonings has been added to 15-141.4(g) and 15-141.4(h) in Article IX. This language has been revised since the earlier iterations of the draft amendments to better align with the requirements in Chapter 160D. Similar language is also provided in the discussion of VMUs in 15-141.2(g)(5). Changes to conditional zoning districts involving use and density cannot be approved administratively as minor modifications.
- 18. New regulations in chapter 160D requires a <u>stay of fees, during an appeal process</u>, this includes the assessment and collection of fees. New language has been added to Article VII, Enforcement and Review, under Subsection 15-114(b)(3) to address this change.
- 19. A new Section 15-118, on statutes of limitations has been added to Article VII, Enforcement and Review.
- 20. A substantive change to the language in Article XXI, Neighborhood Preservation, is the requirement to replace the term "guidelines" with "standards," in reference to design standards used to evaluate proposed changes to properties in local historic districts. A related change is the

emphasis on the quasi-judicial nature of the review of certificates of appropriateness (COA), and the role of the Appearance Commission to follow quasi-judicial decision-making processes when acting as the Historic Preservation Commission.

Other Amendments to the Land Use Ordinance to address administrative matters

- 1. New language has been added to Article XX to require that petitioners seeking a rezoning to hold a neighborhood information meeting.
- 2. References to the Board of Aldermen have been changed to the Town Council.
- 3. References for a conditional use permit or special use permit have been replaced with special use permit-A and special use permit-B, respectively.
- 4. Language has been updated for gender neutrality.
- 5. Minor clerical errors have been addressed.

Chapt 160D				LUO Article or	
Subject/Topic	Status	Purpose	Recommended Action	Town Code Chapter	Specific Citation(s)
Terminology & Citations	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations. Consult with Town Attorney to ensure that all appropriate citations are included, and in a standardized format.	Article I	15-2 15-3(a)
Geographic Jurisdiction	Required	For parcels in two jurisdictions, the owner and the jurisdictions may agree for development regulatins from one juridiction to apply to the entire parcel. (G.S. 160D-203)	Amendment provided to add information relating to a process for handling developments on parcels with split jurisdiction, consistent with the language in 160D. (This provision was modified from a requirement in an earlier edition of 160D to an option.)	Article I	15-3(b)
Land Use Administration	Required	<u>Chapter 160D Requirement.</u> Must maintain in paper or digital format current and prior zoning maps for public inspection. (160D-105)	Additional language added to provide official Town maps in paper and electronic/digital formats for public inspection. See also Article IX for Offical Zoning Map	Article I Article IX	15-3(c) 15-143(b)
Comprehensive Plan	Required	Town administrative update. <u>Chapter 160D Requirement</u> . Must reasonably maintain a plan. (G.S. 160D-501(a).)	Change references for the Board of Aldermen to the Town Council. Amendments to Section 15-6 describe the comprehensive plan, what it is, how it is adopted and amended. Additional language added to note that the plan must be updated at regular intervals.	Article I Article I	15-6(b) 15-6(a)
Legislative Decisions Planning Consistency	Required	<u>Chapter 160D Requirement.</u> The future land use map is deemed amended when an inconsistent rezoning is approved. (G.S. 160D-605(a).) (This clarifies that a rezoning inconsistent with a plan does not amend the text of the plan, but it does amend the future land use map.)	Amendments to Section 15-6 subection (b) describe the process for scenarios when a rezoning may also hanges the future Land Use Map. See also expanded description under Article XX.	Article I	15-6(b)
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Remove reference to conditional use permits.	Amendments needed to replace conditional use permits and special use permits with special use permit-A and special use permit-B respectively.	Article I	15-8(a)
Land Use Administration General Terminology & Citations	Required	Chapter 160D Requirement. Update definitions; update citations; remove references to conditional use permits and conditional use zoning districts.	22 new definitions were added and 16 existing definitions were modified to comply with 160D, including updating and standardizing citations.	Article II	 15-15 Added: administrative decision; administrative hearing; bona fide farm; charter; comprehensive plan; determination; dwelling; evidentiary hearing; interested person; land owner or owner; legislative decision; multiphased development; manufactured housing; site plan; site specific vesting plan; quasi-judicial decision; zoning map amendment or rezoning. Modified: adult care home, class B; applicable codes; berm; childcare home, class A; childcare home, class B; conditional use permit; developer; development; drainage facilities; maternity home; modular home; nursing care home; planning and development regulation jurisdiction; special use permit; subdivision; and wireless facility.
		Town administrative update.	Text revised as needed to incorporate gender neutral language.	Article II	15-15 definitions for Berm, Drainage Facilities;

		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article II
Boards F	Required	<u>Chapter 160D Requirement</u> . Must keep minutes of proceedings of each board. (G.S. 160D-308.) May have detailed rules of procedure for advisory boards.	No change needed. The Rules of Procedure for Town of Carrboro Boards and Commissions was adopted as an administrative policy, 11-21-2017. http://www.townofcarrboro.org/DocumentCenter/View/5357/-Rules-of- Procedure-for-Town-of-Carrboro-Boards-and-Commissions-Approved-11- 21-17	
Boards F	Required	Chapter 160D Requirement. Must update ETJ population estimate, at least with each decennial census (also calculation for proportional representation is simplified and process for appointment is clarified). (G.S. 160D- 307.)	Amend Article III with new provisions (a1) under the appointments and terms for the planning board (15-21(a1), and board of adjustment (15- 29(a1), and appearance commission (15- to meet requirement; boards where ETJ membership is a requirement part of the make up of the board.	Article III
Boards F	Required	Chapter 160D Requirement. Must provide proportional representation for ETJ on preservation commission if any districts or landmarks are designated in the ETJ. (G.S. 160D-307.)	Add a new provision 15-42(d1) under the Article III, Part V. for the appointment and terms of Appearance Commission, to include an ETJ membership requirement when a local historic district(s) is located in the ETJ.	Article III
Boards F	Required	Chapter 160D Requirement. Must have each board member take an oath of office before starting his or her duties. (G.S. 160D-309.)	Amend LUO Article III, PART VII. Membership Limitations on Boards, Committees, Advisory Groups, and Commissions with a new provision to require incoming advisory board members to receive the oath of office before begining to serve their duties. Requirement is provided in one central place for all advisory boards in association with the appointment process rather than repeated under the appointment language for each board. A less formal option would be to amend the Rules of Procedures for Advisory Board Rules to reflect this requirement.	Article III
Land Use Administration General		<u>Chapter 160D Requirement</u> . New conflict of interest provisions for administrative staff. (G.S. 160D-109(c)	Amendment needed. Add new provisions under the Land Use Administrator to include this new requirement.	Article III
Quasi-Judicial Decisions		Clarification relating to quasi-judicial matters.	Minor language change to clarify the existing role of the planning board as advisory.	Article III

Attachment C -2 of 18

Conditional Use Permit in two places
15-21(a1); 15-29(a1); 15-42(a) & 15-42(a1);
15-42(d1)
Part VII
15-37 15-37(a); (b)
15-22(b)

	Town administrative update.	Change references for the Board of Aldermen to the Town Council in Article III, Administration Mechanisms.	Article III
	Town administrative update.	Use gender neutral language. Remove references for chairman and vice chairman and replace with chair and vice chair.	Article III
Terminology & Citations Substance of Zoning Ordinance	Chapter 160D Requirement. Must delete use of terms conditional use permit, conditional use dis zoning and special use district zoning. G.S. 160D	strict	Article III
	Town administrative update.	Amend LUO Section 15-25(a) to add a new provision (4) to include make recommendations to Board of Adjustment concerning SUP-B to list of Planning Board duties, and renumber existing provision (4) to (5).	Article III
	Town administrative update.	Amend LUO Section 15-26 to update list of examples of long range planning documents; use this updated list throughout the Land Use Ordinance.	Article III
Land Use Administration General	<u>Chapter 160D Requirement</u> . Resolution of Object (G.S. 160D-109(e)).		Article III

15-21(a) in three places; 15-22(b); 15-25(a)(1), (a)(2), (a)(3), (a)(4); 15-26(a) in two places, (b), (c) in two places, (d); 15-27(a) in three places; 15-27(h)(1),(h)(4), (h)(8); 15-29(a) in three places; 15-29(e); 15-38 in three places; Part IV Title; 15-40(a) in two places; 15-40(b); 15-40(c); 15-42(d); 15-44(a)(4), (a)(6); 15-44(b); 15-44(c); 15-45(a); 15-45(c)(3); 15-45.2(a); 15-45.2(d); Dart \/II 15-21(e) in five places; 15-24(b); 15-29(d) in five places; 15-30(b) in two places; 15-32(c); 15-33(b); 15-42(c) in five places 15-22(e); 15-25(a)(1), (a)(2), (a)(3); 15-27(h)(1) 15-40(a); 15-40(c) 15-25(a)(4) 15-26(a) 15-32

Terminology & Citations	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article IV
Substance of Zoning Ordinance & Land Use Administration General	Required	prior zoning maps for public inspection (local government	Minor amendment provided in Article IX, Zoning Districts and Zoning Map, Part II. Zoning Map. New phrase or sentence under either 15-143(b) of 15- 143(d) to clarify the historical and current copies of the zoning map shall be maintained in paper and digital forms.	
Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must eliminate conditional use district zoning; existing conditional use district zoning converts to conditional district on January 1, 2021 upon adoption of updated local ordinances or July 1, 2021. (G.S. 160D-703; S.L. 2020-25; S.L. 2019-111, § 2.9(b).)	Amendments needed. New provision (a1) added under 15-46 in Article IV, Permits and Final Plat Approvals, to indicate the automatic conversation to Conditional Districts. Add a new provision under the Section 141.3 Conditional Use Districts to indicate the automatic conversation to Conditional Districtsto match language in 15-46(a1) and repeal section. Review districts in Article IX, Zoning Districts and Zoning Maps and modify as needed, 3, specific districts such as the O/A, conditional use district and associated references throughout the ordinance. Scan LUO and make other updates as needed.	Article IX
Terminology & Citations Substance of Zoning Ordinance	Required	Chapter 160D Requirement. Must delete use of the term conditional use permit and replace with special use permit. G.S. 160D-102.	Amend Article IV to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use permit-B.	Article IV
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must delete use of the terms conditional use district zoning and special use district zoning. G.S. 160D-102.	Amendments to Article IV to reflect elimination of Conditional Use Zoning. Existing conditional use districts will become Conditional Districts.	Article IV
Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must not set a minimum square footage for structures subject to the One- and Two-Family Residential Building Code. (G.S. 160D-703; S.L. 2019-174.)	Possible amendment to Chapter 17 of the Town Code, Housing Code, 17-6, Space and Use Standards.	Chapter 17 of Town Code

	15-52(f); 15-77(a), 15-77(b)
	15-143(b) 15-3(c)
	15-46(a1) 15-141.3
	15-46(a)(3); 15-46(c); 15-49(d); 15-54(b), 15-54(c), 15- 54(c)(4)9d; 15-54.1(a), 15-54.1(b), 15-54.1(b)(1), 15-54.1(b)(2), 15- 54.1(b)(4) in three places; 15-54.1(c); 15-54.1(d) in three places; 15-54.1(e) in three places; 15-54.1(f); 15-55(a); 15-57(a) in three places; 15-57(b); 15-57(d); 15- 57(e); 15-58 title; 15-58; 15-58(1), 15-58(2) in two places, 15-58(3) in two places; 15-59(a), 15-59(a)(4); 15-60(c); 15-62(d); 15-64(a), 15-64(c); 15-64(e) in four places; 15-79(a), 15-79(e) in two places; 15-80(1); 15-80(2); 15- 81; 15-83.2(e); 15-88.5(c) in three places; 15-88.5(d) in three places; 15-88.5(e); 15-88.6 in six places; 15-88.7 in two places
	15-46(a1) in two places; 15-88.1(b)
own	17-6

Substance of Zoning Ordinance	Optional	<u>Chapter 160D Option</u> . May incorporate maps officially adopted by state or federal agencies (such as flood- insurance rate maps (FIRMs)) into the zoning map; may incorporate the most recent officially adopted version of such maps so that there is no need for ordinance amendment for subsequent map updates; must maintain current effective map for public inspection; may maintain in paper or digital format. (G.S. 160D-105.)	No change needed. 15-251.2(b)(1) provides for such incorporation. (1) Those Special Flood Hazard Areas that are identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) and its accompanying Flood Insurance Rate Maps (FIRM), for Orange County, dated 09/26/2017, which are adopted by reference and declared to be a part of this ordinance. (AMENDED 09/26/17)	Article XVI
Substance of Zoning Ordinance	Optional	Chapter 160D Option. May require certain dedications and performance guarantees for zoning approvals to the same extent as for subdivision approvals. (G.S. 160D- 702.)	Amendments needed. G.S. 160D-702 allows local governments to use performance guarantees for zoning approvals, consistent with the provisions for performance guarantees for subdivision approvals, as provided for in G.S. 160D-804(g). Additional language needed to conform the existing standards for performance guaranteees for zoning permits (15- 53) and SUPs (15-60(s), and subdivisions (15-60(b)) to the standards in 160D-804.	Article IV
Substance of Other Development Ordinances	Required	<u>Chapter 160D Requirement</u> . Must conform subdivision performance guarantee requirements with statutory standards. (G.S. 160D-804.1; S.L. 2020-25; S.L. 2019-79 (S.B. 313), to be incorporated into G.S. Chapter 160D.)	Language added in 15-60(b) to clarify maximum amount and allowable uses for bond money.	Article IV
Substance of Other Development Ordinances	Required	<u>Chapter 160D Requirement</u> . Must conform subdivision procedures for expedited review of certain minor subdivisions. (G.S. 160D-802, established prior to G.S. Chapter 160D.)	Amendment needed. New section 15-78.1 added which provisions related to expedited review provided directly from the language in 160D-802.	Article IV

15-251.2(b)(1)
15-53 (zoning permits) 15-60(a) (special use permits)
15-60(b) subdivisions
15-78.1
15-52(f); 15-77(a), 15-77(b)

		Town administrative update.	Change references for the Board of Aldermen to the Town Council	Article IV
		Town Adminstrative Update	Changes for gender neutral language.	Article IV
Substance of Other Development	Required	Chapter 160D Requirement. Must exempt farm use on	Amendments needed. Bona fide farm definition added to Section 15-15.	Article IV
Ordinances			New provision 15-46(f) added with language clarifying exemption.	Article I
		it would be exempt from county zoning; Chapter 160D clarifies that other municipal development regulations		
		may still apply. (G.S. 160D-903(c).)		
Terminology & Citations	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article V
		Town Adminstrative Update	Change references for the Board of Aldermen to the Town Council	Article V
Terminology & Citations	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article VI
		Town Adminstrative Update	Change references for the Board of Aldermen to the Town Council	Article VI
T i b b c i i i				A 1
Terminology & Citations Substance of Zoning Ordinance	Required	conditional use permit and replace with special use	Amend Article to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use	Article VI
Substance of Zoning Orumance		permit. G.S. 160D-102.	permit-B.	
Terminology & Citations	Required	<u>Chapter 160D Requirement</u> . Must delete use of the term	•	Article VII
Substance of Zoning Ordinance		conditional use permit and replace with special use	and special use permits to become special use permit-A and special use	
		permit. G.S. 160D-102.	permit-B.	

15-46(a)(3); 15-46(c); 15-49(d); 15-54(b), 15-54(c), 15-
54(c)(4)9d; 15-54.1(a), 15-54.1(b), 15-54.1(b)(1), 15-54.1(b)(2), 15-
54.1(b)(4) in three places;
15-54.1(c); 15-54.1(d) in three places; 15-54.1(e) in three places; 15-54.1(f);
15-55(a); 15-57(a) in three places; 15-57(b); 15-57(d); 15- 57(e); 15-58 title; 15-58;
15-58(1), 15-58(2) in two places, 15-58(3) in two places; 15-59(a), 15-59(a)(4);
15-60(c); 15-62(d); 15-64(a),
15-64(c); 15-64(e) in four places;
15-65 title, 15-65, 15-65(4); 15-79(a), 15-79(e) in two places; 15-80(1); 15-80(2); 15- 81;
15-83.2(e); 15-88.5(c) in three places; 15-88.5(d) in three places; 15-88.5(e);
15-88.6 in six places; 15-88.7 in two places
15-57(e) change his to their;
15-61(c) change his to their;
15-64(c) change his to their;
15-67 change his to the recipient's;
15-77(a) change his to their in two places;
15-78(h) change his to the manager's;
15-79(c)(5) change his to the surveyor's;
15-83.1(c) replace his with the developer's; 15-83.2(d) replace his with the
15-83.2(e) replace his with their;
15-88.5(e) replace his or her with their
15 46(5)
15-46(f) 15-15
15 15
 15-91
15-97(a), 15-97(d), 15-97(f) in two places, 15-97(g) in two places
15-106(a)
15-101(a) in two places, 15-101(c), 15-101(d), 15-101(e); 15-104(a), 15-104(b) in two places, 15-104(c); 15-106(a) in three places, 15-106(b)
15-101(a) in six places;
15-114(a), 15-114(b), 15-(b)(1)(h); 15-115(a) in two
places, 15-115(b) in two places, 15-115(d) in two places,

		Town Adminstrative Update	Changes for gender neutral language.	Article VII
Terminology & Citations	Required	Chapter 160D Requirement. Must delete use of the term	Amend Article to update the terms associated with conditional use permits	Article VIII
Substance of Zoning Ordinance		conditional use permit and replace with special use permit. G.S. 160D-102.	and special use permits to become special use permit-A and special use permit-B.	
		Town Adminstrative Update	Change references for the Board of Aldermen to the Town Council	Article IX
Toursinglogy & Citations	Deguined	Chapter 1000 Deguingment - Must delete use of the term	Amond Article to undete the terms accepted with an ditional use powerts	Article IV
Terminology & Citations Substance of Zoning Ordinance	Required	conditional use permit and replace with special use permit. G.S. 160D-102.	Amend Article to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use permit-B.	
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must delete use of the terms conditional use district zoning and special use district zoning. G.S. 160D-102.	Amendments to article to reflect elimination of Conditional Use Zoning. Existing conditional use districts will become Conditional Districts.	Article IX
		Town Adminstrative Update		Article X
		Town Adminstrative Update	Changes for gender neutral language.	Article XI

15-111; 15-113
15-124(f) in two places, 15-124(g)(6) in two places, 15-124(h)
in two places;
15-126(a), 15-126(d) in two places; 15-127(b); 15-128(b)(1) in
two places,
15-140.1(c)(1);
15-141.2(f); 15-141.2(g)(2) in two places, 15-141.2(g)(4)(b),
15-141.2(g)(5);
15-141.4(e)(1)(c); 15-141.4(f);
15-141.4(k);
15-141.4(m) in five places;
15-141.4(m)(1) in five places;
15-141.4(n)(1) in two places, 15-141.4(n)(2), 15-141.4(n)(3),
15-141.4(n)(3)(a),
15-141.4(n)(3)(b),
15-141.4(n)(3)(c);
15-141.4(k);
15-141.5(b)(1) in three places;
15-141.5(b)(1)(a);
15-141.5(b)(2); 15-141.5(b)(3) in two places;
15-141.5(f)(1) in two places;
15-141.5(f)(2) in four places;
15-141.5(f)(3) in two places;
15-142(c); 15-143(b)
15 1+2(0), 15 1+5(0)
15-136(2.1), 15-136(11),
15-140.1(c)(1); 15-140.1(c)(3);
15-141.2(b1);
15-141.4(g)(4), 15-141.4(g)(4)(a);
15-141.2(g)(4)(b); 15-141.2(g)(5);
141.4(c)(1); 15-141.4(f);
15-141.4(i); 15-141.4(j);
15-141.4(m) in two places;
15-141.4(m)(1) in three places;
15-141.4(m)(2); 15-141.4(n)(3);
15-141.5(d)
13-141.3(u)
15-147(a), 15-147(j)
15-176.2(f)(6)(b)

		Town Adminstrative Update	Change references for the Board of Aldermen to the Town Council	Article XI
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must delete use of the term conditional use permit and replace with special use	Amend Article to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use	Article XI
		permit. G.S. 160D-102.	permit-B.	
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must delete use of the terms conditional use district zoning and special use district zoning. G.S. 160D-102.	Amendments to article to reflect elimination of Conditional Use Zoning. Existing conditional use districts will become Conditional Districts.	Article XI
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must delete use of the term conditional use permit and replace with special use permit. G.S. 160D-102.	Amend Article to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use permit-B.	Article XII
		Town Adminstrative Update	Changes for gender neutral language.	Article XII
		Town Adminstrative Update	Change references for the Board of Aldermen to the Town Council	Article XII
		Town Adminstrative Update	Changes for gender neutral language.	Article XIII
		Town Adminstrative Update	Change references for the Board of Aldermen to the Town Council	Article XIII
		Town Adminstrative Update	Changes for gender neutral language.	Article XIV
		Town Adminstrative Update	Change references for the Board of Aldermen to the Town Council	Article XIV
Terminology & Citations Substance of Zoning Ordinance	Required	•	Amend Article to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use permit-B.	Article XIV
Terminology & Citations	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article XIV
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement.</u> Opdate citations. <u>Chapter 160D Requirement</u> . Must delete use of the terms conditional use district zoning and special use district zoning. G.S. 160D-102.	Amendments to article to reflect elimination of Conditional Use Zoning. Existing conditional use districts will become Conditional Districts.	Article XIV
		Town Administrative Update	Amendments needed. Fiber optic infrastructure needs to be added to Article XVI.	Article XV

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15-174(b);
15-175(a), (a)(4), 15-175(b);
15-175.6(a);
15-175.9(a); 15-175.9(c)(1), (c)(2);
15-178(a);
15-176.2(a)(1), 15-176.2(b), 15-176.2(b)(2)(a) in two
places, 15-176.2(b)(2)(b) in two places, 15-176.2(d), 15-
176.2(e);
15-176.2(f)(5)(b), 15-176.2(f)(5)(c), 15-176.2(f)(5)(d);
15-178(a)
15-166(b) in two places;
15-174(b), 15-175(b);
15-175(a) in three places; 15-175.9(a);
15-175.9(c), 15-175.9(c)(1), (c)(2);
15-175.11(b)(f);
15-176(a)(16) in two places;
15-176.2(a);
15-176.2(a)(1), 15-176.2(b), 15-176.2(b)(2)(a), 15-
176.2(b)(2)(b), 15-176.2(d);
15-176.8(d), 15-176.8(i);
15-177(d) in two places;
15-178(b)(2) in two places.
15-176.2(a)(1)
15-182.4(m) in two places; 5-182.4 (n) in four places; 15-
182.4(p)(1); 15-182.4(p)(2); 15-188(c), 15-188(d) in two
places, 15-188(i);
15-184(n) change man-made to human-made; 15-184(o)
change his to their; 15-188(b) change man-made to
human-made
15-182.4(a); 15-182.4(j) in four places; 15-182.4(p)(1); 15-
182.4(p)(2); 15-187(e); 15-188(a)
15-199(a) change 'his' to 'the developer's';
15-206 change 'his' to 'the developer's '
15-196(d); 15-197(a); 15-198(a);
15-202(a) in two places;
15-204(a)
15-216(e) change he to the applicant
15-217(c) change 'his' to 'the developer's'
15-216(d1),
15-216.1(a) in two places
15-220(f)
15-216(d1)
15-102(2) in six places, 15-102(3);
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		Town Administrative Update	Amendments needed to update the state government reviewing/permitting agencies.	Article XV	15-239 (b) - Table 15-241(b) - Table
Substance of Other Development Ordinances	Required	<u>Chapter 160D Requirement</u> . Must not require a developer, as a condition to subdivision approval, to bury a power line existing above ground and outside of property to be subdivided. (G.S. 160D-804(h); S.L. 2020-25.)	Amendment needed. Add new provision (c) under 15-246 to list exemptions as provided in 160D as amended in S.L. 2020-25.	Article XV	15-246
		Town Adminstrative Update	Changes for gender neutral language.	Article XV	15-249(f) change 'his' to 'the developer's' in three places
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XV	15-242(a); 15-242.5(g)
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must delete use of the term conditional use permit and replace with special use permit. G.S. 160D-102.	Amend Article to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use permit-B.	Article XV	15-242.5(b)
Substance of Other Development Ordinances	Required	<u>Chapter 160D Requirement</u> . Must not exclude manufactured homes based on the age of the home. (G.S. 160D-910.)	Add definition of manufactured home from 160D to definitions in Article II. Amend table of permissible uses in Section 15-146 to allow manufactured homes.		15-15 15-146
Substance of Other Development Ordinances	Required	<u>Chapter 160D Requirement</u> . Must follow standardized process for housing code enforcement to determine owner's abandonment of intent to repair and need for demolition. (G.S. 160D-1203(6).)	Review language in the Housing Code, Chapter 17 of the Town Code. Amendment may be needed.	Chapter 17 of Town Code	
Substance of Other Development Ordinances	Required	<u>Chapter 160D Requirement</u> . May adopt moratoria for development regulations (subject to limitation on residential uses); moratoria do not affect rights established by permit choice rule. (G.S. 160D-107.)	No amendment needed. The Town will follow requirements if a future moratoria is considered/adopted.	NA	
Development Agreements	Required	<u>Chapter 160D Requirement</u> . Must process a development agreement as a legislative decision. (G.S. 160D-105.)	No change. Consider whether the Town wishes to use development agreements as part of a future amendment. If so, note the requirement for legislative hearing procedures in Article XX.	Article IV	
Quasi-Judicial Decisions Procedures	Required	<u>Chapter 160D Requirement</u> . Must follow statutory procedures for all quasi-judicial development decisions, including variances, special use permits, certificates of appropriateness, and appeals of administrative determinations. (G.S. 160D-102(28).)	Minor amendment provided to include the word "evidentiary" for hearings subject to quasi-judicial proceedings. The existing language described in Article VI describes a quasi-judicial process. This amendment seems to be sufficient for this requirement. Reference to adminstrative decisions and certificates of appropriateness added for clarity.	Article IV; Article V;	15-101(a)
Quasi-Judicial Decisions Procedures	Required	, ,	Consistent with the emphasis in 160D that hearings are either evidentiary for quasi-judicial proceedings or legislative hearings for amendments, the terms 'evidentiary' and 'quasi-judicial' have been added throughout Article VI. No substantive change needed. The existing language in 15-101 and 15-103 describes the elements of an evidentiary hearing.		15-101
Quasi-Judicial Decisions Procedures	Required	<u>Chapter 160D Requirement</u> . Board chair must rule at the evidentiary hearing on objections to inclusion or exclusion of administrative material; such ruling may be appealed to the full board. (G.S. 160D-406(d).)	Amendment needed. New subsection added to 15-103, Evidence.	Article VI	15-103(d)

Quasi-Judicial Decisions Procedures	Required	<u>Chapter 160D Requirement</u> . Must allow parties with standing to participate fully in the evidentiary hearing, including presenting evidence, cross-examining witnesses, objecting to evidence, and making legal arguments; may allow non-parties to present competent, material, and substantial evidence that is not repetitive. (G.S. 160D-406(d).)	Amendment needed. New provisions added relating to evidence and standing,.	Article VI
Quasi-Judicial Decisions Procedures	Optional	<u>Chapter 160D Option</u> . May continue an evidentiary hearing without additional notice if the time, date, and place of the continued hearing is announced at a duly noticed hearing that has been convened; if quorum is not present at a meeting, the evidentiary hearing is automatically continued to the next regular meeting of the board with no notice. (G.S. 160D-406(b).)	No amendment needed for continuation; existing language in Section 101(d) provides for this. New provision (e) added to provide for continuation if a quorum is not present.	Article VI
Quasi-Judicial Decisions Procedures	Optional	<u>Chapter 160D Option</u> . May distribute meeting packet to board members in advance of the evidentiary hearing; if this is done, then must distribute the same materials to the applicant and landowner at the same time; must present such administrative materials at the hearing and make them part of the hearing record. (G.S. 160D- 406(c).)	Amended added for clarity. New subsection added as 15-102.1 added under the procedure for evidentiary hearing in Article VI.	Article VI
Quasi-Judicial Decisions Procedures	Optional	<u>Chapter 160D Option</u> . May have the planning board serve as a preliminary forum for review in quasi-judicial decisions; if this is done, the planning board must not conduct a formal evidentiary hearing, but must conduct an informal preliminary discussion of the application; the forum and recommendation must not be used as the basis for the decision by the board—the decision must still be based on evidence presented at the evidentiary hearing. (G.S. 160D-301.)	No change needed. Existing provisions in the LUO provide for the Planning Board and other advisory boards to review SUP/CUPrevised as Class B Special Use Permits in 15-56 (Board of Adjustment) and Class A Special Use Permits in 15-57 (Town Council).	
Quasi-Judicial Decisions Procedures	Be Aware	Additional Information. Be aware that even if there is no objection before the board, opinion testimony from a lay witness shall not be considered competent evidence for technical matters such as property value and traffic impacts. (S.L. 2019-111, § 1.9.)	No change needed. Included in the table for information. Language could be added for clarity to members of the public.	Article VI
Quasi-Judicial Decisions Certain Quasi-Judicial Decisions	Required	Must not impose conditions on special use permits that the local government does not otherwise have statutory authority to impose. (G.S. 160D-705(c); S.L. 2019-111, Pt. I.)	The existing language in 15-59, seems to state this limit, but an additional provision (1) has been added for clarity.	Article IV
Quasi-Judicial Decisions Certain Quasi-Judicial Decisions	Required	Must obtain applicant's/landowner's written consent to conditions related to a special use permit to ensure enforceability. (G.S. 160D-1402(k); G.S. 160D-1403.2; S.L. 2019-111, Pt. I.)	Additional provision (2) has been added under 15-59(b) to clarify this requirement.	Article IV

15-103(b)(1) & 15-103(b)(2) 15-104, 15-107.
15-101(d) 15-101(e)
15-102.1
15-56(c); 15-57
15-103
15-59(b)(1)
15-59(b)(2)

Quasi-Judicial Decisions	Required	Must set a thirty-day period to file an appeal of any	No change needed. Subsection 15-91 seems to cover all decisions.	Article V
Certain Quasi-Judicial Decisions	Required	administrative determination under a development regulation; must presume that if notice of determination is sent by mail, it is received on the third business day after it is sent. (G.S. 160D-405(c).)	Addition of "administrative decisions" to 15-101(a) provides "bread crumb" to the articles relating to appeals. Can add language relating to the three day mailing if needed.	ATTICLE
Quasi-Judicial Decisions Certain Quasi-Judicial Decisions	Required	May use purely legislative conditional zoning and/or quasi-judicial special use permitting; must not use combined legislative and quasi-judicial process, such as conditional use district zoning. (G.S. 160D-102.)	Amendments needed. New provision (a1) added under 15-46, Permits Required, stating that existing conditional use districts automatically converted to conditional districts. Existing subsection 15-59(d) repealed. Additional language added in Article IX, Zoning Districts and Zoning Map.	Article IV
Land Use Administration General	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article VI
Administrative Decisions Development Approvals	Required	Must provide development approvals in writing; may provide in print or electronic form; if electronic form is used, then it must be protected from further editing. (G.S. 160D-403(a).)	Amendment added for clarity. New sentence at the end of provision 15- 46(b) added. Existing Section 15-106 currently requires written decisions for quasi-judicial descisions. The language in 160D-403 suggests that a written decision is needed for administrative decisionszoning permits as well.	Article IV Article VI
Administrative Decisions Development Approvals	Required	Must provide that applications for development approvals must be made by a person with a property interest in the property or a contract to purchase the property. (G.S. 160D-403(a).)	Additional language added to Section 15-48, Who May Submit Permit Application, to list all the potential applicants stated in the Chapter 160D.	Article IV
Administrative Decisions Development Approvals	Required	Must provide that development approvals run with the land. (G.S. 160D-104.)	No change needed. Section 15-63, Effect of Permit on Successors and Assigns provides for permits to runs with the land so long as the permit continues to be used for the purposes for which the permit was granted.	Article IV
Enforcement Administrative Decisions Development Approvals	Required	For revocation of development approval, must follow the same process as was used for the approval. (G.S. 160D-403(f).)	No change needed. Section 15-115, Permit Revocation and Building Permit Denial speaks to the process for revocation. Subsection (b) speaks to the same process for special use permits as the approval process in	Article VII
Administrative Decisions Determinations	Required	Must provide written notice of determination by personal delivery, electronic mail, or first-class mail to the property owner and party seeking determination, if different from the owner. (G.S. 160D-403(b).)	No change needed. Relating to special use permits, the process is described in 15-115(b) as the same for approval which includes written and posted notice and written determination. Provisions relating to notice outlined in 15-115(b) for SUPs and 15-115 (c) for zoning permits. New language added to 15-46(b) clarifies written approval for zoning permits.	Article VII
Administrative Decisions Determinations	Optional	May require owner to post notice of determination on the site for ten days; if such is not required, then owner has option to post on the site to establish constructive notice. (G.S. 160D-403(b).)	No change needed. Article 15-91(e) speaks to the posting of a sign meeting specific criteria.	Article V
Administrative Decisions Appeals of Administrative Decisions	Required	Must allow administrative decisions of any development regulations (not just zoning) to be appealed to the board of adjustment, unless provided otherwise by statute or ordinance. (Appeals relating to erosion and sedimentation control, stormwater control, or building code and housing code violations are not made to the board of adjustment unless specified by local ordinance.) (G.S. 160D-405.)	No change needed. The existing language under Section 15-91, Appeals, seems to cover all decisions. For clarity, however, "administrative decisions" has been added to the list of matters in subsection 15-101(a), Hearing Required on Appeals and Applications.	Article V Article VI

15-91(d) 15-101(a)
15-46(a1)
15-106(a)
15-46(b) 15-106
15-48
15-63
15-115(b)
15-115(b); 15-115(c)
15-91(e)
15-91 15-101(a)

Administrative Decisions Appeals of Administrative Decisions	Required	Must set a thirty-day period to file an appeal of any administrative determination under a development	No change needed. Existing language under Section 15-91 sufficient.	Article V
		regulation; must presume that if notice of determination is sent by mail, it is received on the third business day after it is sent. (G.S. 160D-405(c).)		
Administrative Decisions Appeals of Administrative Decisions	Required	her successor if the official is no longer employed) to	No change needed. Existing language in 15-91(i) states that the administrator shall be present at the hearing as a witness.	Article V
		appear as a witness in the appeal. (G.S. 160D-406.)		
Enforcement		Compliance with 160D-1405	New statutes of limitation lanugage added as 15-118.	Article VII
Administrative Decisions Appeals of Administrative Decisions	Required	Must pause enforcement actions, including fines, during the appeal. (G.S. 160D-405(f).)	Amendment needed. Section 15-114(b)(3)(a) currently provides for the collection of civil penalties to be stayed, but not the accural. Subsection 15-114 to be rewritten to align with the new language is 160D and S.L. 2020-25.	Article VII
Administrative Decisions Vested Rights	Optional	May designate that appeals be filed with the local government clerk or another official. (G.S. 160D-405.)	No change needed. Section 15-91(c) provides for an appeal to be filed with the Town Clerk.	Article V
Administrative Decisions Vested Rights	Required	Must recognize that building permits are valid for six months, as under prior law. (G.S. 160D-1111 G.S. 160D- 108(d)(1).)	No change needed. The Land Use Ordinance does not speak to building permits. Period of approval noted.	NA
Administrative Decisions Vested Rights	Required	Must recognize the default rule that development approvals/permits are valid for twelve months, unless altered by statute or extended by local rule adjusted by statute or local rule. (G.S. 160D-108(d)(2).)	No change needed. The LUO provides for approved land use permits to be valid for a period of two years and, subsequently, extended for another period of two years.	Article IV
Administrative Decisions Vested Rights	Required	Must identify site-specific vesting plans (formerly site- specific development plans) with vesting for two to five years, as under prior law, except for specified exceptions. (G.S. 160D-108.1 G.S. 160D-108(d)(3); -108(f).)	Amendment needed. Provisions for vested rights are outlined in Section 15-128.2, under Article VIII, Nonconforming Situations. See also related vested rights upon issuance of building permits-15-128.3	Article VIII
Administrative Decisions Vested Rights	Required	Must recognize multi-phase developments—long-term projects of at least 25 acres—with vesting up to seven years, except for specified exceptions (160D-108(c)(d)(4); 108(f).) (The previously authorized phased-development plan is obsolete and should be deleted from ordinance.)	 Amendment needed. New language added as subsection (d) under 15-61. Further consultation with the Town Attorney may be needed for addressing all of the elements of this requirement. The existing language relating to phased developments, is in Article IV under permits, and speaks more to the completion of requirements such as recreation facilities that are intended to either serve the entire development versus a particular phase. Vested Rights are discussed in Article VIII under nonconforming situations. It appears that the existing language should be repealed and replaced with the new requirements in 160D. 	Article IV; Article VIII
Administrative Decisions Vested Rights	Optional	May provide for administrative determination of vested rights and for appeal to the board of adjustment. (G.S. 160D-108(h)(c), -405.)	The existing language for vested rights in Article VIII provides for zoning permits-in subsection 15-128.2(b). This provision can be reworked into the updated language for vesting.	Article VIII
Administrative Decisions Permit Choice	Required	Must not make an applicant wait for final action on the proposed change before proceeding if the applicant elected determination under prior rules. (G.S. 143-755; G.S. 160D-108(b).)	Amendment needed. New section 15-49.1 added with language in S.L. 202	2(Article IV

15-91(d)
15-91(i)
15-118
15-114(b)(3)
15-91(c)
15-62(a) and 15-62(c)
15-128.2
15-61; 15-128.2
15-128.2
15-49.1

Administrative Decisions Permit Choice	Be Aware	Be aware that if a local development regulation changes after an application is submitted, the applicant may choose the version of the rule that applies; but may require the applicant to comply with new rules if the applicant delays the application for six months. (G.S. 143- 755; G.S. 160D-108(b); S.L. 2020-25.)	Amendment needed. New section 15-49.1 added with language in S.L. 2020	(Article IV
Administrative Decisions Permit Choice	Be Aware	Be aware that an application for one development permit triggers permit choice for permits under any development regulation; such permit choice is valid for eighteen months after approval of the initial application. (G.S. 143-755; G.S. 160D-108(b); S.L. 2019-111, Pt. I.)	Article IV, phasing section or Article IV, 15-61. New language will be added in the rewritten section on vested rights: Article VIII.	Article VIII
Land Use Administration General	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article XIV
Land Use Administration General	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article XIX
Land Use Administration General	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article XX
Land Use Administration General	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article XXI
Comprehensive Plan	Required	<u>Chapter 160D Requirement</u> . Must adopt a comprehensive plan or land-use plan by July 1, 2022, to maintain zoning (no need to re-adopt a reasonably recent plan). (G.S. 160D-501(a).)	No change needed. Work on the Town's comprehensive plan is underway and scheduled for adoption in time to meet this requirement. The legislative decision process for amendments (text and map) require a determination of consistency/ Once adopted, the comprehensive plan will be a key document for determining consistency	Article XX
Comprehensive Plan	Required	<u>Chapter 160D Requirement</u> . Must adopt a plan or a plan update following the procedures used for a legislative decision. (G.S. 160D-501(c).)	Amend Article I, General Provisions, with a new Section 15-10, Relationship to Comprehensive Plan, or establish a subsection to 15-6, Relationship to Land Use Plan, to describe the comprehensive plan and its purpose, the topics it may address and the manner in which it can be adopted and amendedthe procedure for legislative decisions set out in Article XX. Include a sentence that the plan must be updated at regular intervals. Amend 15-320(a) to include the comprehensive plan.	Article I Article XX
Comprehensive Plan	Required	<u>Chapter 160D Requirement</u> . Must reasonably maintain a plan. (G.S. 160D-501(a).)	Include a sentence at the end of the new subsection on the comprehensive plan in Article I, that the plan must be updated at regular intervals.	Article I
Legislative Decisions Notice	Required	<u>Chapter 160D Requirement</u> . Must follow applicable procedures for legislative decisions under any development regulation authorized under Chapter 160D, not just zoning; must adopt any development regulation by ordinance, not by resolution. (G.S. 160D-601.)	No change needed. The Town currently adopts amendments by ordinance, as is noted under 15-321(a). If needed, 15-325 could be rewritten to say, "In deciding whether to adopt a <u>proposed ordinance to amend</u> this chapter" instead of "In deciding whether to adopt a proposed amendment to this chapter."	Article XX

15-49.1
15-128.2
15-220(f)
15-321.1
15-323
15-399
15-10 or 15-6
15-320
15-10 or 15-6
15-321(a)

Boards	Required	Chapter 160D Requirement. Must adopt broadened conflict-of-interest standards for governing and advisory boards. (G.S. 160D-109.)	 Amend LUO Section 15-322(d), to expand the conflict of interest provisions for advisory board review of legislative decisions (text & map amendments) to include close familial, business or other associational relationship. Amend LUO Section 15-324(e) to expand the conflict of interest provisions for advisory board review of legislative decisions (text & map 	Article XX
Legislative Decisions Notice	Required	<u>Chapter 160D Requirement</u> . For zoning map amendments, must provide notice not only to immediate neighbors but also to properties separated from the subject property by street, railroad, or other transportation corridor. (G.S. 160D-602.)	amendments) to include close familial, business or other associational relationship. Amend the area subject to receive written notice to include the owners of abutting properties while retaining the existing provisions of 1000 feet of the property so as not to reduce the area if "abutting" properties creates a smaller area for notice. Since the provision for renters is described as a reasonable effort the 1000 feet is left as is.	
Legislative Decisions Notice	Required	<u>Chapter 160D Requirement</u> . For zoning map amendments, must provide posted notice during the time period running from twenty-five days prior to the hearing until ten days prior to the hearing. (G.S. 160D- 602(c).)	Amend the Section 15-323(e) to include the 10-25 day window for posting notice.	Article XX
Legislative Decisions Notice	Optional	<u>Chapter 160D Option</u> . For extension of ETJ, may use single mailed notice for ETJ and zoning-map amendment pursuant to statutory procedures. (G.S. 160D-202.)	No change needed.	Article XX
Legislative Decisions Notice	Optional	<u>Chapter 160D Option</u> . For zoning map amendments, may require applicant to notify neighbors and hold a community meeting and may require report on the neighborhood communication as part of the application materials. (G.S. 160D-602(e).)	The Council has discussed whether to include a neighborhood meeting as part of the conditional zoning process. This could be incorporated into the process as a policy (recommendation listed on a standard checklist), or formally incorporated into the ordinance. If the latter, the description of the conditional zoning process under Article IX, Zoning Districts & Zoning Map seems to be an more appropriate location than Article XX.	Article IX Article XX
Legislative Decisions Planning Board Comment	Required	<u>Chapter 160D Requirement</u> . Must refer zoning amendments to the planning board for review and comment; must not have governing board handle planning board duty to review and comment on zoning amendments. (G.S. 160D-604(c), (e).)	No change needed. Section 15-322 refers amendments (zoning or map, and text) to the planning board and other advisory boards.	Article XX

15-322(d)
15-324(e)
15-323(c)
15-323(e)
15-322

Legislative Decisions	Required	Chapter 160D Requirement. Must have planning board	No change needed.	Article XX
Planning Board Comment		consider any plan adopted according to G.S. 160D-501 when making a comment on plan consistency. (G.S. 160D- 604(d).)	Subsection 15-322(a) refers amendments to the Planning Board and other advisory boards when the matter involves an issue relating to their purview; subsections 15-322(b) directs the Planning Board and other advisory boards to advise and comment on consistency with adopted plans. This section will be amended to reflect the comprehensive plan underway.	
Legislative Decisions Planning Consistency	Required	<u>Chapter 160D Requirement</u> . When adopting an amendment to the zoning ordinance, must adopt a brief statement describing whether the action is consistent or inconsistent with approved plans. (G.S. 160D-605(a).) (This eliminates the 2017 requirement that statements take one of three particular forms.)	Amendment needed. Subsection 15-324(d) describes the required elements of the consistency statement for considering text/map amendments. As noted in the 160D bullet, this language was rewritten in 2017 with three specific options: 15-324(d)-(1) through 15-324(d)(3) including provisions ac. This section will need to be rewritten again to go back to the earlier versiona statement of consistency with adopted plans for text and map amendments, and an additional statement of reasonableness for map amendments.	
Legislative Decisions Planning Consistency	Required	<u>Chapter 160D Requirement</u> . Must adopt a statement of reasonableness for zoning map amendments; for such statements, may consider factors noted in the statutes; may adopt a statement of reasonableness for zoning text amendments. (G.S. 160D-605(b).)	Amendment needed. See note above regarding changes to Subsection 15- 324(d). There may be interest in keeping the rational language for both types of amendments-map and text, although the requirement only applies to map.	Article XX
Legislative Decisions Planning Consistency	Optional	<u>Chapter 160D Option</u> . May consider and approve a statement of reasonableness and a plan consistency statement as a single, combined statement. (G.S. 160D-605(c).)	No change needed. The current practice is to include both elements in a single consistency statement.	Article XX
Legislative Decisions Planning Consistency	Optional	<u>Chapter 160D Option</u> . May adopt plan consistency statement when acting upon the zoning amendment or as a separate motion. (G.S. 160D-605(a).)	No change needed. The current practice is to adopt the consistency statement first, followed by the amendment.	Article XX
Legislative Decisions Planning Consistency	Optional	<u>Chapter 160D Option</u> . May meet the requirement for plan consistency even without formal adoption of a written statement if the minutes of the governing board meeting reflect that the board was fully aware of and considered the plan. (G.S. 160D-605(a).)	No change needed. This is a policy question, but the formal adoption of a statement of consistency provides clarity to the motion and decision.	Article XX
Legislative Decisions Planning Consistency	Optional	<u>Chapter 160D Option</u> . May adopt plan consistency statement when acting upon the zoning amendment or as a separate motion. (G.S. 160D-605(a).)	No change needed.	Article XX
Legislative Decisions Planning Consistency	Optional	<u>Chapter 160D Option</u> . May concurrently consider a comprehensive plan amendment and a zoning amendment; must not require a separate application or fee for plan amendment. (G.S. 160D-605(a).)	Amendment needed. A separate statement for changes to the comprehensive plan, seems appropriate.	Article XX
Legislative Decisions Planning Consistency	Required	future land use map when a zoning map amendment is	Amendment needed. Rewriting the existing provisions of 15-324(d) to include a new provision for this purpose. Additional language provided in 15-6(b) for "breadcrumbs."	Article XX Article I

15-322(b).
15-324(d)(1) thru 15-324(3)
15-324(d)
15-324
15-324
15-324
15-324
15-324
15-324 15-6(b)

Legislative Decisions Voting	Required	<u>Chapter 160D Requirement.</u> Must permit adoption of a legislative decision for development regulation on first reading by simple majority; no need for two-thirds majority on first reading, as was required for cities under prior law. (G.S. 160A-75; S.L. 2019-111, § 2.5(n).)	Subsection 15-324(c), under Council Action on Amendments, should be amended to remove the existing reference to 15-326 and the supermajority vote required with a protest petition, since the provisions for protect petitions were removed in 2016.	Article XX
Legislative Decisions Certain Legislative Decisions	Required	<u>Chapter 160D Requirement</u> . Must prohibit third-party down-zonings; may process down-zonings initiated by the local government or landowner (G.S. 160D-601; S.L. 2019-111, Pt. I.)	Amendment needed. A new sentence has been added to the end of 15- 321, Initiation of Amendments which clarifies that requests for downzoning can only be made by the property owner or the Town.	Article XX
Legislative Decisions Certain Legislative Decisions	Required	<u>Chapter 160D Requirement</u> . Must obtain applicant's/landowner's written consent to conditions related to a conditional zoning approval to ensure enforceability. (G.S. 160D-703(b); S.L. 2019-111, Pt. I	Existing provisions under conditional zoning districts, 15-141.4(e) speak to mutually approved conditions. New language needed to add requirement for written consent.	Article IX
Legislative Decisions Certain Legislative Decisions	Required	Chapter 160D Requirement. May use purely legislative conditional zoning and/or quasi-judicial special use permitting; must not use combined legislative and quasi-judicial process, such as conditional use district zoning. (G.S. 160D-102.)	Amendment needed. Existing conditional use districts will be automatically converted to conditional districts will the adoption of this amendment process. The existing provisions for conditional use zoning, 15-141.3 will be largely deleted. Certain conditional use districts that have special standards may need to be modified.	Article IX
Legislative Decisions Certain Legislative Decisions	Optional	<u>Chapter 160D Option</u> . With applicant's written consent, may agree to conditional zoning conditions that go beyond the basic zoning authority to address additional fees, design requirements, and other development considerations. (G.S. 160D-703(b); S.L. 2019-111, Pt. I.)	The existing provisions under 15-141.4(e) limits conditions to (i) those that address the conformance of the development and use of the site to the provisions of this chapter or to applicable plans adopted by the Board, and (ii) those that address the impacts reasonably expected to be generated by the development or use of the site.	
Legislative Decisions Certain Legislative Decisions & Substance of Zoning Ordinance & Certain Quasi-Judicial Decisions	Optional	<u>Chapter 160D Option</u> . May allow administrative minor modification of conditional zoning, special use permits, and other development approvals; if allowed, must define "minor modification: by ordinance, must not include modification of use or density, and major modifications must follow standard approval process. (G.S. 160D-403(d), -703(b), -705(c).)	Amendment needed. New language outlining clear standards/parameters for minor modifications would be beneficial.	Article IX
Substance of other Development Ordinances Historic Preservation	Required	<u>Chapter 160D Requirement</u> . Must follow standard quasi- judicial procedures when considering preservation certificates of appropriateness. (G.S. 160D-947(c).	Existing language in the LUO under 15-339(d) directs the Historic District Commission (Appearance Commission) when considering a certificate of appropriateness (COA) to follow the provisions for the Board of Adjustment considering a SUP (meaning a quasi-judicial process). New language under this subsection and under subsection 15-336 has been added, incorporating the terms quasi-judicial for clarity.	Article XXI
Substance of other Development Ordinances Historic Preservation	Required	<u>Chapter 160D Requirement</u> . Must frame preservation district provisions as "standards" rather than "guidelines." (G.S. 160D-947(c).	References to "guidelines" in Subsection 15-338 changed to "standards."	Article XXI
Substance of other Development Ordinances Historic Preservation	Optional	<u>160D Option</u> . May choose for appeals of preservation commission decisions to go to board of adjustment. Default rule is that preservation appeals go directly to superior court rather than to board of adjustment. (G.S. 160D-947(e).)	No change needed. The existing language in the LUO under 15-339(g) provides for COA appeals to go to the Board of Adjustment.	Article XXI

15-324
15-323(d)
15-141.4
14-141-3(e)
14-141-3(e)
141.3
15-336; 15-339(d)
15-336; 15-339(d) 15-338(b) in two places; 15-338(c); 15-338(d); 15-338(f)

Judicial Review Appeals of Quasi-Judicial Decisions	Required	<u>Chapter 160D Requirement</u> . Must update ordinance to address appeals of certificates of appropriateness for historic landmarks and historic districts; default rule is that such appeals go straight to court; local government may opt for such appeals to go to the board of adjustment, as under prior statutes. (G.S. 160D-947.)	No change needed. The existing language in the LUO under 15-339(g) provides for COA appeals to go to the Board of Adjustment.	Article XX Article V
Judicial Review Appeals of Quasi-Judicial Decisions	Required	<u>Chapter 160D Requirement</u> . Must provide that appeals of certificates of appropriateness must be filed within thirty days after the decision is effective or written notice is provided, the same as for appeals of other quasi- judicial decisions. (G.S. 160D-947; -1405.)	No change needed. The existing language in the LUO under 15-339(g) outlines the procedure for COA appeals to go to the Board of Adjustment following the standard process for appeals in 15-91 (Article V) Subsection 15-91(d) speaks to the 30-day window.	Article XXI Article V
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XVI
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must delete use of the term conditional use permit and replace with special use permit. G.S. 160D-102.	Amend Article to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use permit-B.	Article XVI
		Town administrative update.	Amendments needed for gender neutral language.	Article XVI
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must delete use of the term conditional use permit and replace with special use permit. G.S. 160D-102.	Amend Article to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use permit-B.	Article XVII
		Town administrative update.	Amend LUO Subsection 15-271(d) to update the provisions associated with a master sign permits approved as part of a CUP to class A SUP and a new	Article XVII
			provision to clarify that existing CUPs will automatically be converted to SUPs.	
		Town administrative update.	Amendments needed for gender neutral language.	Article XVII
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XVII
		Town administrative update.	Amendments needed for gender neutral language.	Article XVIII
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XVIII
	Required	Chapter 160D Requirement. Must delete use of the term	Amend Article to update the terms associated with conditional use permits	Article XVIII
Terminology & Citations Substance of Zoning Ordinance	nequireu	conditional use permit and replace with special use permit. G.S. 160D-102.	and special use permits to become special use permit-A and special use permit-B.	

15-339(g) 15-91(d)
15-339(g)
15-91(d)
15-264(c); 15-266(a)
15-251.10(b)2) in two places;
15-251. 11(a) in two places;
15-251.11(b) in two places;
15-264(a) in two places,
15-266(a);
15-269.8 in two places
15-251.1(11) replace man with human; 15-251.2(f)
replace man-made with human-made;
15-251.6 replace his or her with their; 15-263.1(e) replace his or her with their;
15-266(a) replace his with the developer's 15-269.1(g) replace man with human;
15-269.4 replace man-made with human-made
15-271(b) in three places;
15-271(d), 15-271(d)(1) in three places; 15-273(a) in two
places
15-271(d);
15-271(d)(1) in three places;
15-273(a)(5) replace man-made with human-made;
15-271(c)(2)(a) replace his with the lot owner's
15-271(d); 15-271(d)(1);
15-271(d)(2) in two places;
15-271(d)(3);
15-272(4)
15-273(a)(5) replace man-made with human-made;
15-271(c)(2)(a) replace his with the lot owner's
15-291(f) in two places;
15-292(a), 15-292(a1);
15-292.1(b)
15-291(f) in two places;
15-296(h) in two places
15-321.1(a)

		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XIX
		Town administrative update.	Amend LUO sections 15-311, 15-319 and 15-321.1 to change CUP and SUP to class A SUP and class B SUP	Article XIX
Terminology & Citations	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article XX
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XX
Terminology & Citations Substance of Zoning Ordinance	Required	<u>Chapter 160D Requirement</u> . Must delete use of the terms conditional use district zoning and special use district zoning. G.S. 160D-102.	Amendments to article to reflect elimination of Conditional Use Zoning. Existing conditional use districts will become Conditional Districts.	Article XX
Terminology & Citations	Required	Chapter 160D Requirement. Update citations.	Amendments needed to reflect new citations.	Article XXI
Terminology & Citations Substance of Zoning Ordinance	Required		Amend Article to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use permit-B.	Article XXI
Terminology & Citations Substance of Zoning Ordinance	Required	Town administrative update. <u>Chapter 160D Requirement</u> . Must delete use of the term conditional use permit and replace with special use permit. G.S. 160D-102.	Change references for the Board of Aldermen to the Town Council. Amend Article to update the terms associated with conditional use permits and special use permits to become special use permit-A and special use permit-B.	Article XXI
			1	Appendix A

15-305 title, 15-305; 15-309(a); 15-314 title, 15-314(a), 15-314(b);
15-315(4)vii
15-311 in two places; 15-319(a) in two places;
15-321.1(c) in two places
15-323(b), 15-323(d)
15-321(a) in two places, 15-321(b), 15-321(c)(2), 15- 321(d) in two places; 15-322(a), 15-322(b) in two places, 15-322(c) in two places, 15-322(d); 15-323(h), 15-323(i) in two places; 15-324 title, 15-324(a), 15-324(b), 15-324(d), 15-324(e) in two places; 15-325 title, 15-325, 15-325(1), 15-325(2) in two places; 15-326 in six places
15-325(1); 15-326
15-399
15-399 15-331(a)(8);
15-399 15-331(a)(8); 15-332(a) in three places,
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d)
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d) 15-331(a)(2), 15-331(a)(5),
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d) 15-331(a)(2), 15-331(a)(5), 15-331(a)(7); 15-333(a);
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d) 15-331(a)(2), 15-331(a)(5), 15-331(a)(7); 15-333(a); 15-334(a), 15-334(a)(2), 15-334(b);
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d) 15-331(a)(2), 15-331(a)(5), 15-331(a)(7); 15-333(a); 15-334(a), 15-334(a)(2), 15-334(b); 15-337(a)(2), 15-337(a)(4), 15-337(a)(5), 15-337(a)(7),15-
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d) 15-331(a)(2), 15-331(a)(5), 15-331(a)(7); 15-333(a); 15-334(a), 15-334(a)(2), 15-334(b);
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d) 15-331(a)(2), 15-331(a)(5), 15-331(a)(7); 15-333(a); 15-334(a), 15-334(a)(2), 15-334(b); 15-337(a)(2), 15-337(a)(4), 15-337(a)(5), 15-337(a)(7),15-
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d) 15-331(a)(2), 15-331(a)(5), 15-331(a)(7); 15-333(a); 15-334(a), 15-334(a)(2), 15-334(b); 15-337(a)(2), 15-337(a)(4), 15-337(a)(5), 15-337(a)(7),15- 337(a)(10), 15-337(a)(10);
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d) 15-331(a)(2), 15-331(a)(5), 15-331(a)(7); 15-333(a); 15-334(a), 15-334(a)(2), 15-334(b); 15-337(a)(2), 15-337(a)(4), 15-337(a)(5), 15-337(a)(7), 15- 337(a)(10), 15-337(a)(10); 15-338(a), 15-338(a)(3), 15-338(b);
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d) 15-331(a)(2), 15-331(a)(5), 15-331(a)(7); 15-333(a); 15-334(a), 15-334(a)(2), 15-334(b); 15-337(a)(2), 15-337(a)(4), 15-337(a)(5), 15-337(a)(7), 15- 337(a)(10), 15-337(a)(10); 15-338(a), 15-338(a)(3), 15-338(b); A-1(a) in two places; A-2 in two places;
15-399 15-331(a)(8); 15-332(a) in three places, 15-332(d) 15-331(a)(2), 15-331(a)(5), 15-331(a)(7); 15-333(a); 15-334(a), 15-334(a)(2), 15-334(b); 15-337(a)(2), 15-337(a)(4), 15-337(a)(5), 15-337(a)(7), 15- 337(a)(10), 15-337(a)(10); 15-338(a), 15-338(a)(3), 15-338(b); A-1(a) in two places;



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510 RECOMMENDATION

THURSDAY, MAY 20, 2021

Land Use Ordinance Text Amendment to Conform with Recent Changes in State Legislation Relating to the Adoption of Chapter 160D

Motion was made by Foushee and seconded by Baker that the Planning Board of the Town of Carrboro recommends that the Town Council approve the draft ordinance.

VOTE:

AYES: (8) Foushee, Fray, Mangum, Baker, Gaylord-Miles, Clinton, Amina, Tooloee NOES: (0) **ABSTENTIONS: (0)** ABSENT/EXCUSED: (3) Poulton, Sinclair, Posada

Associated Findings

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

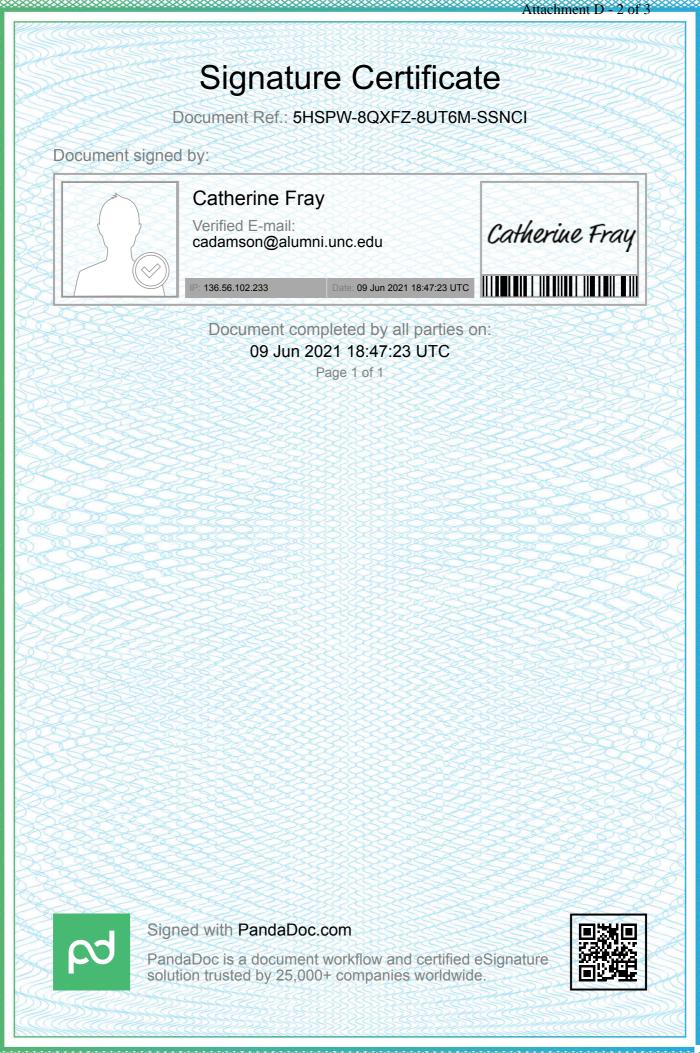
Motion was made by Gaylord-Miles and seconded by Mangum that the Planning Board of the Town of Carrboro finds the proposed text amendments, which will update the Land Use Ordinance to comply with recent changes to state legislation is consistent with the provisions in section 15-2 which specify the authority granted to the Town through state enabling legislation.

Furthermore, the Planning Board of the Town of Carrboro finds the proposed text amendment is reasonable and in the public interest because the Town seeks to remain consistent with its adopted plans or policies.

<u>VO</u>TE: AYES: (8) Foushee, Fray, Mangum, Baker, Gaylord-Miles, Clinton, Amina, Tooloee NOES: (0) **ABSTENTIONS: (0)** ABSENT/EXCUSED: (3) Poulton, Sinclair, Posada

Catherine Fray (Chair) 06 / 09 / 2021

(Date)



Administration (919) 245-2575 (919) 644-3002 (FAX) www.orangecountync.gov

TRANSMITTAL DELIVERED VIA EMAIL

June 4, 2021

Christina Moon, AICP Planning Administrator Town of Carrboro 301 W. Main St. Carrboro, NC 27510

SUBJECT: Joint Planning Review of Proposed Ordinance Amendments

Dear Tina:

Thank you for the opportunity to review the following Land Use Ordinance amendments received by us on May 17, 2021 and proposed for town public hearing on June 15, 2021:

- An Ordinance Amending the Carrboro Land Use Ordinance Relating to Satellite Parking.
- An Ordinance Amending the Carrboro Land Use Ordinance to Conform with Recent Changes in State Legislation Relating to the Adoption of Chapter 160D.

We have reviewed the amendments and find no inconsistency with the adopted *Joint Planning Area Land Use Plan.*

If you have any questions or need additional information, please let me know.

Sincerely,

Perdita Holtz

Perdita Holtz, AICP Planning Systems Coordinator