



Town of Carrboro

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

Meeting Agenda Town Council



Tuesday, June 22, 2021

7:00 PM

Remote Meeting - View Livestream or Cable TV

18

7:00-7:05

A. ROLL CALL

7:05-7:15

B. POETRY READING, RESOLUTIONS, PROCLAMATIONS, AND ACKNOWLEDGEMENTS

1. [21-254](#) Proclamation - Recreation and Parks Month

7:15-7:30

C. RECOGNITION OF TOWN MANAGER DAVID ANDREWS

7:30-7:35

D. ANNOUNCEMENT OF UPCOMING MEETINGS

7:35-7:50

E. PUBLIC COMMENT

Comments are limited to three minutes per speaker.

7:50-8:10

F. CONSENT AGENDA

1. [21-255](#) Approval of Minutes from June 8, 2021 Meeting

2. [21-247](#) 203 South Greensboro Project - Resolution and Updated Capital Project Ordinance Relating to Site Plan and Design Development Cost Estimate
- PURPOSE:** The purpose of this item is to consider approval of a resolution related to the site plan and updated capital project ordinance for the 203 Project.
- Attachments:** [A - Resolution](#)
 [B - Capital Project Ordinance Amendment](#)
 [C- Location map](#)
 [D - Project Plans](#)
3. [21-253](#) Energy and Climate Protection Plan and Community Climate Action Plan Implementation Update
- PURPOSE:** The purpose of this item is to update the Council on Energy and Climate Protection Plan and Community Climate Action Plan Implementation Efforts.
- Attachments:** [Attachment A - Resolution To Receive Update](#)
 [Attachment B - CCAP and ECPP Implementation Update - June 2021](#)
4. [21-248](#) Request to Allow Pee Wee Homes to Apply for a Rezoning of Town-Owned Property for the Purpose of Developing Affordable Housing
- PURPOSE:** It is the Town's intent to convey property at 106 Hill Street to Pee Wee Homes for the purpose of developing three permanently affordable homes, contingent upon a rezoning. Pee Wee Homes has prepared a petition to rezone the property to R-3-Conditional (R-3-CZ). The Town Council must receive public input before reaching a decision on a rezoning. A hearing date of September 28, 2021 has been identified. Two resolutions have been provided for the Council's use; the first authorizes the Manager to sign the petition and the second sets the public hearing.
- Attachments:** [Attachment A - Resolution for Town Manager to Sign Rezoning Application and Authorizing Contingent Conveyance of Hill St Property](#)
 [Attachment B - Resolution for Rezoning 6-22-2021](#)
 [Attachment C - Draft Ordinance for rezoning with conditions for R-3-CZ](#)
 [Attachment D - 106 Hill St Rezoning Application PWH 6.17.2021](#)
 [Attachment E - Vicinity Map R3CZ](#)
 [Attachment F - AHAC Recommendation for Hill Street Conveyance](#)

5. [21-256](#) Consideration of Proposed 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.
Attachments: [Attachment A - Consistency Resolution 06-22-2021](#)
[Attachment B - Draft Ordinance Relating to Satellite Parking 06-16-2021 \(revised for option B only\)](#)
[Attachment C - Resolution for follow-up report 6-22-2021](#)
[Attachment D - Application for TextAmend 401 Main 3-25](#)
[Attachment E - Comments Combined](#)
[Attachment F - 21 ART-XVIII](#)
6. [21-252](#) Consideration of a Parking Lot Sub-lease to Cat's Cradle
PURPOSE: Consideration of a sub-lease to Cat's Cradle for use of the 300 E. Main/Butler Lot that the Town Council approved to lease from the Main Street Group.
Attachments: [Attachment A - Draft Cat's Cradle Sub-lease](#)
7. [21-244](#) CIP Ordinance Updates for Morgan Creek Greenway and South Greensboro Street Sidewalk
PURPOSE: The purpose of this agenda item is to amend the Capital Project Ordinances for the Morgan Creek Greenway and South Greensboro Street Sidewalk to reflect the reallocation of Orange County Transit funds and the allocation of STBGDA-CRRSAA funds
Attachments: [Attachment A - Resolution Morgan Creek Greenway \(Amended CIP Ordinance\) 06-22-2021](#)
[Attachment B - Resolution South Greensboro Street Sidewalk \(Amended CIP Ordinance\) 6-22-2021 ALM CEM](#)
[Attachment C - FY22 Workplan Summary - Extracted pages from June 2021 Orange SWG Agenda Packet 5-31-21](#)
[Attachment D - CallforProjectsMemo COVIDReliefFunds](#)
8. [21-242](#) Adoption of an Ordinance Limiting the Amount of Contributions to Candidates
PURPOSE: The purpose of this item is for the Council to adopt an ordinance limiting campaign contributions to any candidate for town office.
Attachments: [ATTACHMENT A - AN ORDINANCE TO REENACT THE EXPIRING PROVISIONS OF SECTION 5-15](#)

9. [21-250](#) Authorization of the Town Manager to Execute a revised Memorandum of Agreement to accept a Transportation Demand Management grant funds
PURPOSE: The purpose of this agenda item is to provide Council an update on the status of the TDM grant and to consider authorizing the Town Manager to enter into a revised MOA.
Attachments: [Attachement A - Resolution](#)
10. [21-229](#) Designation of Fund Balance for FY 2020-21 Budget Items Not Yet Spent or Encumbered
PURPOSE: The Town Council is requested to designate fund balance in the General Fund to carry over to next year for certain budget items where funds have not been spent or encumbered.
Attachments: [ATTACHMENT A - Designation of Fund Balance for FY21](#)
11. [21-257](#) Consideration of 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.
Attachments: [Attachment A - Consistency Resolution 06-22-2021](#)
[Attachment B - Draft Ordinance \(compiled w LUTABLE\) 06-17-2021 \(rev-clean\)](#)
[Attachment C - Table](#)
[Attachment D - Comments-combined](#)
12. [21-209](#) Consideration of Town Code Amendments Relating to Roundabouts
PURPOSE: The purpose of this agenda item is for Council to consider Town Code amendments relating to the operation of roundabouts.
Attachments: [Attachment A - Ordinance to Amend the Carrboro Town Code Related to Roundabouts and Crosswalks](#)
13. [21-243](#) Short-term American Rescue Plan Act Funding Plan Authorization
PURPOSE: To authorize staff to implement a short-term program for distributing up to \$2,359,525 of American Rescue Plan Act (ARPA) Funds immediately while developing a long-term plan.
Attachments: [Attachment A - Amendment to ARPA Project Ordinance](#)

14. [21-246](#) Pre-Audit Certification for Electronic Payments
PURPOSE: The purpose of this agenda item is to request authorization from the Town Council to engage in electronic payments in accordance with North Carolina Administrative Code 20 NCAC 03.0409.
Attachments: [Resolution for Electronic Payments](#)
15. [21-245](#) Orange County Recovery and Transformation Plan Update
PURPOSE: To receive an update on the Orange County Recovery and Transformation Plan.
Attachments: [Attachment A: Memo to Elected Officials - Recovery Plan Feedback](#)

8:10-8:40

G. PUBLIC HEARING

1. [21-251](#) Public Hearing for South Greensboro Street Sidewalk (TIP# C-5650) 65-Percent Design
PURPOSE: The purpose of this agenda item is to provide an update on the status of the South Greensboro Street Sidewalk project at 65-percent design and to receive comments from the Council and members of the public.
Attachments: [Attachment A - Resolution](#)
[Attachment B - C5650 PHM 65% Draft 6-16-2021](#)
[Attachment C - C5650_65% Plans_6-16-2021](#)

H. OTHER MATTERS

8:40-9:10

1. [21-230](#) Adoption of FY 2021-22 Annual Budget
- PURPOSE:** The purpose of this agenda item is for the Town Council to complete budget discussions and adopt the annual budget for fiscal year 2021-22.
- Attachments:** [ATTACHMENT A - Budget Ordinance 2021-22](#)
[ATTACHMENT B - Changes to Position and Pay Plan FY 2021-22](#)
[ATTACHMENT C - Wage Adjustment Resolution 2021-22](#)
[ATTACHMENT D - Contract for Town Attorney Resolution 2021-22](#)
[ATTACHMENT E - Capital Projects Ordinance 2021-22](#)
[ATTACHMENT F - Vehicles Capital Projects Ordinance 2021-22](#)
[ATTACHMENT F-1 - Reimbursement Resolution for Equip and Vehicles 2021-22](#)
[ATTACHMENT G -Miscellaneous Fees and Charges Resolution 7-1-2021](#)
[ATTACHMENT H - NonStop Wellness Third Party Admin for MERP](#)

9:10-9:15

2. [21-55](#) Appointment to the Stormwater Advisory Commission
- PURPOSE:** The purpose of this agenda item is for the Town Council to make appointments to the Stormwater Advisory Commission.
- Attachments:** [Attachment A - Appointment Resolution](#)
[Attachment B - Matrix](#)
[Attachment C - Chair Forms and Applications](#)

9:15-9:45

3. [21-249](#) Check-in on the Comprehensive Plan Process - Review of Draft Goals, Strategies, Projects - Carrboro Connects
- PURPOSE:** The purpose of this agenda item is to provide the Town Council with an update on the current process and progress of this effort.
- Attachments:** [A- Presentation Slides](#)

I. MATTERS BY COUNCIL MEMBERS



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Agenda Date: 6/22/2021

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In Control: Board of Aldermen

Version: 1

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TITLE:

203 South Greensboro Project - Resolution and Updated Capital Project Ordinance Relating to Site Plan and Design Development Cost Estimate

PURPOSE: The purpose of this item is to consider approval of a resolution related to the site plan and updated capital project ordinance for the 203 Project.

DEPARTMENT: Town Manager, Planning, Finance, Public Works

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

INFORMATION: A public hearing was held on June 15th for review of the site plan and design development cost estimate for the 203 Project. The 203 Project is a collaborative effort of the Town of Carrboro and Orange County to develop a new public building and associated parking on Town property at 203 S. Greensboro Street. The new building will house the Orange County Southern Branch Library, the Town of Carrboro Recreation, Parks, and Cultural Resources programs, WCOM Radio, the Orange County Skills Development Center, and more. See 203Project.org for more details.

The project status is as follows:

- 1) The site plan has been found in compliance with applicable Land Use Ordinance provisions, with some flexibility noted in relation to screening, and tree canopy. A resolution approving the site plan is provided (*Attachment A*); and
- 2) The design development cost estimate is approximately \$1M higher than the current project budget of \$27,638,255.00. The value engineering process to reduce costs is ongoing; and
- 3) An updated capital project ordinance that increases the project budget to reflect the current level of County funding from March is provided (*Attachment B*). After value engineering is complete, should ongoing cost estimating and bidding later in the year result in a project cost exceeding the budget amount, the project ordinance will be updated accordingly

Town Council members and a member of the public had questions and comments during the hearing. Follow-

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up questions and comments included the following:

1. Should the Town set a maximum project cost, above which a decision to adjust scope or schedule would be made?
2. What are ways for the Town to be prepared to deal with cost overruns, such as adjustments to CIP scheduling of other items, use of ARPA funding, increase in debt period, seeking climate action and other funding?
3. Solar arrays should be included in the project, not identified as additional/alternate items.
4. See if the bike lane along the S. Greensboro Street frontage can be retained, rather than a lane with sharrow.
5. Make sure there is enough parking in the downtown for businesses.
6. Minimize/mitigate construction impacts so they are least detrimental to business operations.
7. Be sure it is safe for bikes to travel on the ramps in the parking deck.
8. Check distance between inverted 'U' bike racks and try to get to Association of Pedestrian and Bicyclist Professionals (APBP) recommended spacing of 3.5 to 4 feet between each rack.

Staff are reviewing these comments and questions and working with design and construction management consultants, and outside agencies where needed, and will report back to the Town Council with responses.

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 approve the resolution and updated capital project ordinance.

A RESOLUTION TO APPROVE THE 203 PROJECT DESIGN

BE IT HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO
THAT:

Section 1. The 203 Project design is approved with the following direction:

- 1) _____
- 2) _____
- 3) _____

This the 22nd day of June in the year 2021.

AMENDMENT
203 SOUTH GREENSBORO STREET CAPITAL IMPROVEMENT PROJECT
ORDINANCE

WHEREAS, the Town of Carrboro, and Orange County entered into a Development Agreement on December 4, 2017 related to design, permitting, and construction of a building and associated parking at 203 S. Greensboro Street to provide for the Orange County Southern Branch Library, Town of Carrboro Recreation and Parks Program, Orange County Skills Development Center, WCOM Radio, and other uses; and,

WHEREAS, the Town and County subsequently amended this Development Agreement on May 1, 2020; and,

,

WHEREAS, the County's share of project costs has increased; and,

WHEREAS, it is necessary to amend the Capital Project Ordinance to maintain a balanced budget;

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO THAT THE 203 SOUTH GREENSBORO STREET CAPITAL IMPROVEMENT PROJECT ORDINANCE is amended as follows:

1. The following revenues are increased to \$27,638,255 as follows:

	Approved Budget	Increase (Decrease)	Revised Budget
Town of Carrboro	\$ 12,000,000.00	\$ -	\$ 12,000,000.00
Orange County	\$ 13,831,095.00	\$ 1,807,160.00	\$ 15,638,255.00
Total	<u>\$ 25,831,095.00</u>	<u>\$ 1,807,160.00</u>	<u>\$ 27,638,255.00</u>

2. The following expenses are increased to \$27,638,255 as follows:

	Approved Budget	Increase (Decrease)	Revised Budget
Professional Services	\$ 3,549,095.00	\$ -	\$ 3,549,095.00

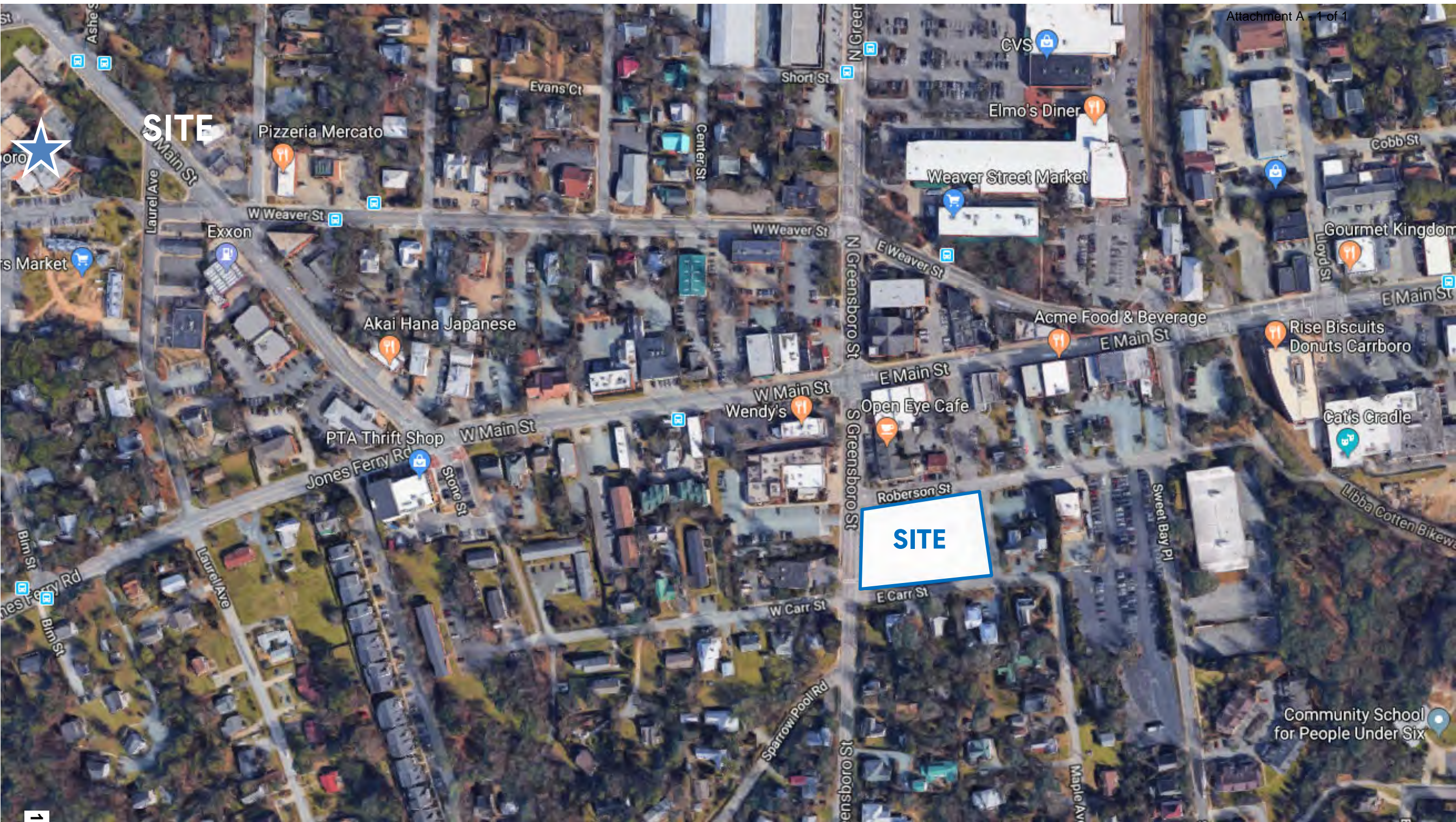
Construction	\$ 18,232,000.00	\$ 1,807,160.00	\$ 20,039,160.00
Parking	\$ 4,050,000.00	\$ -	\$ 4,050,000.00
Total	<u>\$ 25,831,095.00</u>	<u>\$ 1,807,160.00</u>	<u>\$ 27,638,255.00</u>

3. This Amended Project Ordinance shall become effective upon adoption.
4. Within five (5) days after this amended project ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director and Planning Director.
5. All other provisions of the Capital Project Ordinance shall continue in effect.

The foregoing amended capital project ordinance having been submitted to a vote received the following vote and was duly adopted this ____ th day of _____ 2021.

Ayes: Noes:

Absent or Excused:



GENERAL NOTES:

- CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR PRECISE BUILDING DIMENSIONS, BUILDING UTILITY ENTRANCE LOCATIONS, AND EXACT LOCATIONS AND DIMENSIONS OF EXIT PORTALS, RAMPS, DOWNSLOPES, GRAVEL 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.
- NO WORK WITHIN NCDDT RIGHT OF WAY SHALL TAKE PLACE WITHOUT ALL REQUIRED PERMITS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, 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.
- 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.
- 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 O.S.H.A. STANDARDS.
- 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 "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.
- 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 NCDDT AND THE TOWN OF CARRBORO INSPECTIONS.
- 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.
- CONTRACTOR SHALL ADJUST AND/OR CUT EXISTING PAVEMENT AS NECESSARY TO ASSURE A SMOOTH FIT AND CONTINUOUS GRADE
- APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS 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 ACCORDANCE WITH THE STANDARDS OF THE NCDDT AND THE TOWN OF CARRBORO.
- COORDINATE ALL CURB AND STREET GRADES IN INTERSECTIONS WITH TOWN AND/OR NCDDT INSPECTORS.
- 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 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.
- 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).
- SIGHT TRIANGLES SHOWN ARE THE MINIMUM REQUIRED.
- ALL OFF-SITE CONSTRUCTION MUST BE PERFORMED IN ACCORDANCE WITH CURRENT NCDDT STANDARD SPECIFICATIONS AND DETAILS. ALL ON-SITE CONSTRUCTION MUST BE PERFORMED IN ACCORDANCE WITH TOWN OF CARRBORO STANDARD SPECIFICATIONS AND DETAILS.
- 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.
- 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.
- CONTRACTOR SHALL POST ASSIGNED BUILDING PERMIT NUMBER AND ADDRESS ON BUILDING.
- CONTACT THE UTILITY COMPANY TO RELOCATE ANY EXISTING UTILITY AND/OR LIGHT POLES. ALL EXISTING FACILITIES WHICH CONFLICT WITH THE IMPROVEMENTS UNDER THE SCOPE OF THIS PROJECT MUST BE RELOCATED AT THE EXPENSE OF THE CONTRACTOR.

EROSION CONTROL NOTES:

- CONTRACTOR IS RESPONSIBLE FOR PROPERLY DISPOSING OF EXCESS MATERIAL OFF-SITE.
- CONTRACTOR SHALL INSTALL AND MAINTAIN THROUGHOUT THE CONSTRUCTION PROJECT ALL EROSION CONTROL COUNTER MEASURES SHOWN ON THIS SHEET IN ACCORDANCE WITH APPLICABLE STANDARDS FROM THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY SEDIMENT CONTROL REGULATIONS.
- GROUND COVER SHALL BE ESTABLISHED PER "SEEDBED PREPARATION NOTES" PROVIDED IN THE EROSION CONTROL DETAILS.
- THE CONTRACTOR SHALL PROVIDE GROUND COVER ON DESIGNATED AREAS AND SLOPES GREATER THAN 3:1 WITHIN 7 DAYS FOLLOWING COMPLETION OF ANY PHASE OF GRADING. CONTRACTOR SHALL PROVIDE GROUND COVER IN 14 DAYS ON ALL OTHER AREAS FOLLOWING COMPLETION OF ANY PHASE OF GRADING. PERMANENT GROUND COVER FOR ALL DISTURBED AREAS SHALL BE PROVIDED WITHIN 15 WORKING DAYS OR 90 CALENDAR DAYS (WHICHEVER IS SHORTER) FOLLOWING COMPLETION OF CONSTRUCTION.
- DURING CONSTRUCTION OF THE PROJECT, SOIL STOCKPILES AND BORROW AREAS SHALL BE STABILIZED OR PROTECTED WITH SEDIMENT TRAPPING MEASURES. THE CONTRACTOR IS RESPONSIBLE FOR THE TEMPORARY PROTECTION AND PERMANENT STABILIZATION OF ALL SOIL STOCKPILES ON SITE AS WELL AS BORROW AREAS AND SOIL INTENTIONALLY TRANSPORTED FROM THE PROJECT SITE.
- SEDIMENT BASINS AND TRAPS, PERIMETER DIKES, SEDIMENT BARRIERS, AND OTHER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP IN ANY LAND-DISTURBING ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE.
- WHERE CONSTRUCTION VEHICLE ACCESS ROUTES INTERSECT PAVED OR PUBLIC ROADS, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY VEHICULAR TRACKING ONTO THE PAVED SURFACE. WHERE SEDIMENT IS TRANSPORTED ONTO A PAVED OR PUBLIC ROAD SURFACE, THE ROAD SURFACE SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROADS BY SHOVELING OR SWEEPING AND TRANSPORTED TO A SEDIMENT CONTROL DISPOSAL AREA. STREET WASHING SHALL BE ALLOWED ONLY AFTER SEDIMENT IS REMOVED IN THIS MANNER.
- ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURE SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED AND APPROVAL HAS BEEN OBTAINED FROM THE TOWN OF CARRBORO INSPECTIONS DIVISION. TRAPPED SEDIMENT AND THE DISTURBED SOIL AREAS RESULTING FROM THE DISPOSITION OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZED TO PREVENT FURTHER EROSION AND SEDIMENTATION.
- ALL EROSION CONTROL MEASURES SHALL BE COMPLETED IN ACCORDANCE WITH THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY SEDIMENT CONTROL REGULATIONS, U.S. DEPT. OF AGRICULTURE, U.S. SOIL CONSERVATION SERVICE, AND CITY OF RALEIGH REQUIREMENTS.
- THE CONTRACTOR SHALL DILIGENTLY AND CONTINUOUSLY MAINTAIN ALL EROSION CONTROL DEVICES AND STRUCTURES TO MINIMIZE EROSION. THE CONTRACTOR SHALL MAINTAIN CLOSE CONTACT WITH THE EROSION CONTROL INSPECTOR SO THAT PERIODIC INSPECTIONS CAN BE PERFORMED AT APPROPRIATE STAGES OF CONSTRUCTION.
- A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN AND PERMIT SHALL BE MAINTAINED ON THE SITE AT ALL TIMES.
- STABILIZATION IS THE BEST FORM OF EROSION CONTROL. ALL DISTURBED AREAS WHICH ARE NOT OTHERWISE STABILIZED SHALL BE TOP SOILED AND SEED. TEMPORARILY OR PERMANENTLY IN ACCORDANCE WITH THE TOWN OF CARRBORO SEDIMENT CONTROL REGULATIONS. PERMANENT SEEDING AND GRASS ESTABLISHMENT IS REQUIRED PRIOR TO PROJECT COMPLETION AND ACCEPTANCE.
- CONTRACTOR TO ENSURE THAT SEDIMENT LADEN RUNOFF DOES NOT LEAVE SITE LIMITS OR ENTER PROTECTED AREAS. ANY SEDIMENT DEPOSITED BEYOND DISTURBED AREA WITHIN SITE LIMITS SHALL BE REMOVED.
- WHEN A CRUSHED STONE CONSTRUCTION ENTRANCE HAS BEEN COVERED WITH SOIL OR HAS BEEN PUSHED INTO THE SOIL BY CONSTRUCTION TRAFFIC, IT SHALL BE REPLACED WITH A DEPTH OF STONE EQUAL TO THAT OF THE ORIGINAL APPLICATION.
- ALL DRAINAGE INLETS SHALL BE PROTECTED FROM SILTATION. INEFFECTIVE PROTECTION DEVICES SHALL BE IMMEDIATELY REPLACED AND THE INLET CLEANED. FLUSHING IS NOT AN ACCEPTABLE METHOD OF CLEANING.
- DURING DEWATERING OPERATIONS, WATER SHALL BE PUMPED INTO AN APPROVED FILTERING DEVICE PRIOR TO DISCHARGE TO RECEIVING OUTLET.
- STABILIZATION MEASURES SHALL BE APPLIED TO STRUCTURES SUCH AS DAMS, DIKES AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION.

UTILITY NOTES

- ALL MATERIALS & CONSTRUCTION METHODS SHALL BE IN ACCORDANCE WITH OWASA APPROVED DESIGN STANDARDS & SPECIFICATIONS.
- ALL WATER JOINTS ARE TO BE MECHANICAL JOINTS WITH THRUST BLOCKING AS CALLED OUT ON UTILITY DETAILS.
- WATER AND SEWER MAINS SHALL BE KEPT TEN (10') APART (PARALLEL) OR WHEN CROSSING 18" VERTICAL CLEARANCE (OUTSIDE EDGE OF PIPE TO OUTSIDE EDGE OF PIPE).
- WHEN A WATER MAIN CROSSES OVER A SEWER MAIN, THERE MUST BE EIGHTEEN INCHES OF VERTICAL SEPARATION. IF THE WATER MAIN MUST GO UNDER THE SEWER MAIN, BOTH THESE LINES MUST BE OF DUCTILE IRON. AT A DISTANCE OF TEN FEET ON EITHER SIDE OF THE CROSSING WITH A TWELVE INCH VERTICAL SEPARATION, THE CROSSING OF OTHER UNDERGROUND PIPE REQUIRES A MINIMUM OF TWELVE INCHES OF VERTICAL SEPARATION. ALL DISTANCES ARE MEASURED FROM OUTSIDE DIAMETER TO OUTSIDE DIAMETER.
- WHEN A WATER LINE PASSES OVER OR UNDER A STORM SEWER, VERTICAL SEPARATION OF 18 INCHES SHALL BE MAINTAINED UNLESS WATER LINES ARE OF DUCTILE IRON OR ENCASED IN CONCRETE. A MINIMUM 6" CONCRETE PAD SHALL BE POURED BETWEEN THE TWO. DISTANCES ARE MEASURED FROM OUTSIDE DIAMETER TO OUTSIDE DIAMETER.
- CONTRACTOR SHALL MAINTAIN A MINIMUM OF 3.0' COVER ON ALL WATERLINES.
- IN THE EVENT OF A VERTICAL CONFLICT BETWEEN WATERLINES, SANITARY LINES, STORM LINES AND GAS LINES (EXISTING AND PROPOSED), THE SANITARY LINE SHALL BE DUCTILE IRON PIPE WITH MECHANICAL JOINTS AT LEAST 10 FEET ON BOTH SIDES OF CROSSING, THE WATERLINE SHALL HAVE MECHANICAL JOINTS WITH APPROPRIATE THRUST BLOCKING, MEETING REQUIREMENTS OF ANSI A21-10 OR ANSI 21-11 (AWWA C-151) (CLASS 50).
- ANY NECESSARY FIELD REVISIONS ARE SUBJECT TO REVIEW & APPROVAL OF AN AMENDED PLAN &/OR PROFILE BY OWASA.
- CONTRACTOR SHALL MAINTAIN CONTINUOUS WATER & SEWER SERVICE TO EXISTING RESIDENCES & BUSINESSES THROUGHOUT CONSTRUCTION OF PROJECT. ANY NECESSARY SERVICE INTERRUPTIONS SHALL BE PRECDED BY A 72 HOUR ADVANCE NOTICE TO ORANGE WATER AND SEWER AUTHORITY.
- 3.0' MINIMUM COVER IS REQUIRED ON ALL WATER MAINS & SEWER FORCEMAINS. DUCTILE IRON PIPING MAY BE USED WHERE 3.0' MINIMUM COVER IS NOT ACHIEVED.
- PRESSURE REDUCING VALVES ARE REQUIRED ON ALL WATER SERVICES EXCEEDING 80 PSI; BACKWATER VALVES ARE REQUIRED ON ALL SANITARY SEWER SERVICES HAVING BUILDING DRAINS LOWER THAN 1.0' ABOVE THE NEXT UPSTREAM MANHOLE.
- NCDDT ENCROACHMENT AGREEMENTS ARE REQUIRED FOR ANY UTILITY WORK (INCLUDING MAIN EXTENSIONS &/OR SERVICE TAPS) WITHIN STATE ROW PRIOR TO CONSTRUCTION.
- CROSS CONNECTION DEVICES SHALL MEET AMERICAN SOCIETY OF SANITARY ENGINEERING (ASSE) STANDARDS OR BE ON THE UNIVERSITY OF SOUTHERN CALIFORNIA APPROVAL LIST. THE DEVICES SHALL BE INSTALLED AND TESTED (BOTH INITIAL AND PERIODIC TESTING THEREAFTER) IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS OR THE LOCAL CROSS-CONNECTION CONTROL PROGRAM, WHICHEVER IS MORE STRINGENT.
- ALL FILL MATERIAL IS TO BE IN PLACE, AND COMPACTED BEFORE INSTALLATION OF PROPOSED UTILITIES.
- CONTRACTOR SHALL NOTIFY THE OWASA MANAGER 72-HOURS BEFORE CONNECTING TO ANY EXISTING LINE.
- WATER LINES SHALL BE AS FOLLOWS:
4" AND LARGER – SCHEDULE 40 PVC
- SEWER LINES SHALL BE AS FOLLOWS:
4"-12" – SCHEDULE 40 PVC
- MINIMUM TRENCH WIDTH SHALL BE 2 FEET.
- ALL WATER JOINTS ARE TO BE MECHANICAL JOINTS WITH THRUST BLOCKING.
- LINES UNDERGROUND SHALL BE INSTALLED, INSPECTED AND APPROVED BEFORE BACKFILLING.
- ALL UTILITY MAIN LENGTHS SHOWN ARE APPROXIMATE.
- ALL CONCRETE FOR ENCASEMENTS SHALL HAVE A MINIMUM 28 DAY COMPRESSION STRENGTH AT 3000 P.S.I.
- EXISTING UTILITIES SHALL BE VERIFIED IN FIELD PRIOR TO INSTALLATION OF ANY NEW LINES.
- REFER TO ARCHITECTURAL DRAWINGS FOR BUILDING TIE-IN LOCATION AND ELEVATION OF ALL UTILITIES.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. 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 CHARTED OR UNCHARTED WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
- ALL EXISTING UTILITIES PROPOSED TO BE RELOCATED ON THESE PLANS SHALL BE PLACED UNDERGROUND.
- ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS AND/OR TESTING REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL CONNECTION OF SERVICE.
- CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION REQUIREMENTS AND SPECIFICATIONS.
- ALL SANITARY SEWER AND WATER DISTRIBUTION SYSTEM WORK TO BE INSTALLED BY A LICENSED UTILITY CONTRACTOR.

BACKFLOW PREVENTION:

- THERE SHALL BE NO TAPS, PIPING BRANCHES, UNAPPROVED BYPASS PIPING, HYDRANTS, FIRE DEPARTMENT CONNECTION POINTS OR OTHER WATER-USING APPURTENANCES CONNECTED TO THE SUPPLY LINE BETWEEN ANY WATER METER AND ITS REQUIRED BACKFLOW PREVENTER.
- EACH BACKFLOW PREVENTER ASSEMBLY IS REQUIRED TO BE TESTED BY AN APPROVED CERTIFIED TESTER PRIOR TO PLACING THE WATER SYSTEM INTO SERVICE. CONTRACTOR SHALL PERFORM TESTING IN ACCORDANCE WITH OWASA.

TRAFFIC CONTROL:

- REFER TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (LATEST EDITION) FOR DETAILS OF STANDARD TRAFFIC CONTROL SIGNS AND STANDARDS.
- ALL TRAFFIC CONTROL SIGNAGE AND PRACTICES SHALL ADHERE TO THE MANUAL ON UNIFORM TRAFFIC CONTROL, AND THE LATEST EDITION OF THE NCDDT STANDARD SPECIFICATION FOR ROADWAY STRUCTURES', NCDDT ROADWAY STANDARD DRAWING MANUAL, AND THE NCDDT 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.
- BOTTOM OF WALL ("BW") GRADES SHOWN ON THESE PLANS REPRESENT FINISHED GROUND ADJACENT TO LOW SIDE OF WALL TOF 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.
- 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.
- 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.
- ALL SANITARY SEWER MAIN FEATURES WILL GENERALLY BE PROTECTED IN PLACE UNLESS SPECIFICALLY MARKED FOR REMOVAL.
- 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.
- 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.
- SIDEWALK INTERSECTIONS AND RAMP LANDINGS TO HAVE A MAXIMUM 2% SLOPE IN ALL DIRECTIONS.

GRADING:

- 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.
- 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.
- 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.
- THE CONTRACTOR SHALL COORDINATE WITH THE GEOTECHNICAL ENGINEER FOR APPROPRIATE SLOPE STABILIZATION ON ALL SLOPES STEEPER THAN 3:1.
- ALL AREAS WITH 2:1 SLOPE OR ERODABLE SLOPES SHALL BE COVERED WITH ERONET MATTING OR APPROVED EQUAL INSTALL PER MANUFACTURER'S INSTRUCTIONS.
- ALL CUT OR FILL SLOPES SHALL BE 3:1 OR FLATTER UNLESS OTHERWISE NOTED.
- EXISTING AND PROPOSED GRADE CONTOUR INTERVALS SHOWN AT 1 FOOT.
- CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE GOVERNING CODES AND BE CONSTRUCTED TO SAME.
- ALL CONTOURS AND SPOT ELEVATIONS REFLECT FINISHED GRADES. SPOT ELEVATIONS AT CURB AND GUTTER LOCATIONS ARE TO THE GUTTER FLOW LINE, UNLESS OTHERWISE NOTED.
- 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.
- ALL ELEVATIONS ARE IN REFERENCE TO THE BENCHMARK, AND THIS MUST BE VERIFIED BY THE GENERAL CONTRACTOR PRIOR TO GROUND BREAKING.
- 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.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING EXISTING UTILITIES, AND SHALL REPAIR ALL DAMAGE TO EXISTING UTILITIES THAT OCCUR DURING CONSTRUCTION.
- CONTRACTOR SHALL BLEND NEW EARTHWORK SMOOTHLY TO TRANSITION BACK TO EXISTING GRADE.
- ALL UNSURFACED AREAS DISTURBED BY GRADING OPERATION SHALL RECEIVE 4 INCHES OF TOPSOIL.
- CONTRACTOR SHALL SEED AREAS UNTIL A HEALTHY STAND OF GRASS IS ESTABLISHED.
- LIMITS OF CLEARING SHOWN ON GRADING AND DRAINAGE PLAN ARE BASED UPON THE APPROXIMATE CUT AND FILL SLOPE LIMITS, OR OTHER GRADING REQUIREMENTS.
- 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.
- 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.
- THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS, DOOR LOCATIONS, AND EXACT UTILITY ENTRANCE LOCATIONS AND ELEVATIONS.
- 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.
- 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.
- THE CONTRACTOR SHALL INCLUDE IN THE CONTRACT PRICE ANY DEWATERING AND MOISTURE CONDITIONING NECESSARY TO CONSTRUCT THE PROJECT AS SHOWN ON THE PLANS.
- 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.

ABBREVIATIONS:

AC	ACRE	HP	HIGH POINT
BW	BOTTOM OF WALL	JB	JUNCTION BOX
CI	CURB INLET	LF	LINEAR FEET
CO	CLEANOUT	LOD	LIMITS OF DISTURBANCE
COR	CITY OF RALEIGH	LP	LOW POINT
CS	CONTROL STRUCTURE	PVC	POLYVINYL CHLORIDE PIPE
DI	DROP INLET	RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE	SCM	STORMWATER CONTROL MEASURE
EG	EXISTING GRADE	SSCO	SANITARY SEWER CLEANOUT
EX	EXISTING	SSMH	SANITARY SEWER MANHOLE
FDC	FIRE DEPARTMENT CONNECTION	SF	SQUARE FEET
FES	FLARED END SECTION	TCA	TREE CONSERVATION AREA
FEE	FINISHED FLOOR ELEVATION	TW	TOP OF WALL
FG	FINISHED GRADE	TYP	TYPICAL
FL	FLOW LINE		

DRAINAGE:

- 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 PERMITTED WHEN SPECIFICALLY INDICATED ON THE CONSTRUCTION DRAWINGS. PIPE SHALL BE INSTALLED IN ACCORDANCE WITH PIPE MANUFACTURER'S INSTALLATION GUIDELINES OR NCDDT 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.
- ALL PIPE LENGTHS AND SLOPES ARE APPROXIMATE.
- ALL PIPES SHALL BE LAID ON STRAIGHT ALIGNMENTS AND EVEN GRADES USING A PIPE LASER OR OTHER ACCURATE METHOD.
- ADDITIONAL SUBSURFACE DRAINAGE MAY RE REQUIRED IN THE STREET RIGHT-OF-WAY IF DEEMED NECESSARY BY THE INSPECTOR.
- 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.
- 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.
- ALL STORM PIPE ENTERING STRUCTURES SHALL BE GROUTED TO ASSURE CONNECTION AT STRUCTURE IS WATERTIGHT.
- ALL STORM STRUCTURES SHALL HAVE A SMOOTH UNIFORM POURED MORTAR INVERT FROM INVERT IN TO INVERT OUT.
- 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.
- 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.
- 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".
- STRUCTURE RIM ELEVATIONS SHOWN HERE IN ARE APPROXIMATE. CONTRACTOR SHALL ADJUST AS NECESSARY.
- 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.

OCWSW CONSTRUCTION WASTE REQUIREMENTS:

- 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 919-968-2786 TO ARRANGE FOR THE ASSESSMENT.
- PURSUANT TO THE COUNTY'S RRMO, CLEAN WOOD WASTE, SCRAP METAL, AND CORRUGATED CARDBOARD PRESENT IN CONSTRUCTION OR DEMOLITION WASTE MUST BE RECYCLED.
- PURSUANT TO THE COUNTY'S RRMO, ALL HAULERS OF MIXED CONSTRUCTION AND DEMOLITION WASTE WHICH INCLUDES ANY REGULATED RECYCLABLE MATERIALS SHALL BE LICENSED BY ORANGE COUNTY.
- PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY ON THE SITE, THE APPLICANT SHALL HOLD A PRE-DEMOLITION/PRE-CONSTRUCTION CONFERENCE WITH SOLID WASTE STAFF. THIS MAY BE THE SAME PRE-CONSTRUCTION MEETING HELD WITH OTHER DEVELOPMENT/ENFORCEMENT OFFICIALS.
- THE PRESENCE 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.

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Theater Consultant Collaborative
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AUDIO VISUAL AND ACUSTICS DESIGN
The Sextan Group/INV5
3300 Regency Parkway
Cary, NC 27518

PROJECT



TOWN OF CARRBORO/
ORANGE COUNTY/ WCOM
203 South Greensboro Street,
Carrboro, NC 27510

PROGRESS SET FOR REVIEW ONLY
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THEY WERE PREPARED BY OR
UNDER SUPERVISION OF:
W. JORDAN BREWER
LICENSE NO. 039196

KEYPLAN

ISSUE CHART

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

MARK	ISSUE	DATE
Job Number		830608.000

TITLE

GENERAL NOTES

SHEET NUMBER

C0.1

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 "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.

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PRELIMINARY

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MARK DATE
Job Number 830608.000

TITLE

EXISTING
CONDITIONS PLAN

SHEET NUMBER

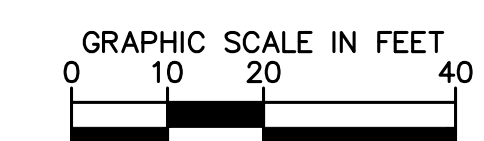
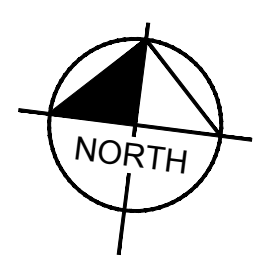
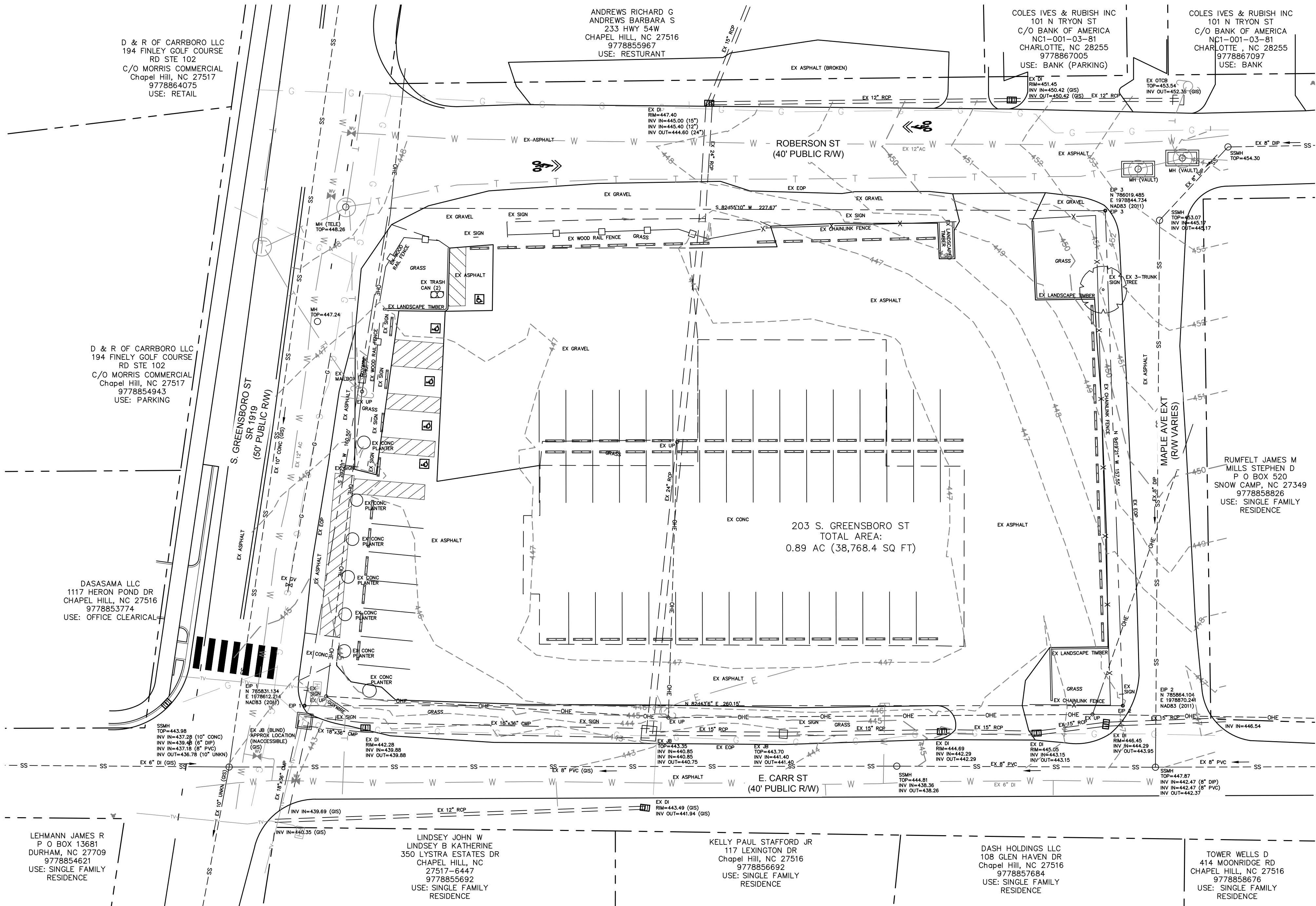
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Notes:

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 guarantee 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.

EXISTING CONDITIONS LEGEND	
---	PROPERTY LINE
---TV---	UNDERGROUND TV LINE
---E---	UNDERGROUND ELECTRIC LINE
---OHE---	OVERHEAD ELECTRICAL LINE
---T---	TELEPHONE LINE
---W---	WATER LINE
---?---	UNKNOWN UTILITY LINE
---X---	CHAIN LINK FENCE
---	STORMWATER PIPE
---G---	GAS LINE
---SS---	SANITARY SEWER LINE
---	PARKING STRIPING
---	TELEPHONE MANHOLE
---	UTILITY POLE
---	WATER VALVE
---	GAS VALVE
---	SANITARY SEWER MANHOLE
---	BICYCLE LINE MARKING
---	STORM STRUCTURES



LIMITS OF DISTURBANCE:
1.25 AC

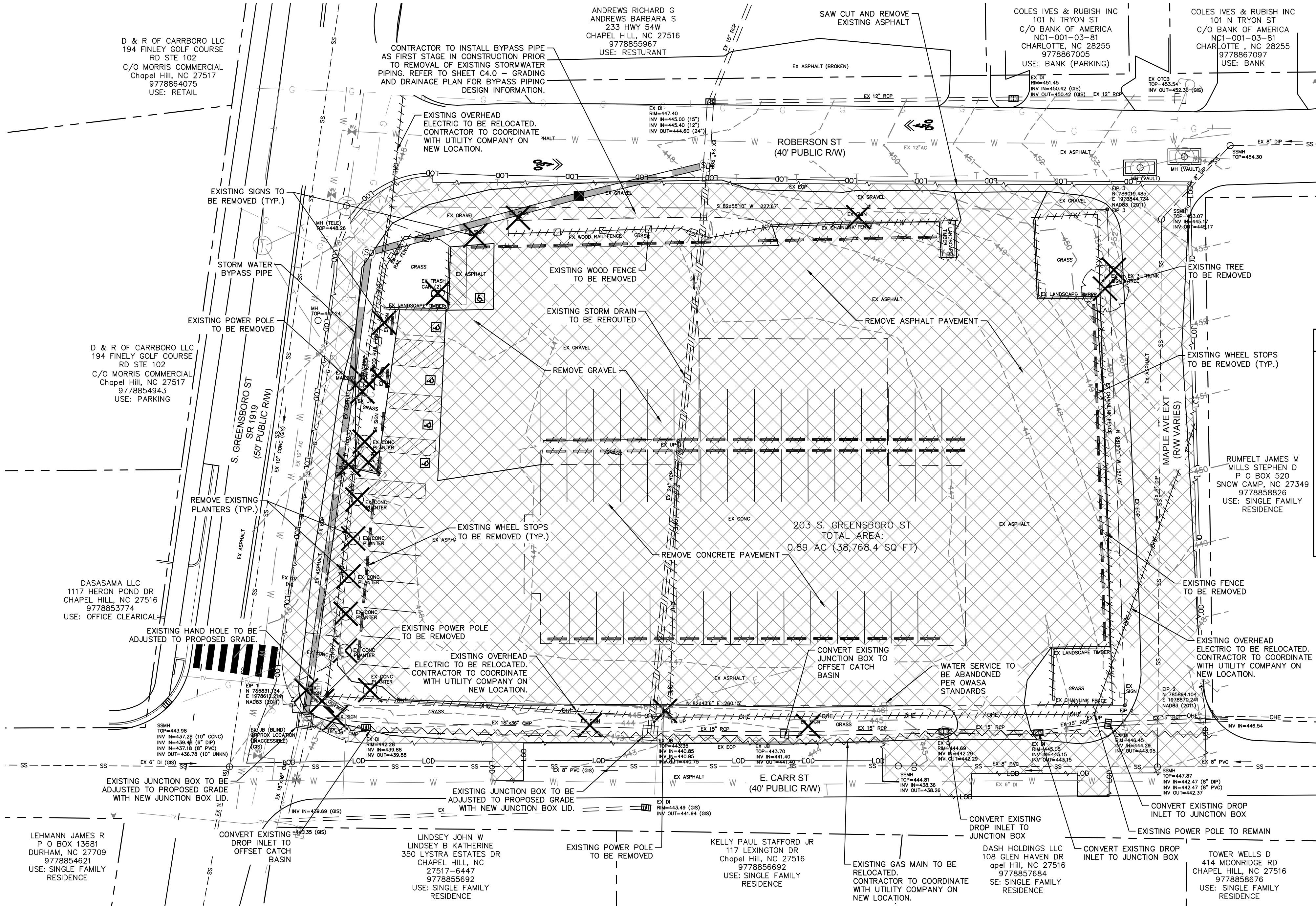
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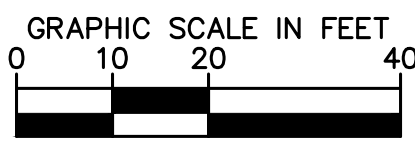
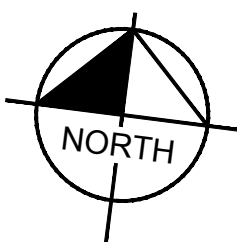
DEMOLITION NOTES

1. THE ITEMS IDENTIFIED FOR DEMOLITION ARE INTENDED TO AID THE CONTRACTOR. THE ITEMS IDENTIFIED MAY NOT INCLUDE ALL ASPECTS OF DEMOLITION REQUIRED TO CONSTRUCT THE PROPOSED IMPROVEMENTS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE ALL NECESSARY DEMOLITION TO CONSTRUCT THE PROPOSED IMPROVEMENTS.
2. THE LOCATIONS OF EXISTING UTILITIES, STORM DRAINAGE STRUCTURES, AND OTHER ABOVE AND BELOW GRADE APPURTENANCES ARE APPROXIMATE AS SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT LOCATION, SIZE, AND INVERT ELEVATIONS OF SUCH PRIOR TO BEGINNING CONSTRUCTION.
3. INSTALL ALL EROSION CONTROL MEASURES PRIOR TO BEGINNING CONSTRUCTION; SEE SHEET C2.0 - PHASE 1 EROSION CONTROL PLAN.
4. NO SOIL DISTURBANCE, SOIL COMPACTION, CONSTRUCTION MATERIALS, OR CONSTRUCTION TRAFFIC ALLOWED BEYOND THE TREE PROTECTION BARRICADES OR WITHIN TREE PROTECTION ZONE.
5. 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.
6. ALL FEATURES MARKED TO BE ABANDONED IN PLACE SHALL REMAIN IN EXISTING CONDITION UNLESS REMOVED THROUGH EFFORTS FOR OTHER FEATURES.
7. 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.
8. 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.
9. ALL SANITARY SEWER MAIN FEATURES WILL GENERALLY BE PROTECTED IN PLACE UNLESS SPECIFICALLY MARKED FOR REMOVAL.
10. THE CONTRACTOR SHALL PROPERLY AND LEGALLY DISPOSE OF ALL DEMOLITION DEBRIS OFF OF THE CONSTRUCTION SITE.
11. REFER TO SITE PLAN FOR SITE FEATURES WITHIN DEMOLISHED AREA.
12. CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANY ON UTILITY RELOCATIONS PRIOR TO CONSTRUCTION.
13. ADJUST ALL EXISTING UTILITY AND STORM RIM ELEVATIONS TO PROPOSED GRADES.



DEMOLITION LEGEND

	PROPERTY LINE
	CLEARING LIMITS
	INITIAL LIMITS OF DISTURBANCE
	DEMOLISH SITE ITEM
	DEMOLISH UNDERGROUND UTILITY
	ABANDON UTILITY IN PLACE
	SAWCUT
	DEMOLISH SITE ITEM / TREE TO BE REMOVED
	SITE ITEM TO BE REMOVED
	SIDEWALK/PAVEMENT TO BE REMOVED



LIMITS OF DISTURBANCE:
1.25 AC

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STRUCTURAL

Lynch Mykins

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Theater Consultant Collaborative

6325 Old NC 86
Chapel Hill, NC 27516
AUDIO VISUAL AND ACOUSTICS DESIGN

The Sexton Group/NV5

3300 Regency Parkway
Cary, NC 27518

PROJECT



TOWN OF CARRBORO/
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203 South Greensboro Street,
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W. JORDAN BREWER
LICENSE NO. 039196

KEYPLAN

ISSUE CHART

PRELIMINARY

DO NOT USE FOR CONSTRUCTION

MARK	ISSUE	DATE
Job Number		830608.000

TITLE

DEMOLITION PLAN

SHEET NUMBER

C1.1

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TITLE

PHASE 1 EROSION
CONTROL PLAN

SHEET NUMBER

C2.0

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PHASE 1 CONSTRUCTION SEQUENCE

1. SUBMIT A LAND DISTURBING PERMIT APPLICATION AT LEAST 30 DAYS PRIOR TO ANY LAND DISTURBING ACTIVITY OCCURRING.
2. ORGANIZE ONSITE PRE-CONSTRUCTION MEETING WITH ORANGE COUNTY EROSION CONTROL INSPECTOR TO REVIEW SITE PLAN PRIOR TO LAND DISTURBING ACTIVITIES. LAND-DISTURBING PERMIT AND APPROVED PLANS WILL BE PROVIDED AT THIS MEETING.
3. INSTALL ALL TEMPORARY EROSION CONTROL MEASURES ACCORDING TO THE INFORMATION DISCUSSED DURING THE PRE-CONSTRUCTION MEETING. MINIMAL CLEARING MAY OCCUR IN THE IMMEDIATE AREA OF ALL MEASURES TO PROVIDE FOR INSTALLATION.
4. CONTACT ORANGE COUNTY EROSION CONTROL INSPECTOR TO SCHEDULE AN INSPECTION OF ALL INSTALLED MEASURES.
5. PERMITTED LAND DISTURBING ACTIVITIES MAY BEGIN UPON APPROVAL OF THE INSTALLED MEASURES.
6. COMPLETE SELF-INSPECTIONS WEEKLY AND WITHIN 24 HOURS OR A 0.5" OR GREATER RAINFALL EVENT. EMAIL ALL INSPECTION REPORTS TO ORANGE COUNTY EROSION CONTROL INSPECTOR AND PROJECT ARCHITECT WITHIN 24 HOURS OF INSPECTION.
7. MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES IN GOOD WORKING ORDER THROUGHOUT CONSTRUCTION. SILT FENCE, INLET PROTECTION AND OTHER SIMILAR MEASURES MUST BE CLEANED OUT BEFORE THEY ARE HALF FULL. CLOGGED SILT FENCE OUTLETS MUST BE REFRESHED/REPLACED. SILT FENCE CANNOT HAVE HOLES OR TEARS.
8. GROUND COVER SHALL BE PROVIDED AS FOLLOWS:
A. STABILIZE BASINS WITH GROUND COVER IMMEDIATELY AFTER INSTALLATION.
B. STABILIZE DIVERSION DITCHES INTENDED TO BE IN SERVICE FOR 30 DAYS OR MORE WITH TEMPORARY SEEDING AND EROSION CONTROL MATTING.
C. FOR ALL AREAS OF MODERATE AND/OR STEEP SLOPES, STABILIZE AREA WITH SEED AND MATTING IF THE SLOPE HAS NOT BEEN DISTURBED FOR A PERIOD OF SEVEN (7) DAYS.
D. PROVIDE GROUND COVER SUFFICIENT TO RESTRAIN EROSION ON ANY PORTION OF THE SITE UPON WHICH FURTHER LAND-DISTURBING ACTIVITY IS NOT BEING UNDERTAKEN WITHIN FOURTEEN (14) CALENDAR DAYS OF TEMPORARILY OR PERMANENTLY SUSPENDING LAND DISTURBING ACTIVITY.
E. ESTABLISH PERMANENT GROUND COVER SUFFICIENT TO RESTRAIN EROSION IMMEDIATELY FOLLOWING COMPLETION OF CONSTRUCTION OR DEVELOPMENT AND/OR PRIOR TO FINAL INSPECTION.
9. RE-INSTALL ADEQUATE EROSION AND SEDIMENT CONTROL MEASURES AND/OR INCREASE MAINTENANCE FREQUENCY WHERE APPROVED MEASURES FAIL TO PREVENT ACCELERATED EROSION, OFF-SITE SEDIMENTATION, OR REPETITIVE NON-COMPLIANCE ISSUES.
10. ALL MEASURES MUST BE INSTALLED ACCORDING TO THE APPROVED PLAN UNLESS APPROVED IN THE FIELD BY ORANGE COUNTY EROSION CONTROL INSPECTOR.
11. MODIFICATIONS TO THE APPROVED AND PERMITTED PLANS SHALL BE APPROVED, BY ORANGE COUNTY EROSION CONTROL INSPECTOR ONLY, PRIOR TO REMOVAL OR INSTALLATION. CONTACT ORANGE COUNTY EROSION CONTROL INSPECTOR TO REQUEST AN INSPECTION AND OBTAIN A SIGN-OFF ON THE PLANS OR AN APPROVED FIELD REVISION.

SILT FENCE

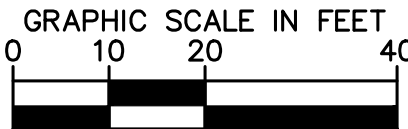
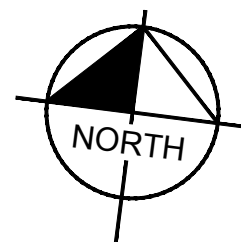
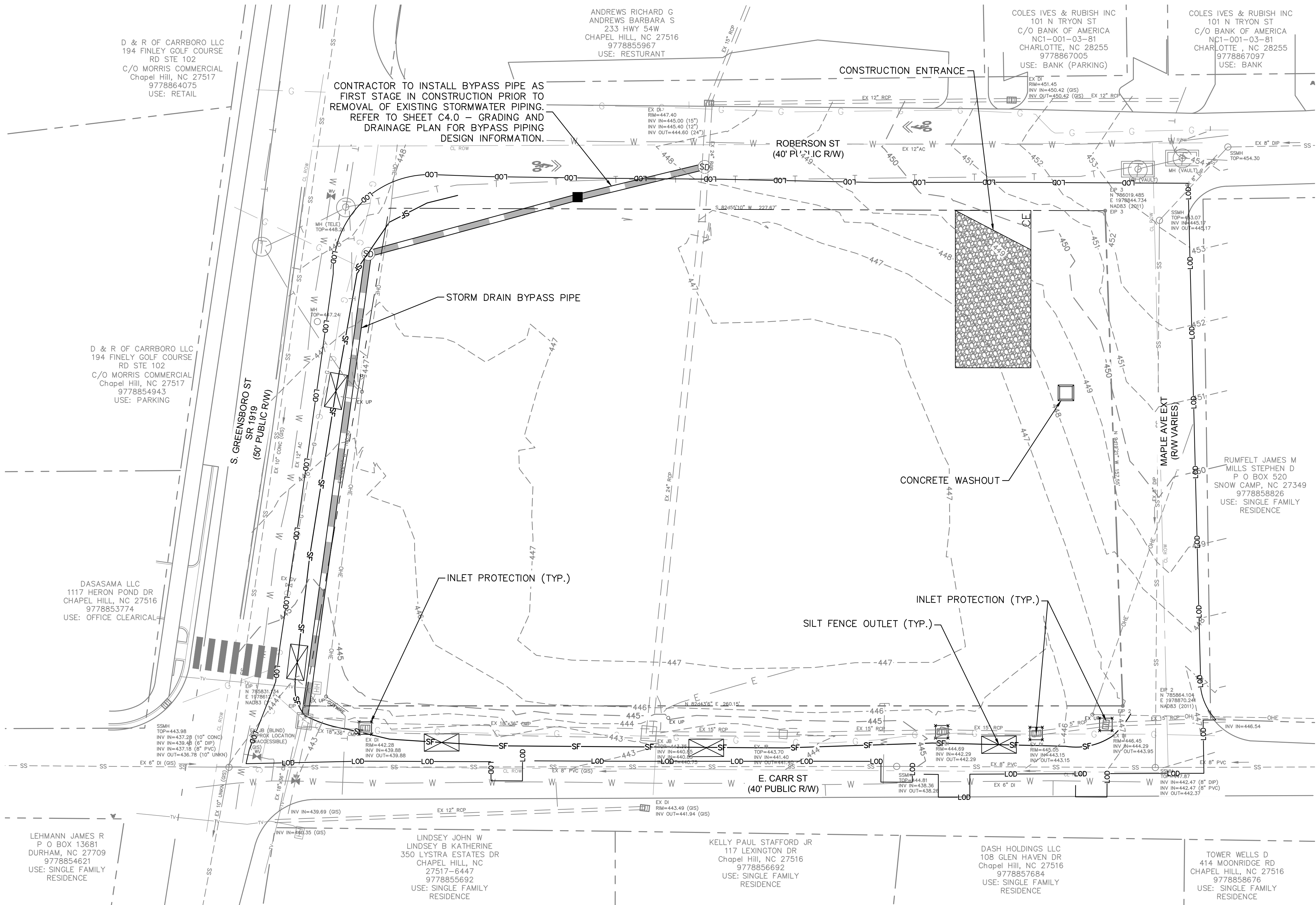
1. SILT FENCES SHOWN ON PLANS ARE FOR REPRESENTATIVE PURPOSES, CONSTRUCT DIRECTLY ALONG THE CLEARING LIMITS WHERE APPLICABLE.
2. SILT FENCE OUTLETS ARE TO BE PROVIDED ALONG ALL LOW POINTS OF SILT FENCE AND AREAS WHERE RUNOFF MAY CONCENTRATE CAUSING DAMAGE TO SILT FENCE. CONTRACTOR TO INSTALL OUTLETS AS NECESSARY TO ENSURE SILT FENCE IS FULLY FUNCTIONAL THROUGHOUT THE DURATION OF CONSTRUCTION.

EROSION CONTROL MAINTENANCE

1. THE CONTRACTOR SHALL DILIGENTLY AND CONTINUOUSLY MAINTAIN ALL EROSION CONTROL DEVICES AND STRUCTURES.
2. MAINTAIN AND ADJUST SILT FENCE THROUGHOUT GRADING ACTIVITIES TO MAINTAIN DRAINAGE PATTERNS.
3. EROSION CONTROL MEASURES SHALL BE INSPECTED WEEKLY OR AFTER RAINFALL EVENTS OF 1/2" OR MORE. CONTRACTOR SHALL MAKE ALL NECESSARY REPAIRS.
4. THE CONTRACTOR SHALL MAINTAIN CLOSE CONTACT WITH THE ORANGE COUNTY INSPECTOR SO THAT PERIODIC INSPECTIONS CAN BE PERFORMED AT APPROPRIATE STAGES OF CONSTRUCTION.

EROSION CONTROL LEGEND

---	PROPERTY LINE
LOD	LIMITS OF DISTURBANCE
SF	SILT FENCE
TPF	TREE PROTECTION FENCE
TD	TEMPORARY DIVERSION DITCH WITH STABILIZATION MATTING
X	SEDIMENT BASIN POROUS Baffles
805	EXISTING CONTOUR
805	PROPOSED CONTOUR
CE	CONSTRUCTION ENTRANCE
	SILT FENCE OUTLET
	CONCRETE WASHOUT STATION
	ROCK CHECK DAM
	INLET PROTECTION
	ROCK PIPE INLET PROTECTION
	SKIMMER
	RIP-RAP OUTLET PROTECTION
	TEMPORARY EROSION CONTROL MATTING



LIMITS OF DISTURBANCE:
1.25 AC

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LICENSE NO. 039196

KEYPLAN

ISSUE SHEET

PRELIMINARY

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MARK	ISSUE	DATE
Job Number		830608.000

TITLE

PHASE 2 EROSION
CONTROL PLAN

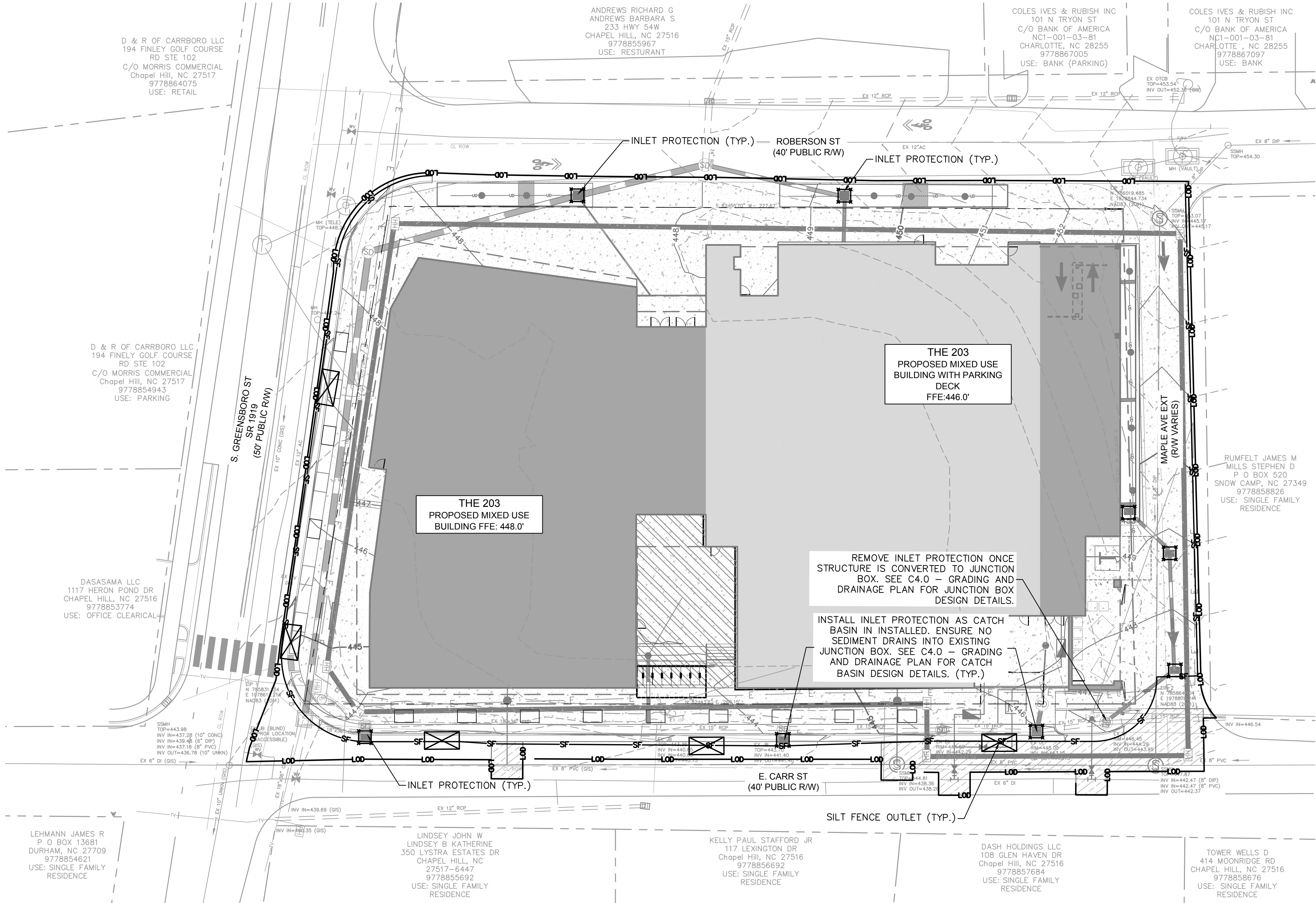
SHEET NUMBER

C2.1

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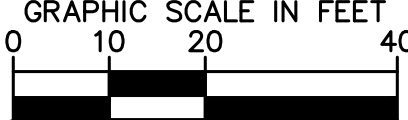
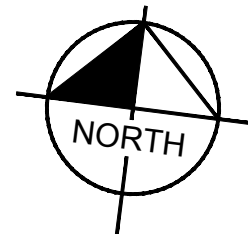
PHASE 2 CONSTRUCTION SEQUENCE

1. A LAND DISTURBING PERMIT ISSUED SHALL BE PROMINENTLY DISPLAYED AT THE JOB SITE UNTIL ALL CONSTRUCTION IS COMPLETED, ALL PERMANENT SEDIMENTATION AND EROSION CONTROL MEASURES ARE REMOVED, AND THE SITE HAS BEEN STABILIZED AS REQUIRED.
2. INSTALL INLET PROTECTION ON ALL THE SPECIFIED STORMWATER INLETS ON THE SITE AND IN THE ROADWAYS AS SHOWN AND ON NEW INLETS AS THEY ARE CONSTRUCTED BEFORE FINAL STABILIZATION OCCURS.
3. MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES IN GOOD WORKING ORDER THROUGHOUT CONSTRUCTION. SILT FENCE, INLET PROTECTION AND OTHER SIMILAR MEASURES MUST BE CLEANED OUT BEFORE THEY ARE HALF FULL. CLOGGED SILT FENCE OUTLETS MUST BE REFRESHED/REPLACED. SILT FENCE CANNOT HAVE HOLES OR TEARS.
4. GROUND COVER SHALL BE PROVIDED AS FOLLOWS:
 - A. FOR ALL AREAS OF MODERATE AND/OR STEEP SLOPES, STABILIZE AREA WITH SEED AND MATTING IF THE SLOPE HAS NOT BEEN DISTURBED FOR A PERIOD OF SEVEN (7) DAYS.
 - B. PROVIDE GROUND COVER SUFFICIENT TO RESTRAIN EROSION ON ANY PORTION OF THE SITE UPON WHICH FURTHER LAND-DISTURBING ACTIVITY IS NOT BEING UNDERTAKEN WITHIN FOURTEEN (14) CALENDAR DAYS OF TEMPORARILY OR PERMANENTLY SUSPENDING LAND DISTURBING ACTIVITY.
 - C. ESTABLISH PERMANENT GROUND COVER SUFFICIENT TO RESTRAIN EROSION IMMEDIATELY FOLLOWING COMPLETION OF CONSTRUCTION OR DEVELOPMENT AND/OR PRIOR TO FINAL INSPECTION.
5. RE-INSTALL ADEQUATE EROSION AND SEDIMENT CONTROL MEASURES AND/OR INCREASE MAINTENANCE FREQUENCY WHERE APPROVED MEASURES FAIL TO PREVENT ACCELERATED EROSION, OFF-SITE SEDIMENTATION, OR REPETITIVE NON-COMPLIANCE ISSUES.
6. ALL MEASURES MUST BE INSTALLED ACCORDING TO THE APPROVED PLAN UNLESS APPROVED IN THE FIELD BY ORANGE COUNTY EROSION CONTROL MANAGEMENT STAFF (APPROVED FIELD REVISION).
7. MODIFICATIONS TO THE APPROVED AND PERMITTED PLANS SHALL BE APPROVED, BY ORANGE COUNTY EROSION CONTROL MANAGEMENT STAFF ONLY, PRIOR TO REMOVAL OR INSTALLATION. CONTACT ORANGE COUNTY EROSION CONTROL MANAGEMENT STAFF TO REQUEST AN INSPECTION AND OBTAIN A SIGN-OFF ON THE PLANS OR AN APPROVED FIELD REVISION.
8. ONCE GRADING AND CONSTRUCTION ACTIVITIES ARE COMPLETE, TEMPORARY MEASURES ARE REMOVED, AND THE SITE IS STABILIZED CALL ORANGE COUNTY EROSION CONTROL MANAGEMENT STAFF TO SCHEDULE THE FINAL INSPECTION.
9. ONCE THE FINAL INSPECTION IS COMPLETE THE PERMIT WILL BE CLOSED AND NO ADDITIONAL GROUND DISTURBING ACTIVITIES CAN OCCUR.



EROSION CONTROL LEGEND

---	PROPERTY LINE
---	LIMITS OF DISTURBANCE
SF	SILT FENCE
TPF	TREE PROTECTION FENCE
TD	TEMPORARY DIVERSION DITCH WITH STABILIZATION MATTING
X	SEDIMENT BASIN POROUS BAFFLES
805	EXISTING CONTOUR
805	PROPOSED CONTOUR
CE	CONSTRUCTION ENTRANCE
□	SILT FENCE OUTLET
□	CONCRETE WASHOUT STATION
□	ROCK CHECK DAM
□	INLET PROTECTION
□	ROCK PIPE INLET PROTECTION
□	SKIMMER
□	RIP-RAP OUTLET PROTECTION
□	TEMPORARY EROSION CONTROL MATTING



REFER TO C2.0 PHASE 1 EROSION CONTROL PLAN FOR CONSTRUCTION SEQUENCE.

LIMITS OF DISTURBANCE:
1.25 AC

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KEYPLAN

ISSUE CHART

PRELIMINARY

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MARK	ISSUE	DATE
Job Number		830608.000

TITLE

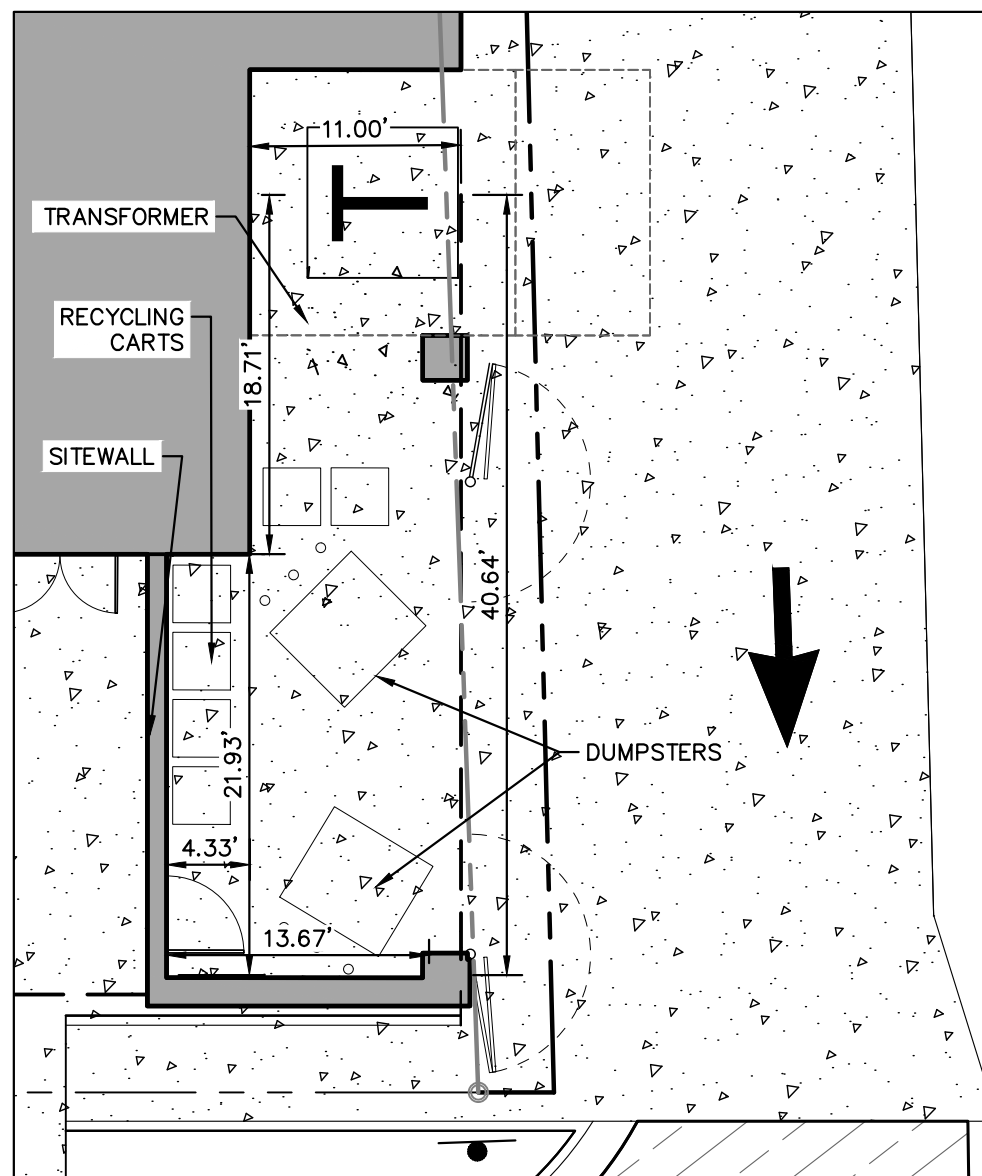
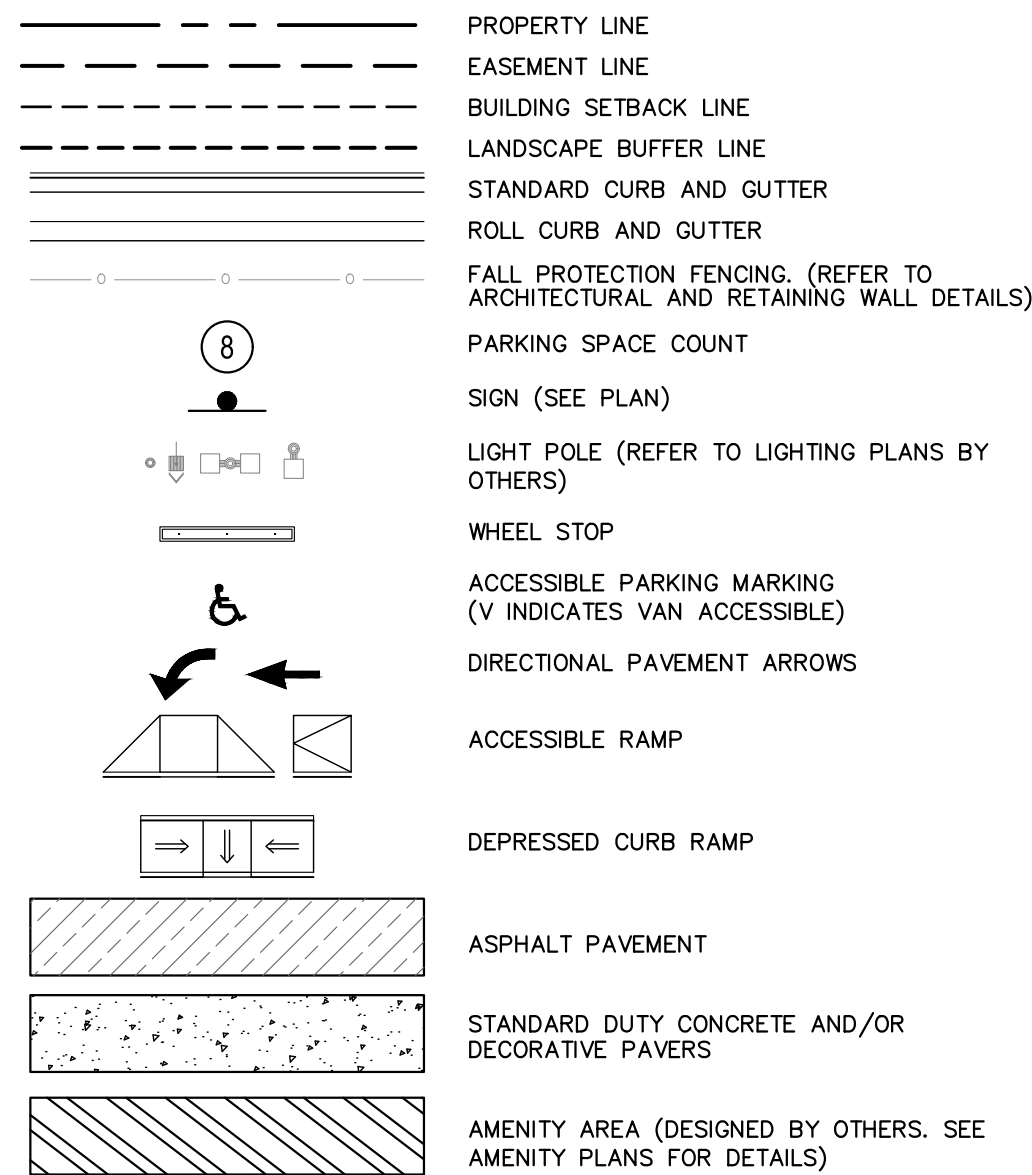
SITE PLAN

SHEET NUMBER

C3.0

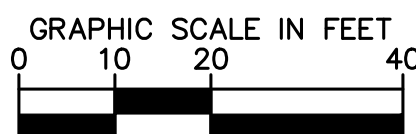
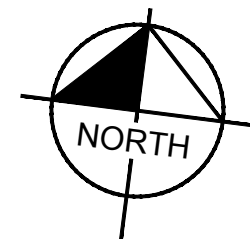
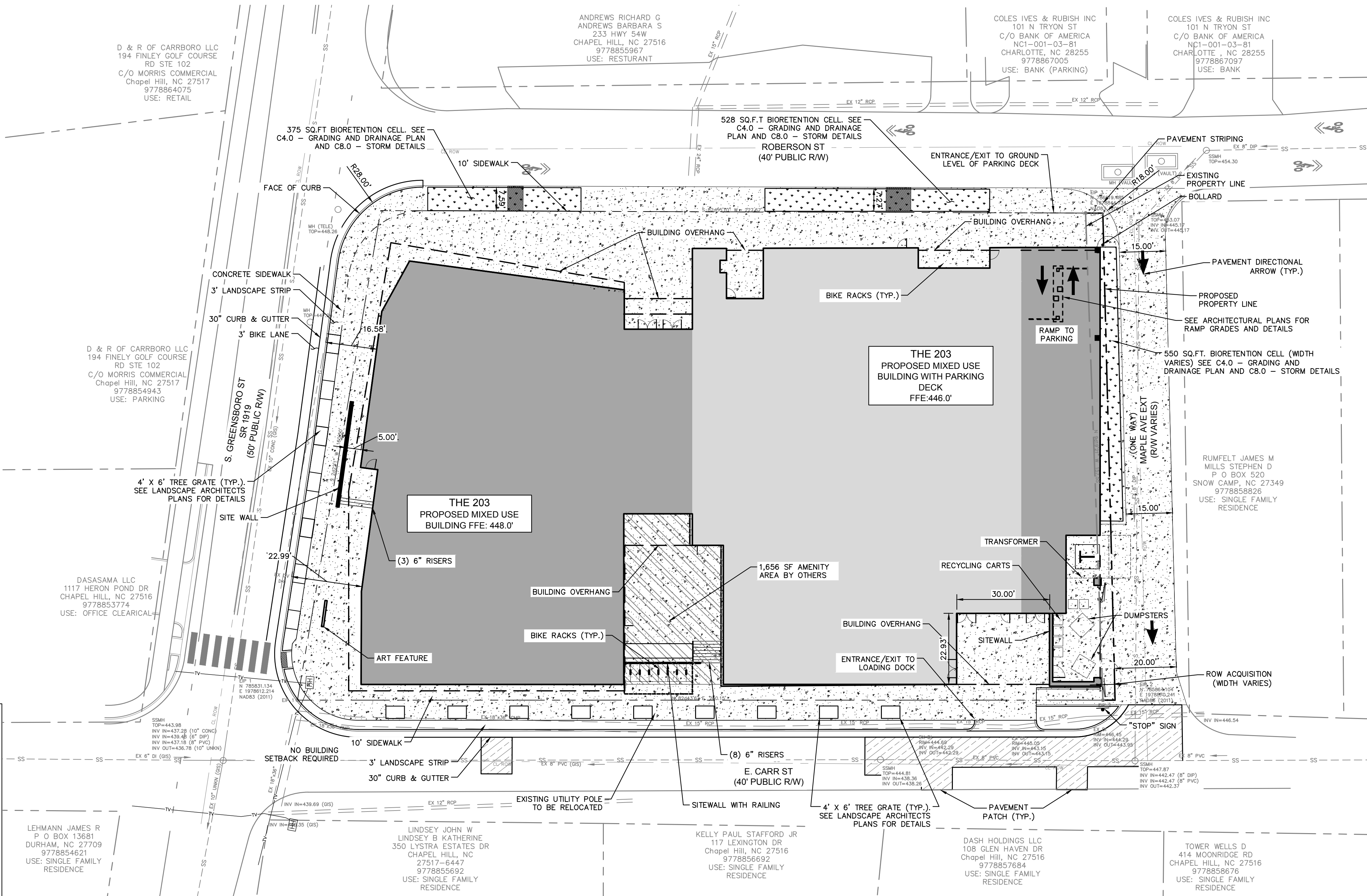
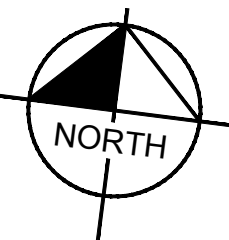
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SITE LEGEND



DUMPSTER ENCLOSURE INSET

SCALE: 1" = 10'



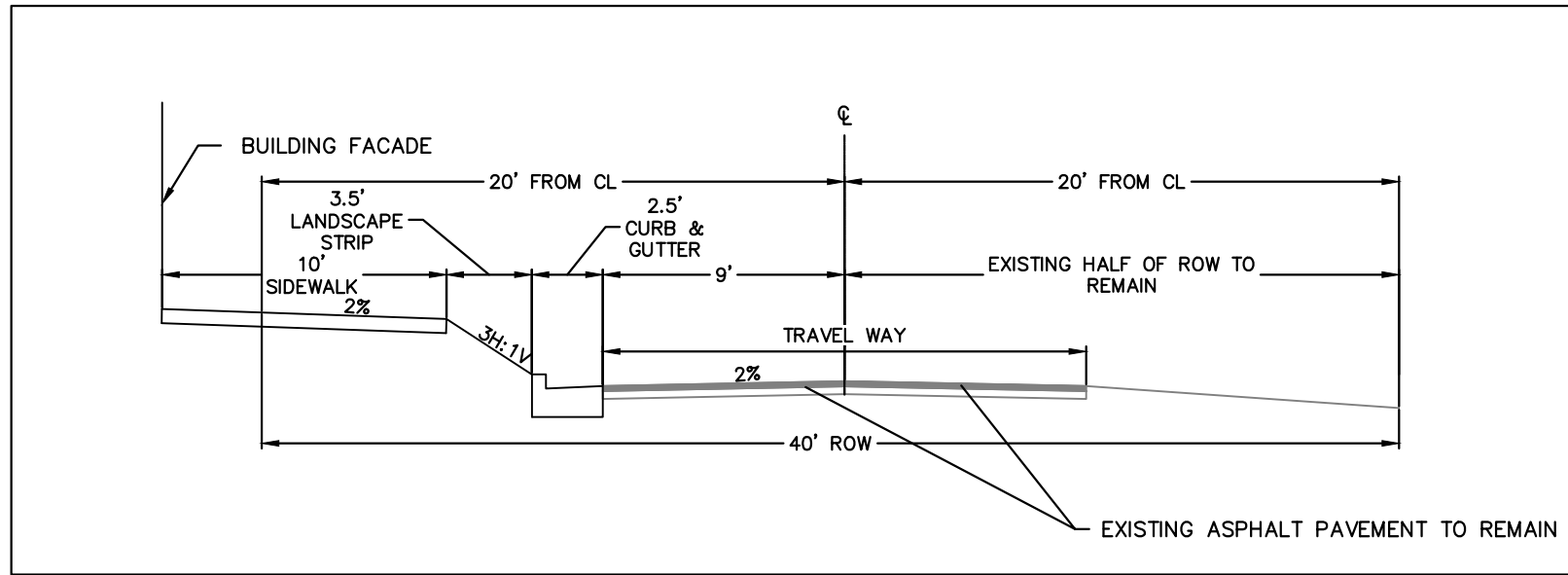
LIMITS OF DISTURBANCE:
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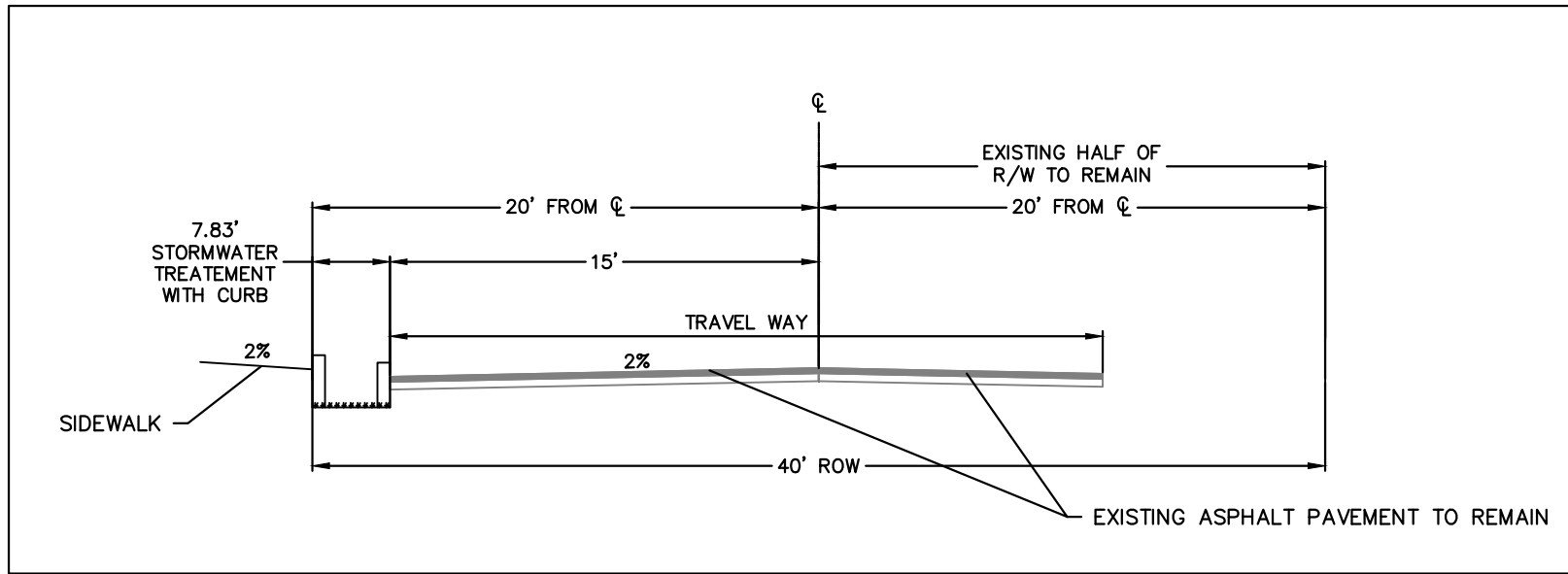
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CARR ST.



NTS.

ROBERSON ST.



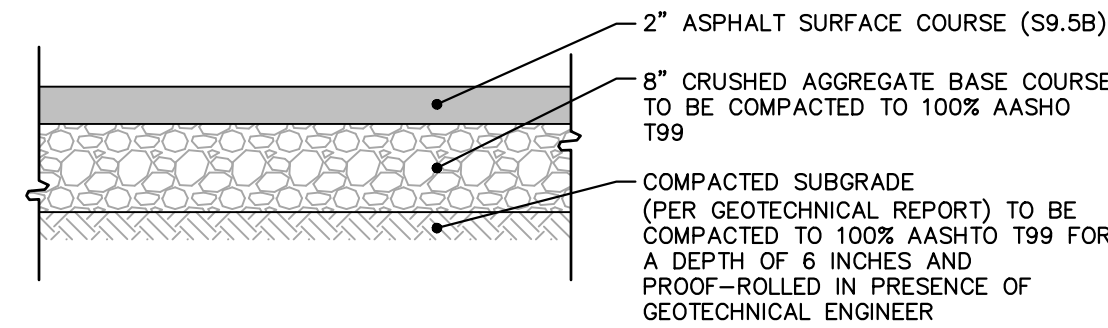
ASPHALT PAVEMENT SECTION IN
NCDOT ROW SHALL BE AS FOLLOWS:
3" S9.5C
4" I19.0C
10" ABC OR 5" B25.0C

LIMITS OF DISTURBANCE:
1.25 AC

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STANDARD DUTY PAVEMENT SECTION

NOTES

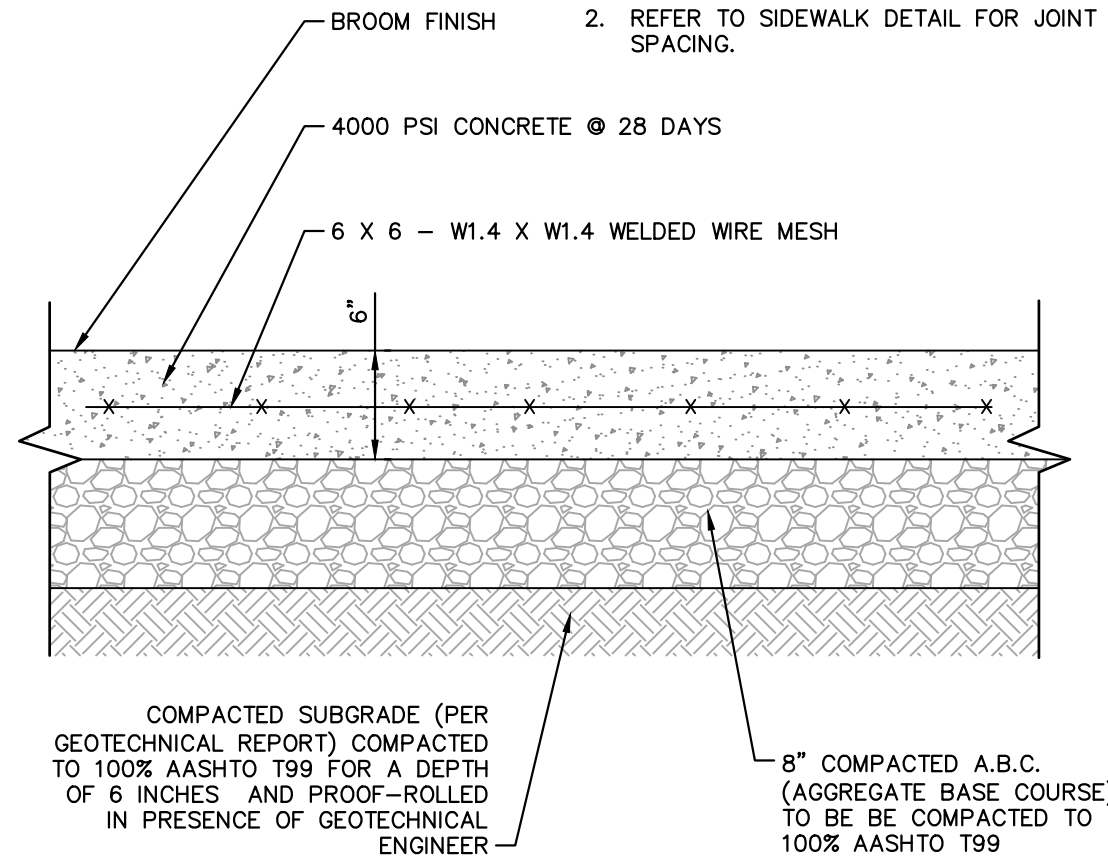
1. ALL PAVEMENT MATERIALS SHALL BE IN ACCORDANCE WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) STANDARD SPECIFICATIONS.
2. PAVEMENT SECTION MUST MEET THE CRITERIA GIVEN IN THE SITE SOIL REPORT.

ASPHALT PAVEMENT SECTIONS FOR ROBERSON AND CARR STREET

N.T.S. KHA DETAIL NO: 02.101.R02

NOTES

1. PAVEMENT WIDTH VARIES - REFER TO SITE PLAN FOR DIMENSIONS.
2. REFER TO SIDEWALK DETAIL FOR JOINT SPACING.



CONCRETE PAVEMENT

N.T.S.

KHA DETAIL NO: 02.106.R01

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Cary, NC 27518

PROJECT



**TOWN OF CARRBORO
ORANGE COUNTY/ WCOM**

203 South Greensboro Street,
Carrboro, NC 27510

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

ISSUE CHART

PRELIMINARY

DO NOT USE FOR CONSTRUCTION

MARK	ISSUE	DATE
Job Number		830608.000

TITLE

STREET CROSS SECTIONS

SHEET NUMBER

C3.1

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FIRM# F-0102

STRUCTURE TABLE		
STRUCTURE NO.:	STRUCTURE NAME:	DETAILS:
Null Structure	50	RIM: 442.17 INV IN: 438.65 (EX. JB-1)
Null Structure	UNDERDRAIN	RIM: 444.93 INV OUT: 442.00 (CO-9)
Null Structure	TRENCH DRAIN	RIM: 446.15 INV OUT: 444.91 (CO-14)
MH	CO-9	RIM: 446.87 INV IN: 441.40 (UNDERDRAIN) INV OUT: 441.30 (EX. JB-8)
Null Structure	4" SLOT DRAIN	RIM: 447.37 INV OUT: 447.00 (OCS-3)
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)
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)
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)
5.	EX-DI-5	RIM: 448.35 INV OUT: 444.60 (JB-4)
6.	OCS-6	RIM: 449.58 INV OUT: 442.95 (JB-4)
7.1	OFFSET CATCH BASIN-7	RIM: 444.38 INV IN: 439.88 (EX. JB-8) INV OUT: 439.88 (EX. JB-1)
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)
10.1	OFFSET CATCH BASIN-10	RIM: 444.18 INV IN: 441.40 (JB-10) INV OUT: 441.40 (EX. JB-8)
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)
12.	JB-12	RIM: 445.73 INV IN: 443.15 (JB-15) INV IN: 443.15 (MH-13) INV OUT: 443.15 (JB-10)
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)

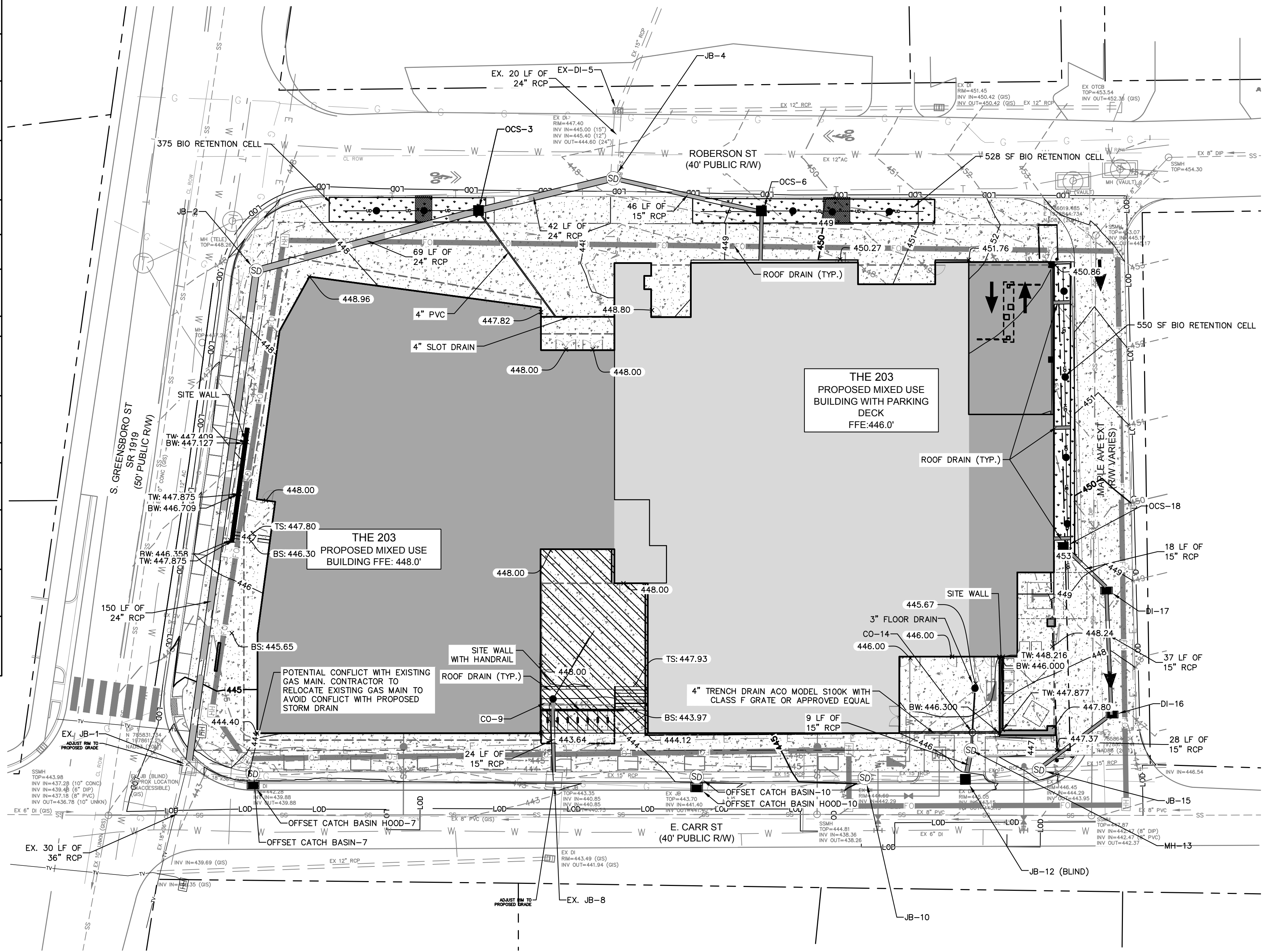
GRADING AND DRAINAGE LEGEND

---	PROPERTY LINE
-TCE-	TEMPORARY CONSTRUCTION EASEMENT
==	STORM DRAIN (≥ 12 INCH)
-SD-	STORM DRAIN (< 12 INCH)
-RD-	ROOF DRAIN
-UD-	UNDER DRAIN
- - -	FOUNDATION DRAIN
==	CURB AND GUTTER
==	SPILL CURB AND GUTTER
-805-	EXISTING CONTOUR
-805-	PROPOSED CONTOUR
826.00	SPOT ELEVATION (FACE OF CURB UNLESS OTHERWISE NOTED)
SD	CATCH BASIN (CB) (SEE DETAIL 840.02 ON CB.1 STORM DETAILS)
SD	JUNCTION BOX (JB) (SEE DETAIL 840.31 ON CB.1 STORM DETAILS)
●	CLEANOUT (STCO)
■	DROP INLET (DI). (SEE DETAIL 840.13 ON CB.3 STORM DETAILS)
□	YARD INLET (YI)
□	CONTROL STRUCTURE (CS)
→	FLOW ARROW
BW	TOP OF WALL (GRADE ELEV.)
BW	BOTTOM OF WALL (GRADE ELEV.)
TC	TOP OF CURB (GRADE ELEV.)
TC/TP	FLUSH CURB (GRADE ELEV.)

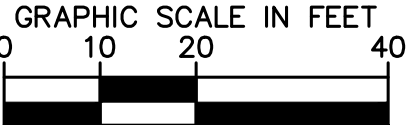
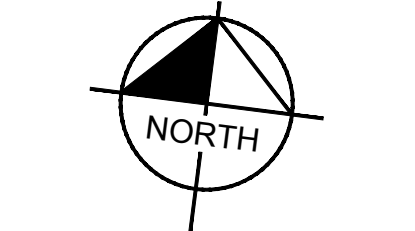
STANDARD GRADING PLAN NOTES

- ALL TRAFFIC CONTROL SIGNAGE AND STRIPING TO CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (M.U.T.C.D.).
- 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 / ENGINEER PRIOR TO PROCEEDING.
- CONTRACTOR IS RESPONSIBLE TO REPLACE AND/OR REPAIR ANY DAMAGES TO THE EXISTING LANDSCAPE, IRRIGATION, POWER AND/OR HARDSCAPE.
- 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 CARRBORO BEFORE INSTALLATION. ANY WORK PERFORMED WITHIN THE S. GREENSBORO STREET RIGHT-OF-WAY WILL REQUIRE AN ENCROACHMENT AGREEMENT WITH NCDOT.

STRUCTURE TABLE		
STRUCTURE NO.:	STRUCTURE NAME:	DETAILS:
15.	JB-15	RIM: 447.25 INV IN: 443.96 (DI-16) INV OUT: 443.95 (JB-12)
16.	DI-16	RIM: 447.39 INV IN: 444.45 (DI-17) INV OUT: 444.35 (JB-15)
17.	DI-17	RIM: 448.70 INV IN: 445.08 (OCS-18) INV OUT: 444.98 (DI-16)
18.	OCS-18	RIM: 452.50 INV OUT: 445.26 (DI-17)
19.	3" FLOOR DRAIN	RIM: 445.67 INV OUT: 443.77 (CO-14)



- ALL NEW CONTOURS AND SPOT ELEVATIONS ARE SHOWN AS FINISHED GRADES. THE GRADING CONTRACTOR MUST MAKE ALLOWANCES FOR THICKNESS OF PAVING SECTIONS, CONCRETE SLABS, AND 4" OF REDISTRIBUTED TOPSOIL WHEN GRADING.
- THE ENTIRE SITE WITHIN THE LIMIT OF CONSTRUCTION SHALL BE GRADED TO DRAIN FREELY. ALL UNPAVED AREAS DISTURBED BY CONSTRUCTION, WHETHER INSIDE OR OUTSIDE OF THE LIMIT OF CONSTRUCTION, SHALL BE FINE GRADED AND SEEDED TO ESTABLISH A PERMANENT LAWN.
- CONTRACTORS MUST COORDINATE ALL DRAINAGE STRUCTURE GRATES AND TOP ELEVATIONS SHOWN WITH ACTUAL FIELD CONDITIONS TO INSURE THAT GRATES AND TOPS ARE FLUSH WITH FINISHED GRADE.
- CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES (INCLUDING SANITARY, STORM DRAINAGE, AND WATER) FROM DAMAGE DURING CONSTRUCTION. ALL UNDERGROUND UTILITIES EXPOSED DURING CONSTRUCTION OR THOSE LEFT WITH LESS THAN ACCEPTABLE MINIMUM EARTH COVER SHALL BE RELOCATED AS DETERMINED BY THE CIVIL ENGINEER.
- NO SLOPES SHALL BE GRADED STEEPER THAN 2:1, UNLESS INDICATED OTHERWISE INDICATED.
- APPROVAL OF THIS PLAN IS NOT AN AUTHORIZATION TO GRADE ADJACENT PROPERTIES. WHEN FIELD CONDITIONS WARRANT OFF-SITE GRADING, PERMISSION MUST BE OBTAINED FROM THE AFFECTED PROPERTY OWNERS.
- METAL FENCE IS REQUIRED FOR ALL WALLS WHERE THERE IS A GRADE DIFFERENCE OF 30" OR MORE.



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
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Kinley-Horn

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MEPPP

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Theater Consultant Collaborative

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AUDIO VISUAL AND ACOUSTICS DESIGN

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ISSUE CHART

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MARK	ISSUE	DATE
Job Number		830608.000

TITLE

GRADING AND DRAINAGE PLAN

SHEET NUMBER

C4.0

Legacy Tower
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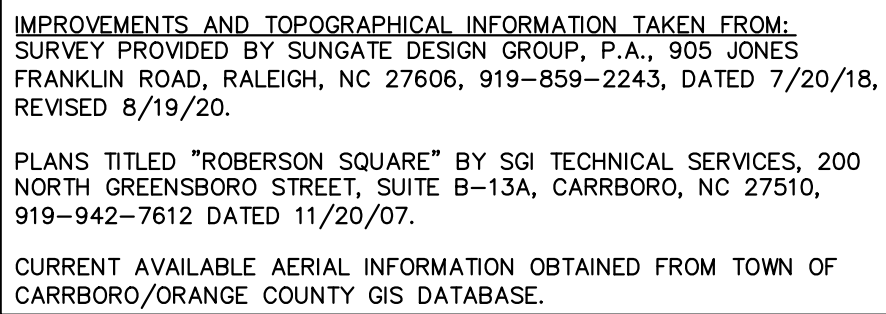
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SHEET NUMBER

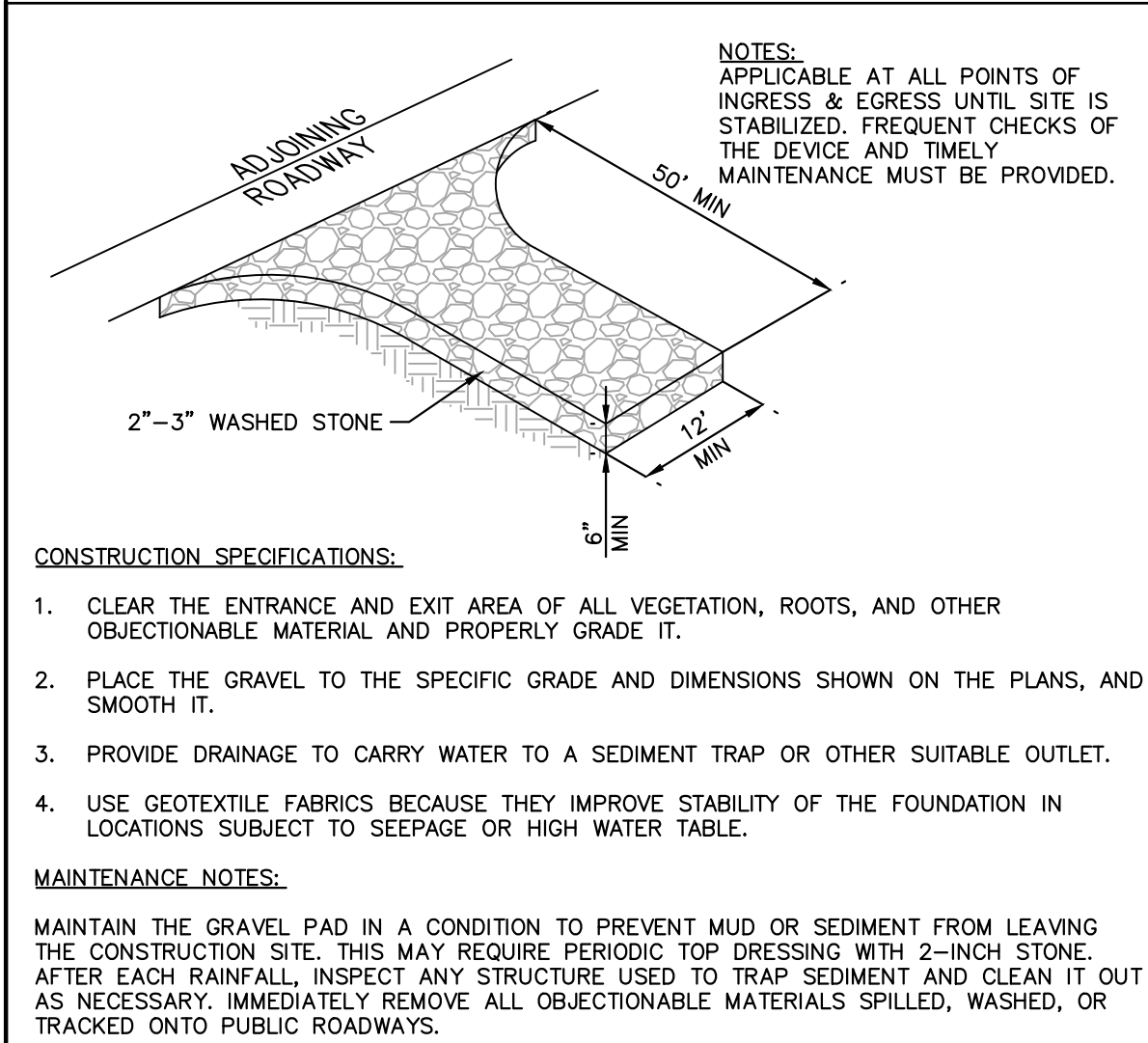
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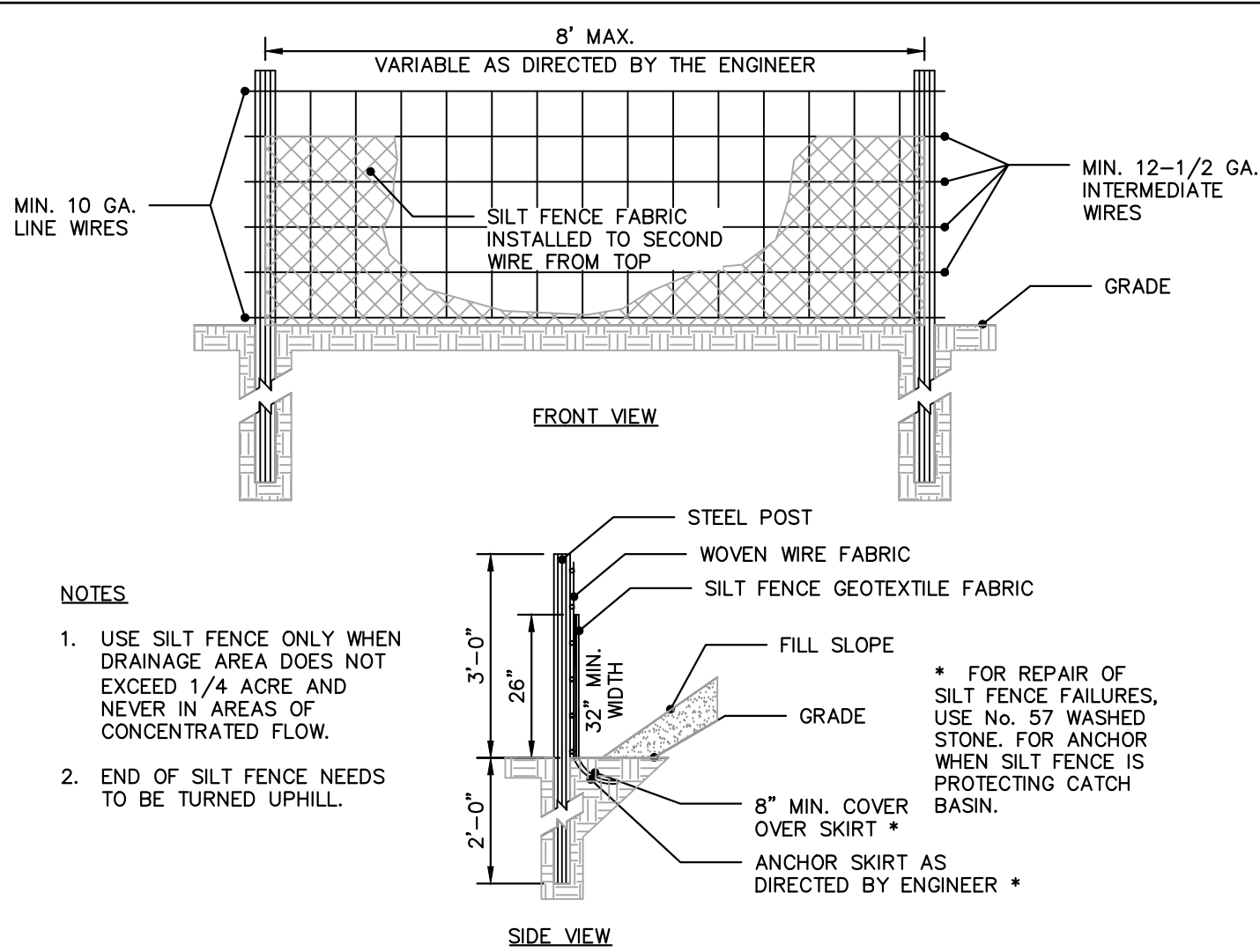
1. CONTRACTOR SHALL VERIFY EXACT SIZE AND LOCATION (HORIZONTAL AND VERTICAL) OF EXISTING CROSSING AND JOINING UTILITIES PRIOR TO CONSTRUCTION AND IMMEDIATELY NOTIFY THE ENGINEER OF ANY CONFLICT.
2. EXISTING AND PROPOSED ELECTRICAL, TELECOMMUNICATION LINES, CHILLED WATER, AND SEWER ARE SHOWN FOR COORDINATION 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 511.01.
7. CONTRACTOR SHALL COORDINATE PHASING OF UTILITY WORK TO INSTALL DEEPEST UTILITIES FIRST.



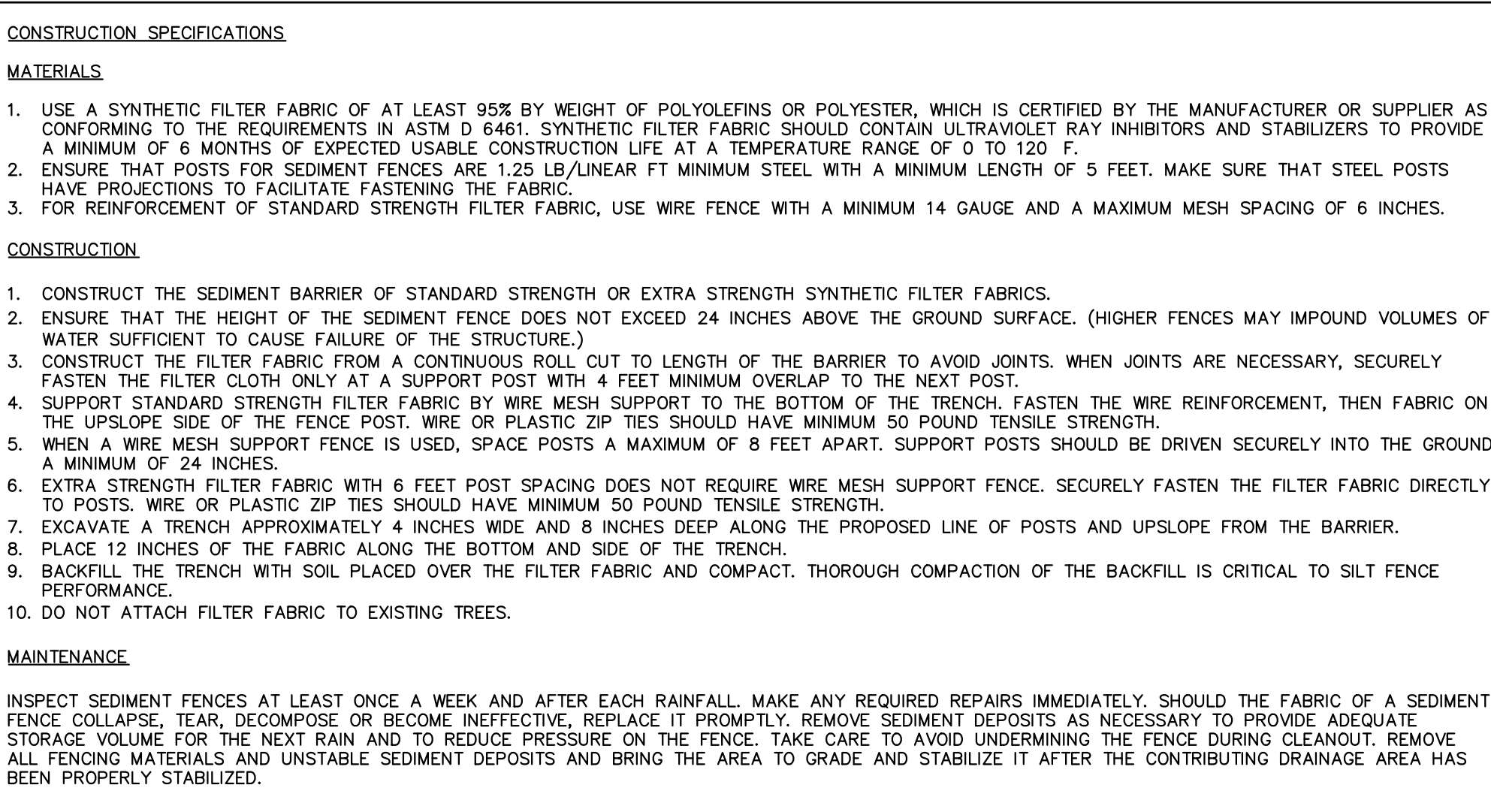
	PROPERTY LINE
	WATER LINE
	FIRE LINE
	SANITARY SEWER LINE
	ELECTRIC
	FIBER OPTIC
	GAS
	TELECOMMUNICATION
	CABLE
	LIGHT POLE
	WATER METER
	GATE VALVE
	POINT OF CONNECTION
	BACKFLOW PREVENTOR
	PIPE TEE/BENDS
	REDUCER
	FIRE HYDRANT (FH)
	FIRE DEPARTMENT CONNECTION (FDC)
	SANITARY SEWER CLEANOUT (SSCO)
	WATER/SANITARY SEWER MANHOLE
	POST INDICATOR VALVE (PIV)
	UTILITY TRANSFORMER



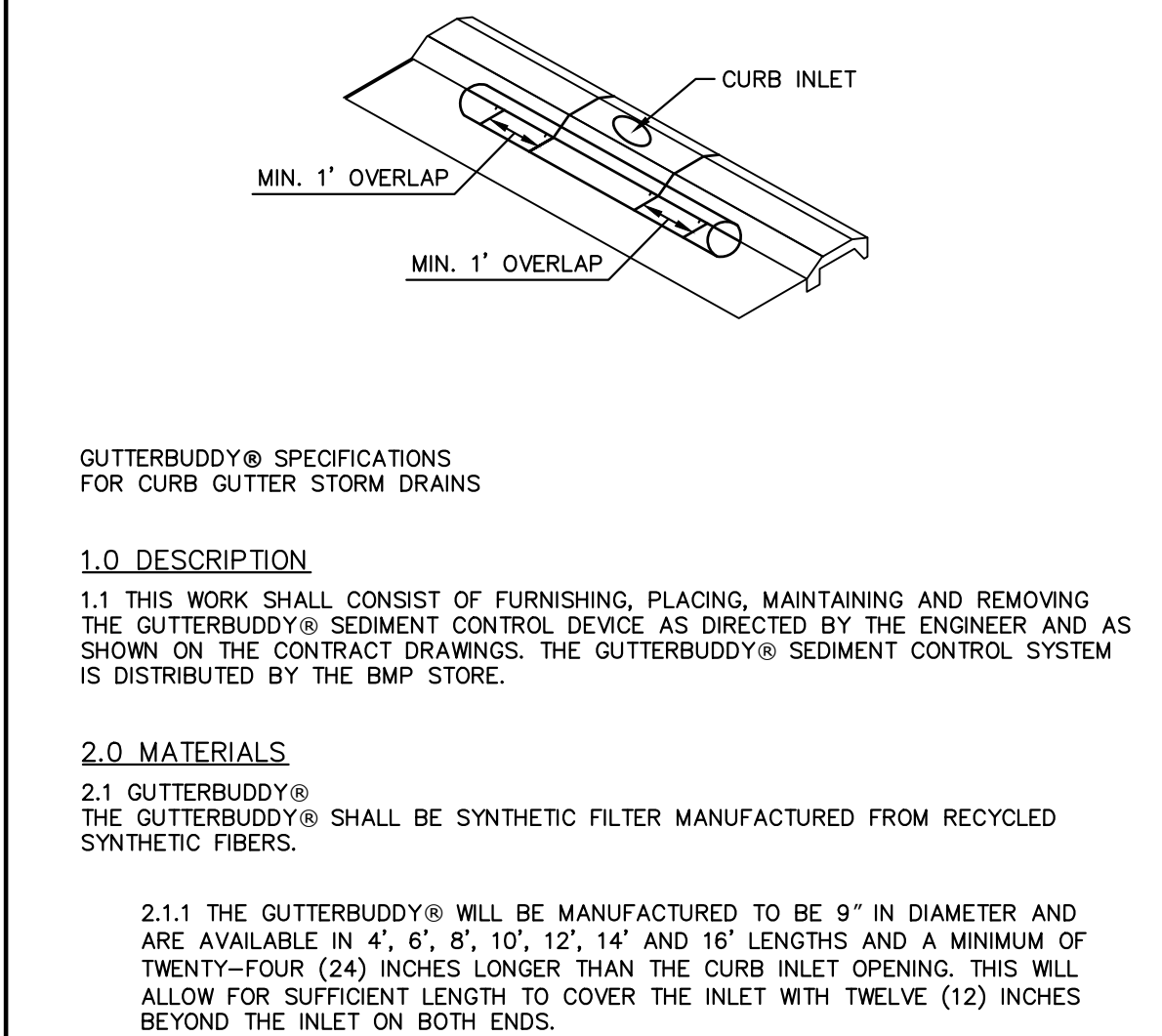
TEMPORARY CONSTRUCTION ENTRANCE
N.T.S. KHA DETAIL NO:01.101.R02



TEMPORARY SILT FENCE
N.T.S.



KHA DETAIL NO:01.302.R02



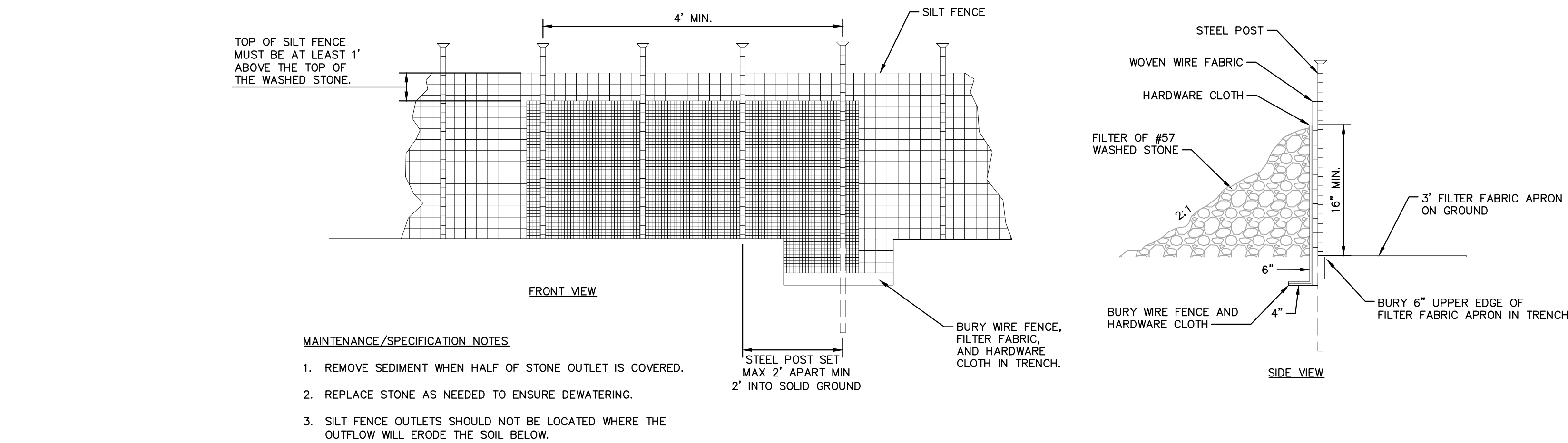
3.0 CONSTRUCTION SEQUENCE
3.1 GENERAL

- 3.1.1 INSTALL THE GUTTERBUDDY® IN FRONT OF THE CURB INLET OPENING. EACH END OF THE GUTTERBUDDY® SHOULD OVERLAP THE CURB INLET APPROXIMATELY 12".
 - 3.1.2 THE GUTTERBUDDY® SHOULD BE CLEANED IF A VISUAL INSPECTION SHOWS SILT AND DEBRIS BUILD UP AROUND THE GUTTERBUDDY®.
 - 3.1.3 TO REMOVE THE GUTTERBUDDY®, LIFT OUT OF THE OPENING.
 - 3.1.4 THE GUTTERBUDDY® IS REUSABLE. ONCE THE CONSTRUCTION PROJECT IS COMPLETE AND IT IS NO LONGER NEEDED FOR SEDIMENT CONTROL, REMOVE, CLEAN AND STORE OUT OF THE SUNLIGHT UNTIL NEEDED ON THE NEXT PROJECT.
 - 3.1.5 PONDING IS LIKELY IF SEDIMENT IS NOT REMOVED REGULARLY. INSPECTION OF GUTTERBUDDY® SHOULD BE ON A REGULAR BASIS AND IMMEDIATELY AFTER MAJOR RAIN EVENTS.
- 4.0 BASIS OF PAYMENT
- 4.1 THE PAYMENT FOR ANY GUTTERBUDDY® USED DURING THE CONSTRUCTION IS TO BE INCLUDED IN THE BID OF THE OVERALL EROSION AND SEDIMENT CONTROL PLAN AND PRICED BY THE LINEAR FOOT.

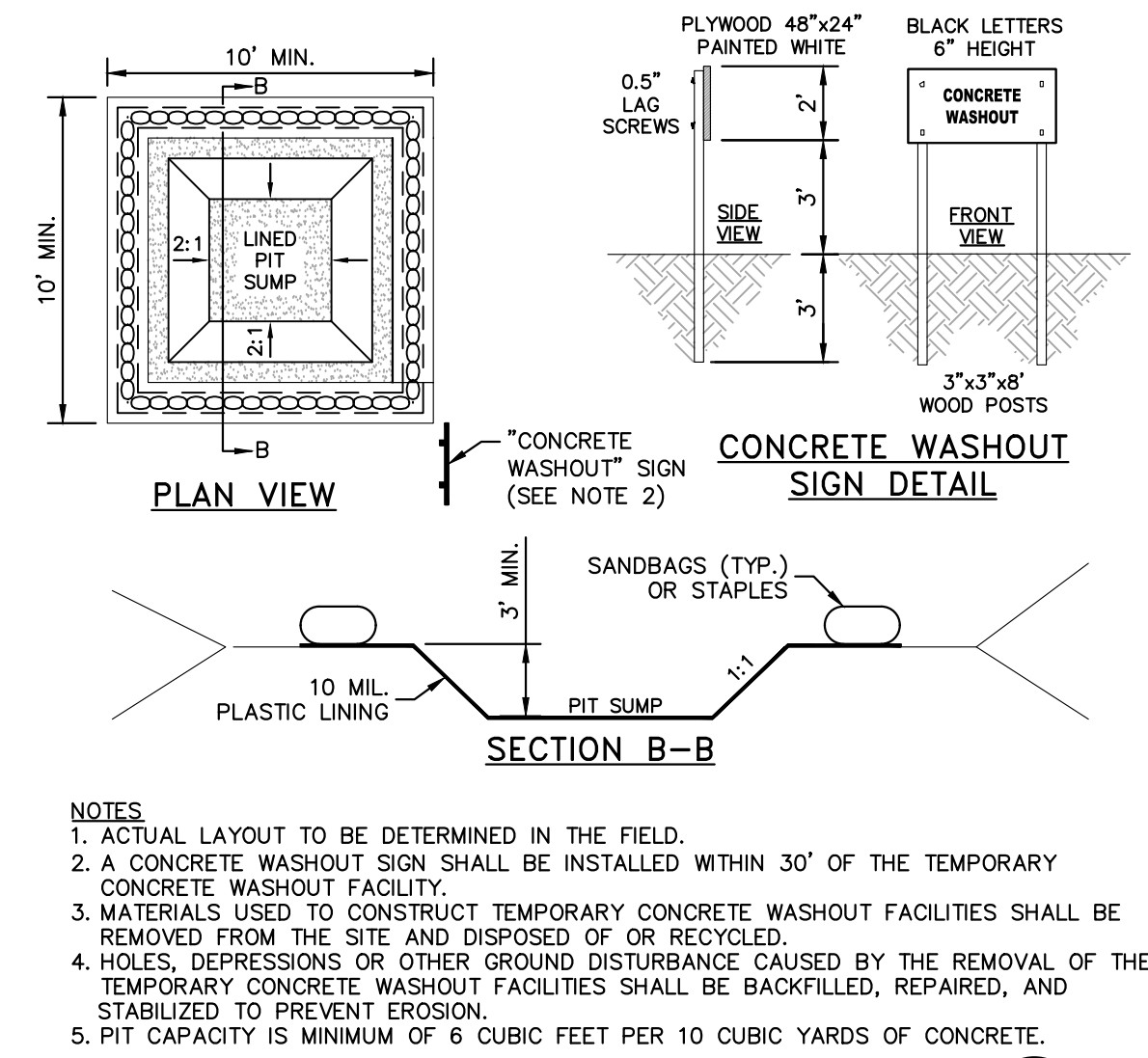
NOTE

INSTALL ROCK AND GRAVEL AROUND GUTTER BUDDY TO PRECLUDE SEDIMENT LADEN RUNOFF FROM FLOWING UNDERNEATH INLET PROTECTION.

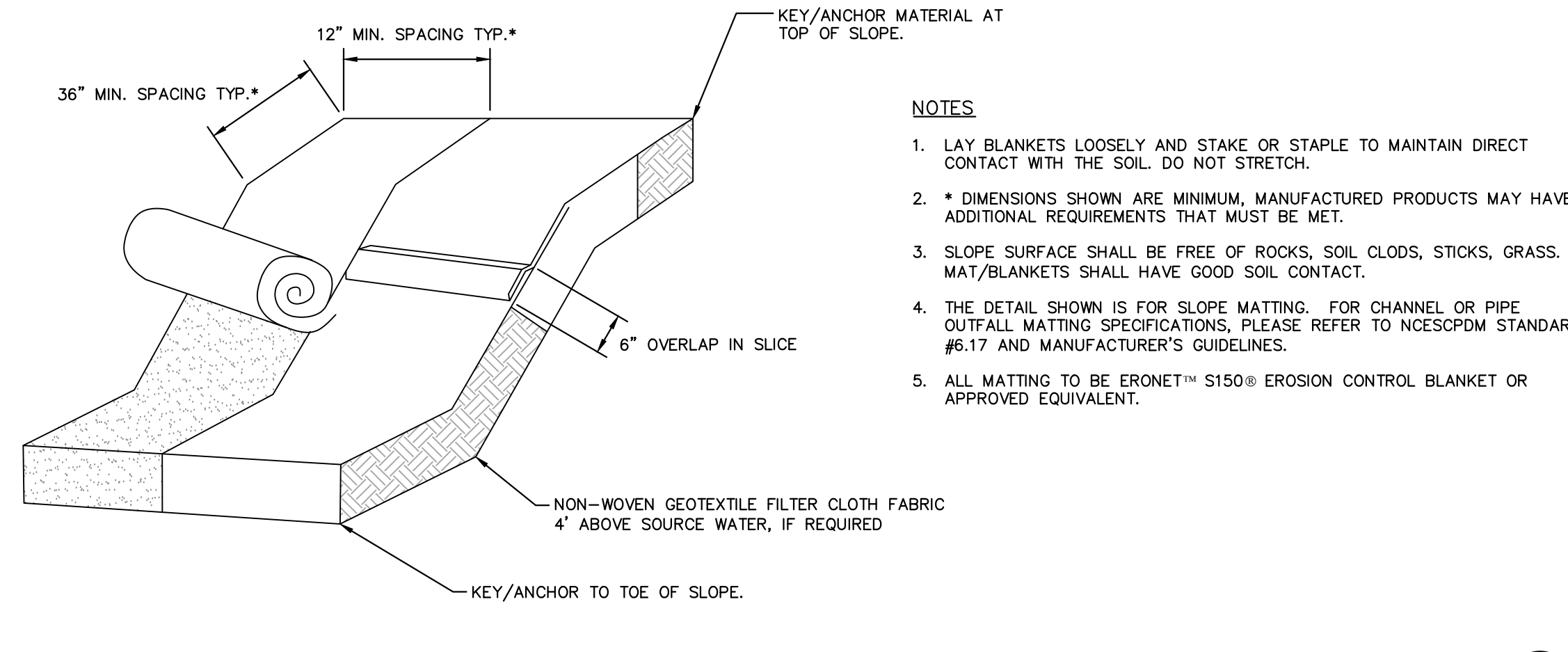
CURB INLET SILT PROTECTION
N.T.S. KHA DETAIL NO:01.204.R01



SILT FENCE OUTLET
N.T.S.



CONCRETE WASHOUT STATION
N.T.S. KHA DETAIL NO:01.102.R01



TEMPORARY MATTING
N.T.S. KHA DETAIL NO:01.105.R01

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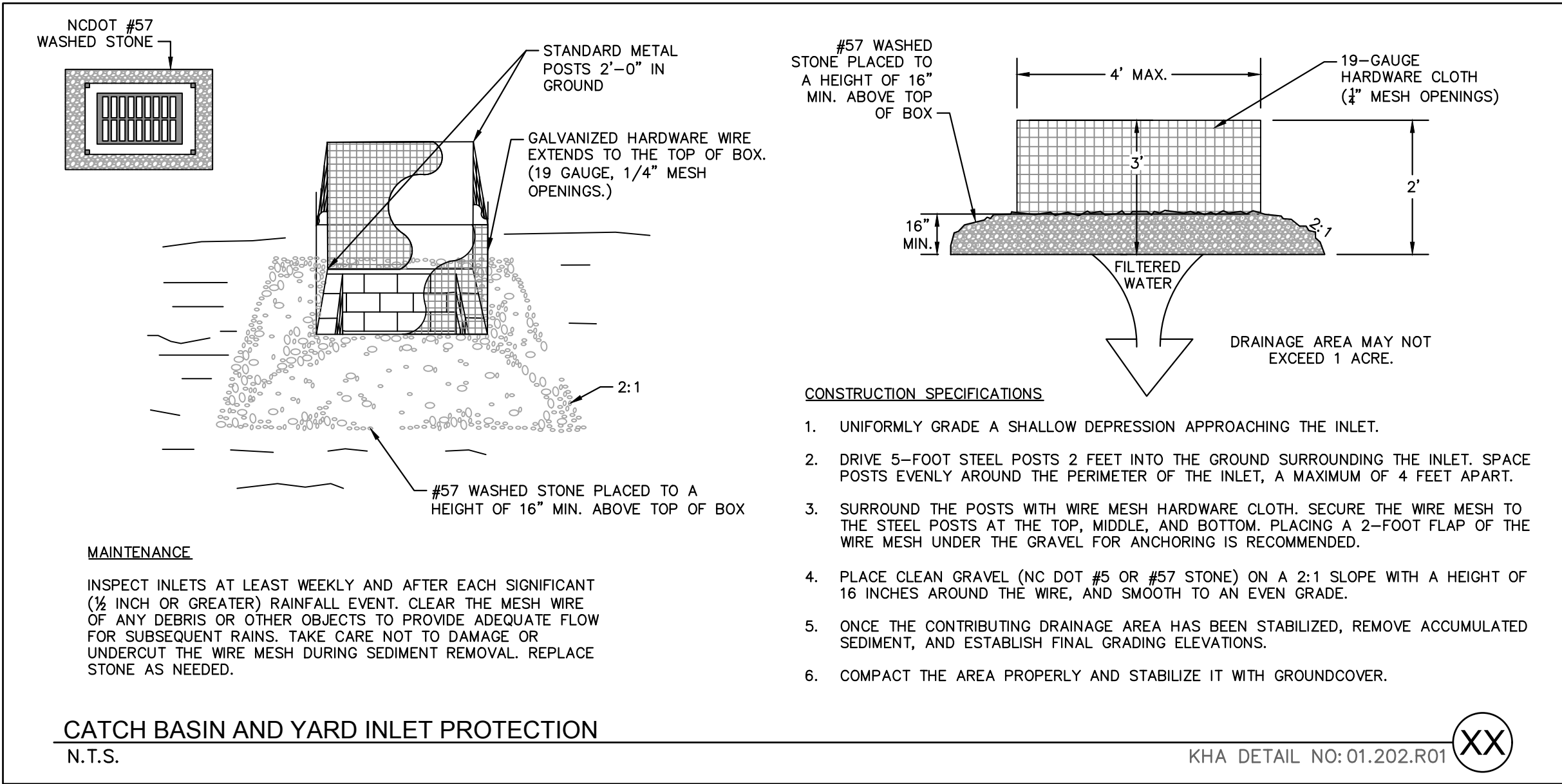
MARK	ISSUE	DATE
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TITLE

EROSION CONTROL DETAILS

SHEET NUMBER

C7.0



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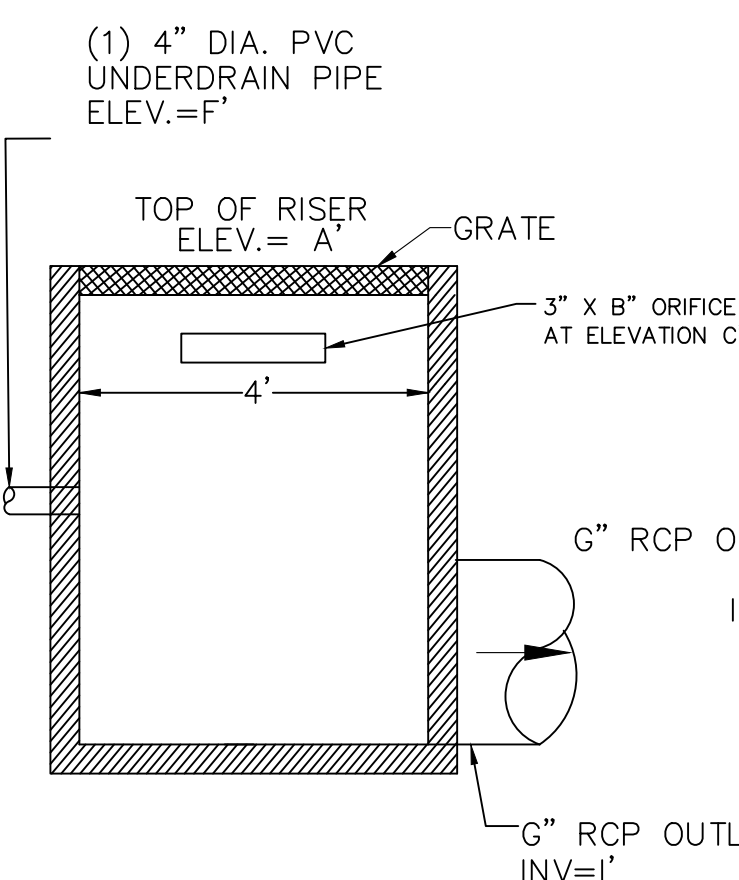
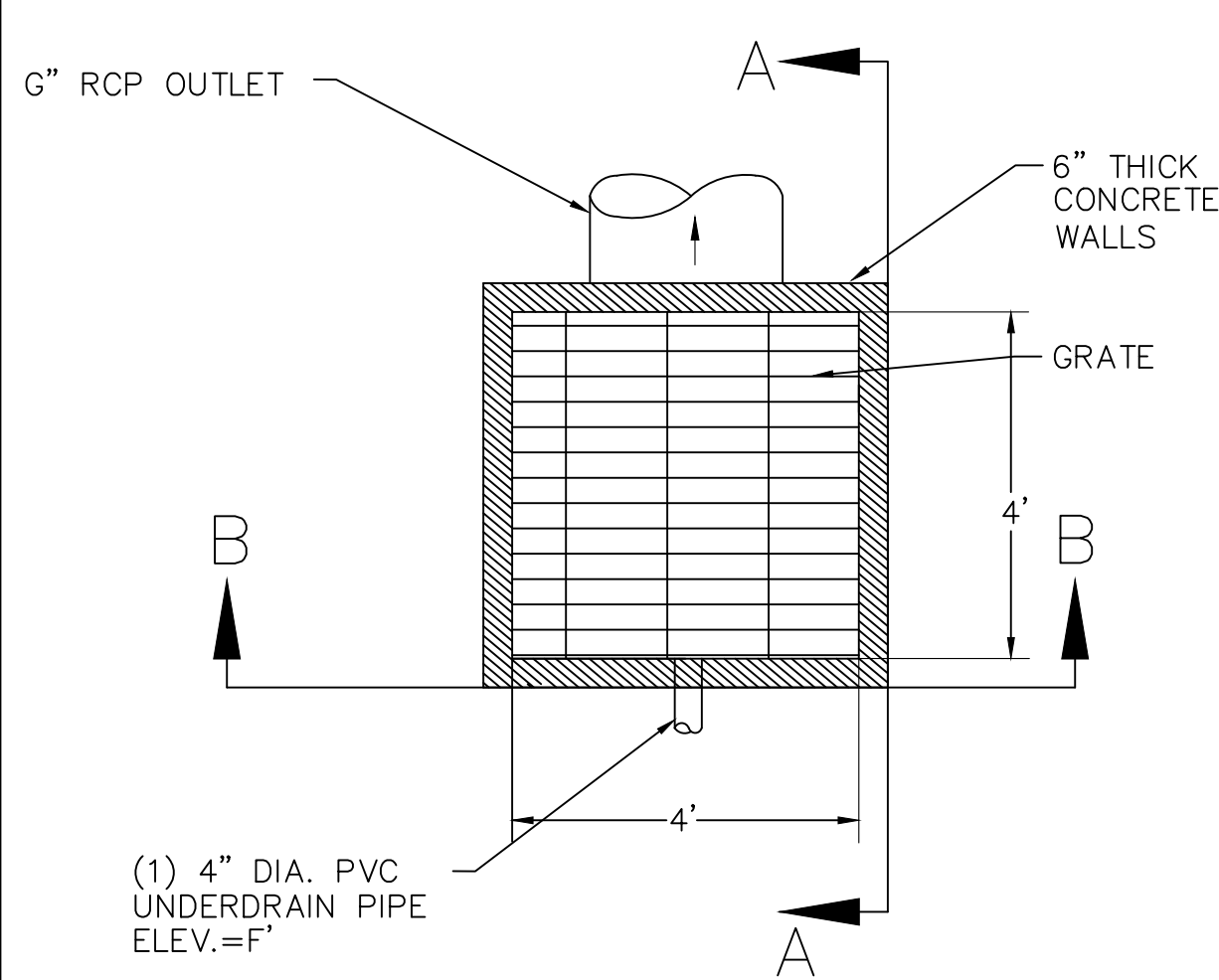
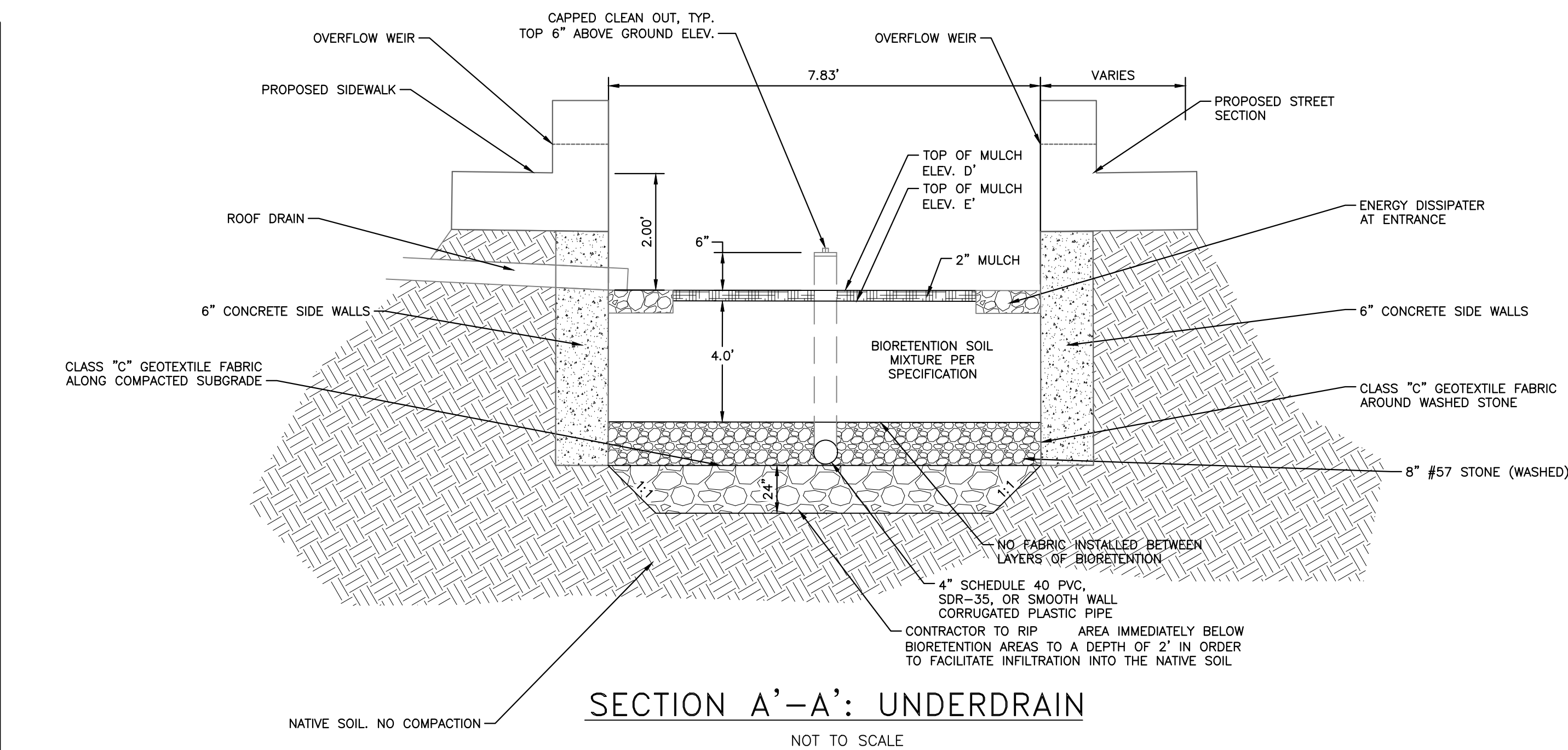
TITLE

EROSION CONTROL DETAILS

SHEET NUMBER

C7.1

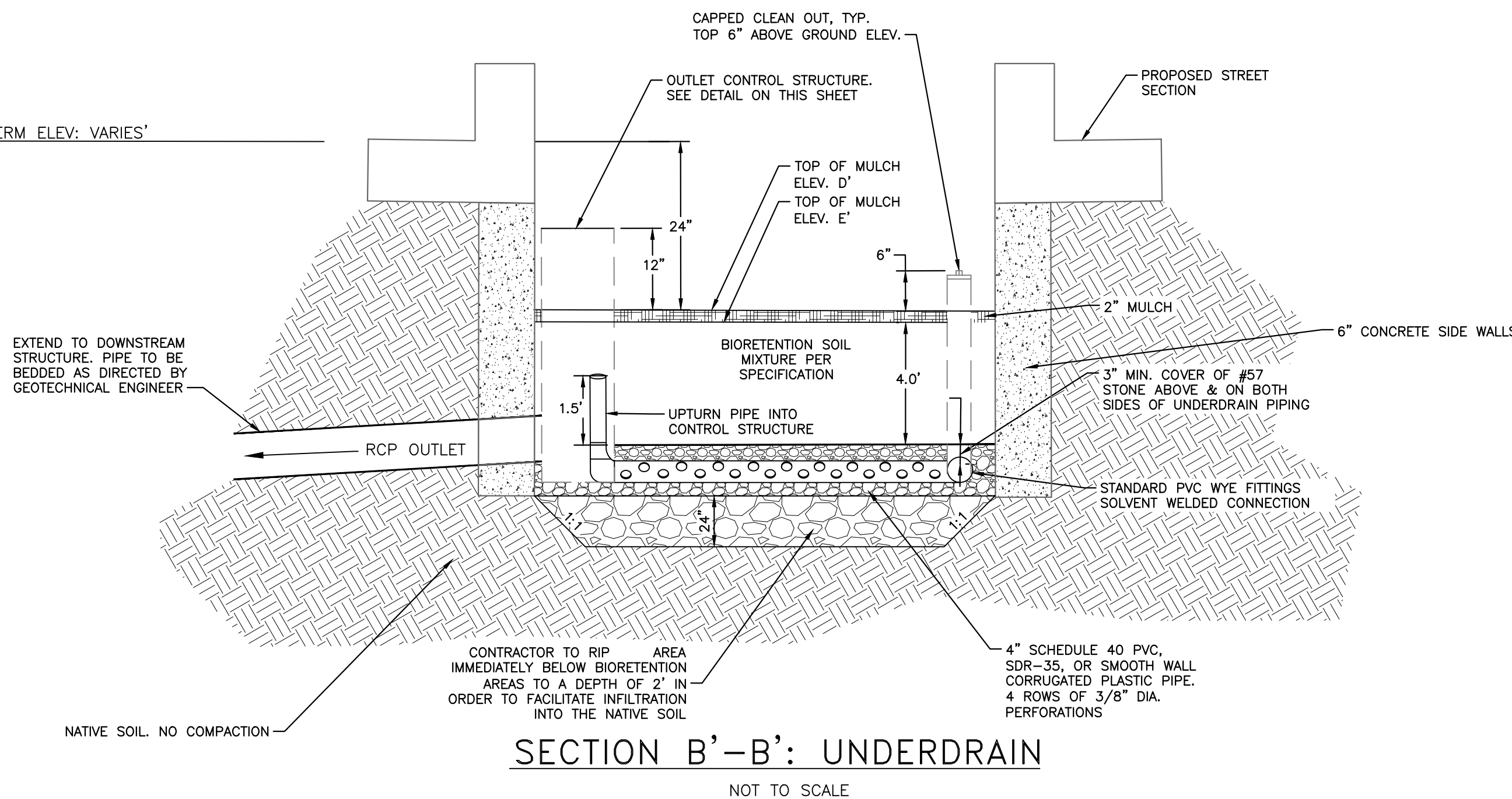
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FIRM# F-0102



GRATE - US FOUNDRY
4156 FRAME AND 6241
GRATE OR APPROVED
EQUAL

- NOTES:
1. SOIL MIX MUST BE TESTED PRIOR TO INSTALLATION. TEST RESULTS ARE REQUIRED TO BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL.
 2. IN-SITU SOIL DRAWDOWN TESTING IS REQUIRED. TEST RESULTS ARE REQUIRED TO BE SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL.
 3. ENGINEER MUST BE CONTACTED PRIOR TO INSTALLATION OF BIORETENTION SOIL MEDIA AND SHALL OBSERVE DRAIN PIPES PRIOR TO INSTALLATION. NOTIFY ENGINEER TO BE ON-SITE DURING CONSTRUCTION.
 4. POST CONSTRUCTION INFILTRATION TESTING WILL BE REQUIRED TO CONFIRM MINIMUM INFILTRATION RATES AS PART OF AS-BUILT/CLOSE-OUT PROCESS.
 5. AN AS-BUILT SURVEY FOR THE STORMWATER BMPs IS REQUIRED PRIOR TO FINAL CERTIFICATION.

DO NOT INSTALL
BIORETENTION SOIL MIXTURE
MEDIA UNTIL THE SITE IS
STABILIZED



BIORETENTION SOIL MIXTURE

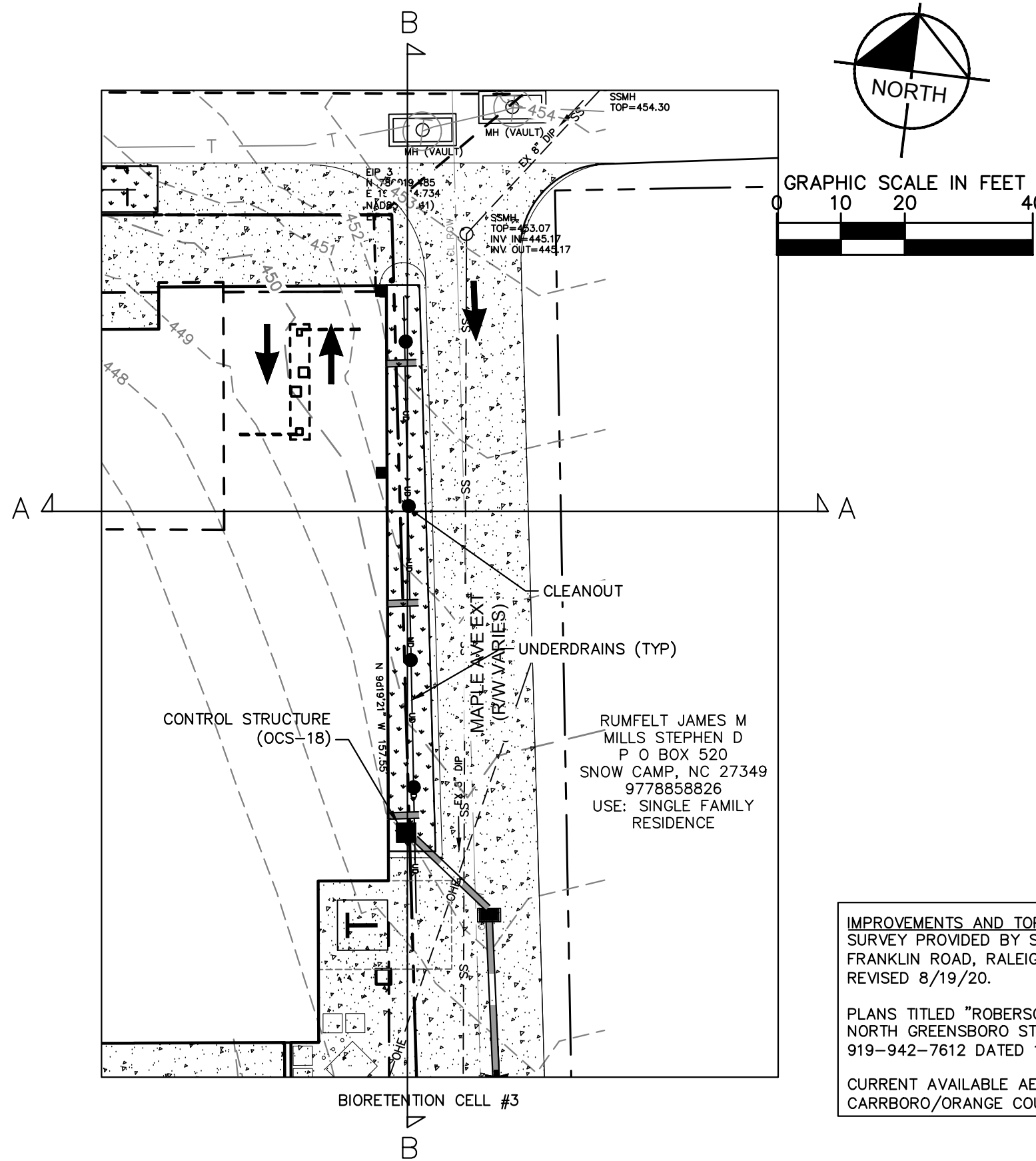
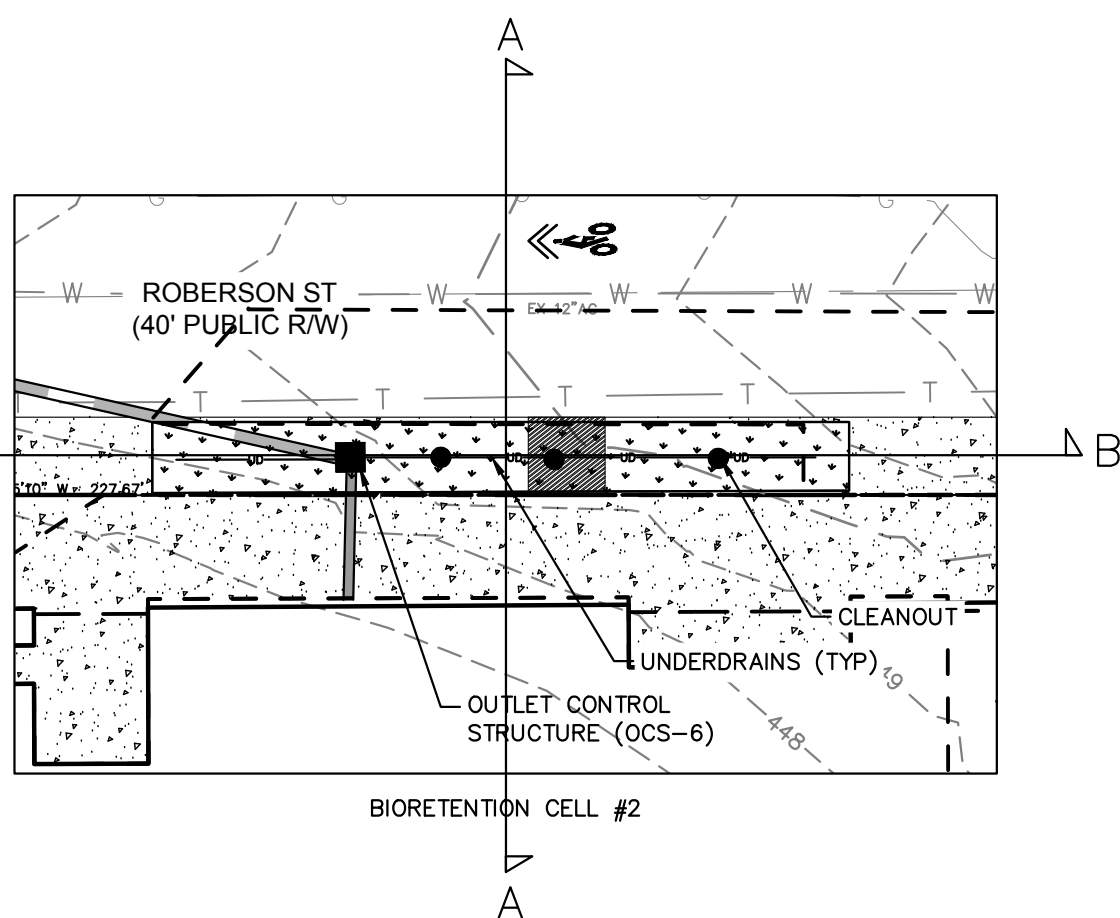
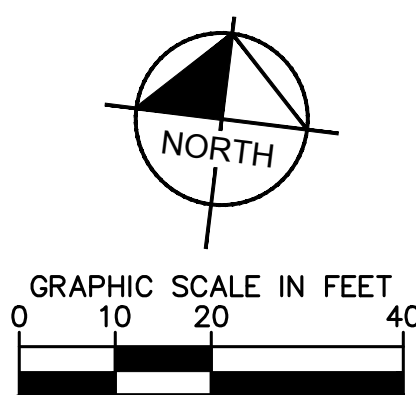
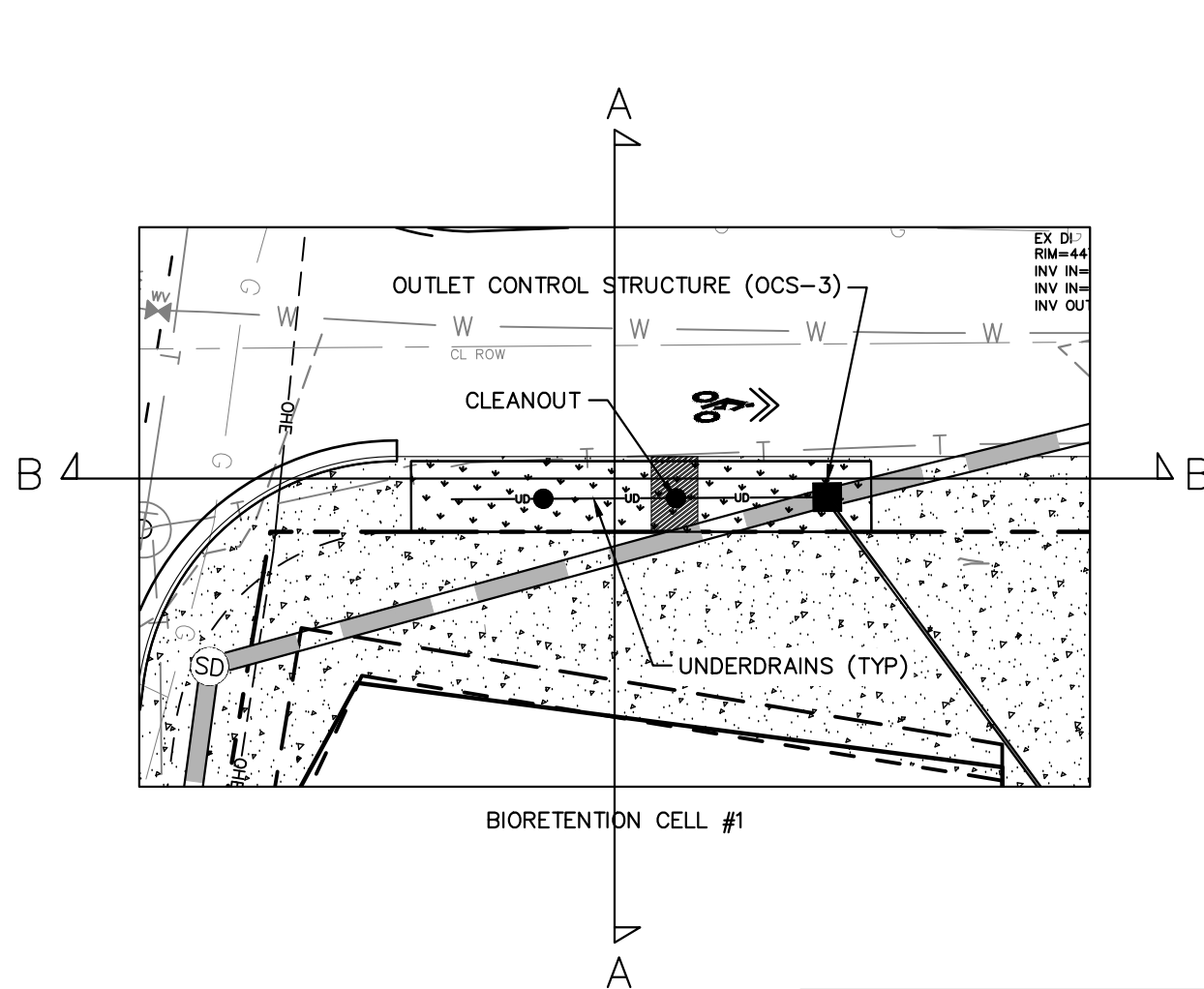
ITEM	PERCENT BY VOLUME	MATERIAL
SAND	75-85%	CONSTRUCTION SAND
FINES	8-15%	SILT AND CLAY
ORGANIC MATTER	5-10%	PEAT MOSS

BIORETENTION SOIL MIXTURE (BSM). SHALL BE PLACED AND GRADED USING LOW GROUND-CONTACT PRESSURE EQUIPMENT OR BY EXCAVATORS AND/OR BACKHOES OPERATING ON THE GROUND ADJACENT TO THE BIORETENTION FACILITY. NO HEAVY EQUIPMENT SHALL BE USED WITHIN THE PERIMETER OF THE BIORETENTION FACILITY BEFORE, DURING, OR AFTER THE PLACEMENT OF THE BSM. THE BSM SHALL BE PLACED IN HORIZONTAL LAYERS NOT TO EXCEED 12 INCHES FOR THE ENTIRE AREA OF THE BIORETENTION FACILITY. THE BSM SHALL BE COMPACTED BY SATURATING THE ENTIRE AREA OF THE BIORETENTION FACILITY AFTER EACH LIFT OF BSM IS PLACED UNTIL WATER FLOWS FROM THE UNDERDRAIN. WATER FOR SATURATION SHALL BE APPLIED BY SPRAYING OR SPRINKLING. AN APPROPRIATE SEDIMENT CONTROL DEVICE 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 BE REMOVED AND REPLACED WITH UNCONTAMINATED MATERIAL AT NO ADDITIONAL COST TO THE OWNER. FINAL GRADING OF THE BSM SHALL BE PERFORMED AFTER A 24-HOUR SETTLING PERIOD. FINAL ELEVATIONS SHALL BE WITHIN 2 INCHES OF ELEVATIONS SHOWN ON THE CONTRACT PLANS.

THE BIORETENTION SOIL MIXTURE (BSM) SHALL BE A UNIFORM MIX, FREE OF STONES, STUMPS, ROOTS OR OTHER SIMILAR OBJECTS LARGER THAN TWO INCHES EXCLUDING MULCH. NO OTHER MATERIALS OR SUBSTANCES SHALL BE MIXED OR DUMPED WITHIN THE BIORETENTION AREA THAT MAY BE HARMFUL TO PLANT GROWTH, OR PROVE A HINDRANCE TO THE PLANTING OR MAINTENANCE OPERATIONS.

BSM MUST HAVE A P-INDEX OF 10 TO 30.

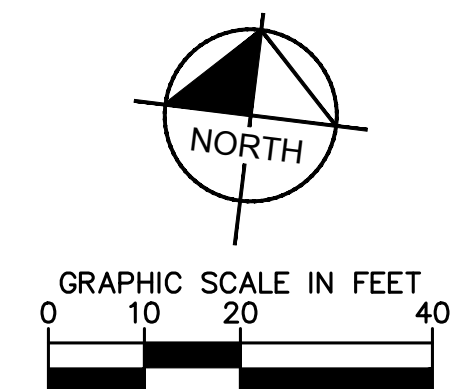
PRIOR TO PLACING THE UNDERDRAIN AND THE BSM, THE BOTTOM OF THE EXCAVATION SHALL BE ROTO-TILLED TO A MINIMUM DEPTH OF 6 INCHES TO ALLEVIATE ANY COMPACTION OF THE FACILITY BOTTOM. ANY SUBSTITUTE METHOD FOR ROTO-TILLING MUST BE APPROVED BY THE ENGINEER PRIOR TO USE. ANY PONDED WATER SHALL BE REMOVED FROM THE BOTTOM OF THE FACILITY AND THE SOIL SHALL BE FRIABLE BEFORE ROTO-TILLING.



OUTLET CONTROL STRUCTURE DATA TABLE

CONTROL STRUCTURE NUMBER	TOP OF CELL	A	B	C	D	E	F	G	H	I
OCS-3	448.00	447.50	1.70	447.00	446.00	445.83	441.44	24.00	0.90	441.34
OCS-6	450.00	449.50	1.70	449.00	448.00	447.83	443.05	15.00	0.83	442.95
OCS-18	453.00	452.50	1.70	452.00*	451.00	450.83	445.36	12.00	0.98	445.26

* ONE ORIFICE ON TWO SIDES AT THIS ELEVATION



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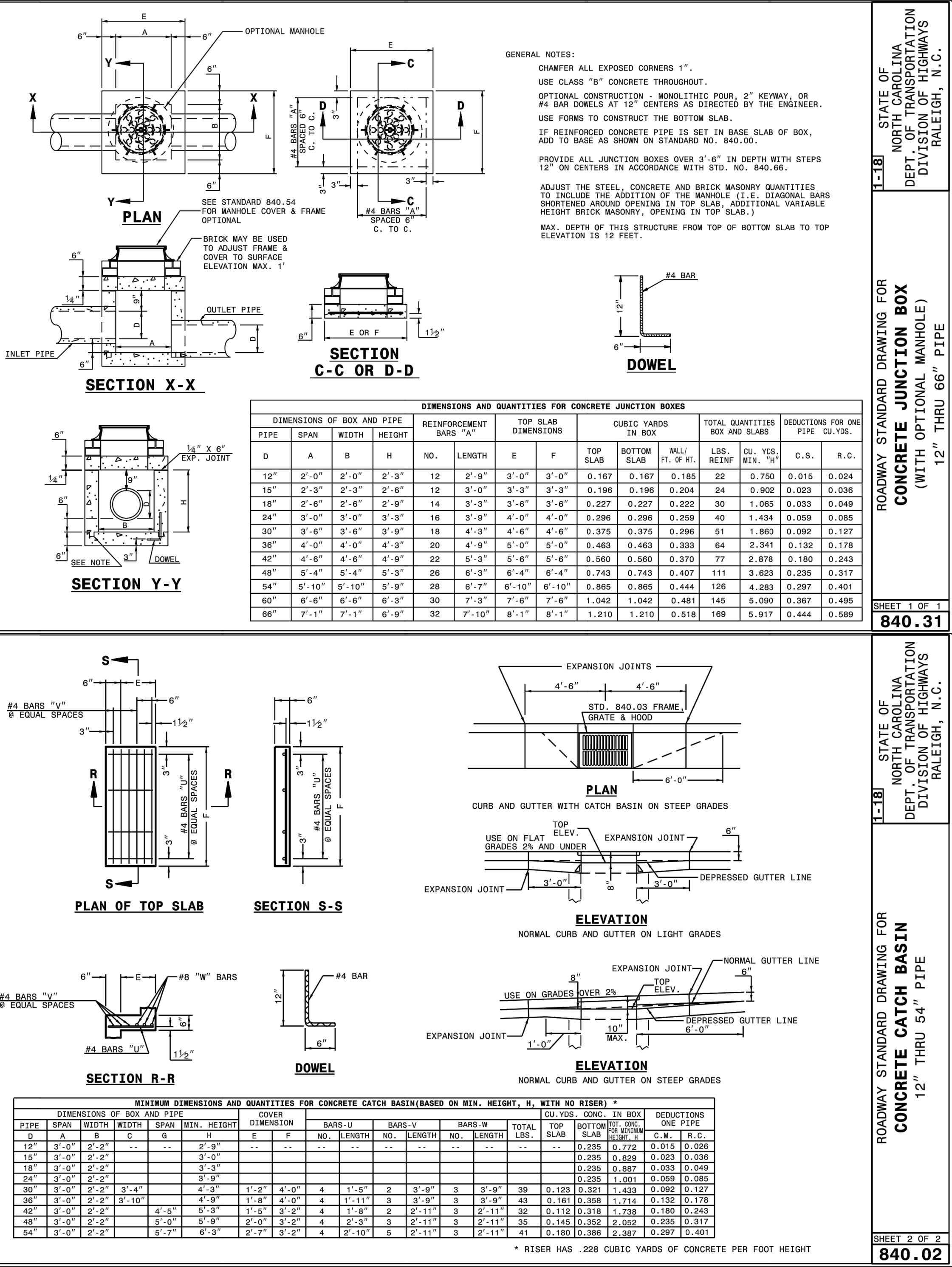
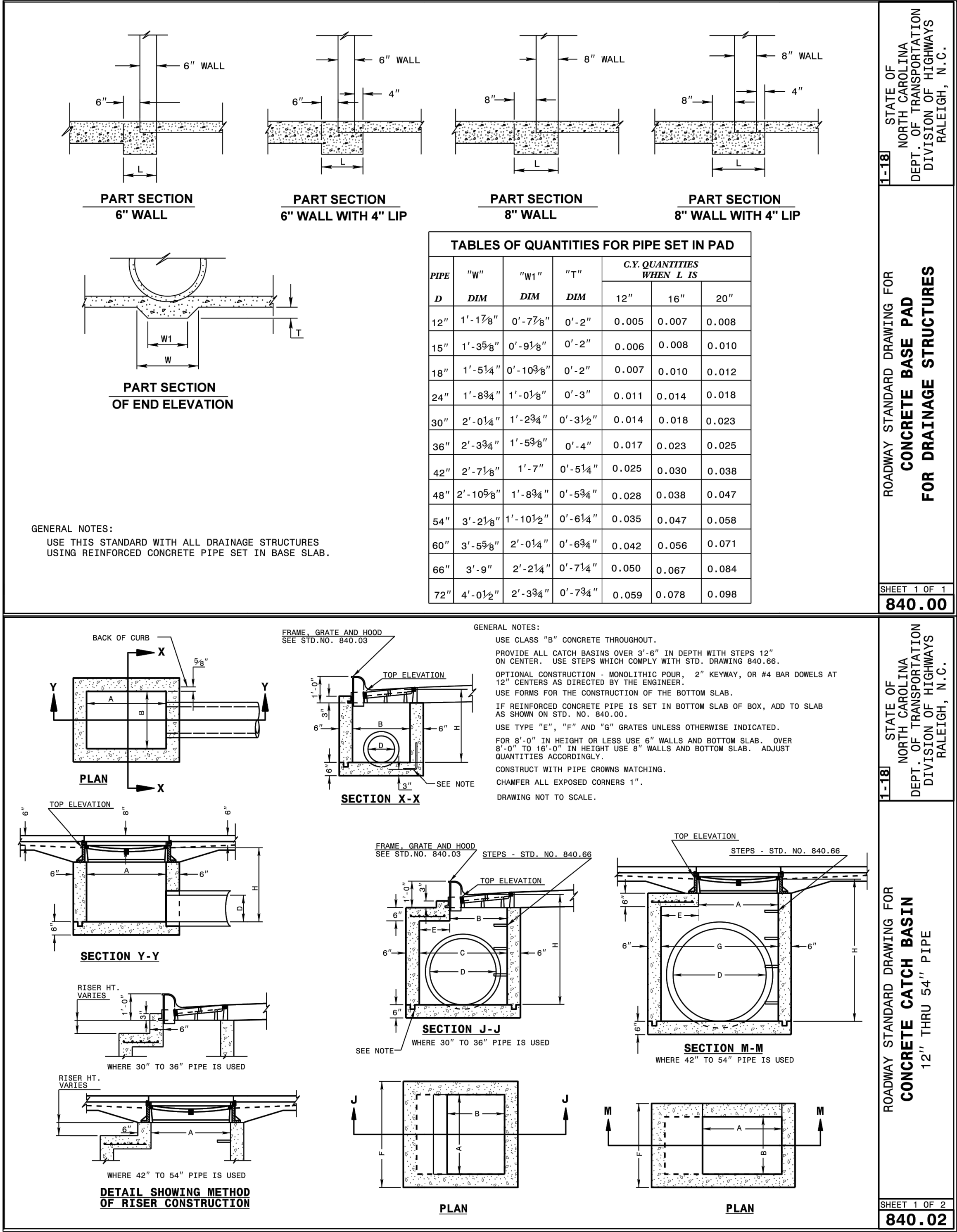
STORM DETAILS

SHEET NUMBER

C8.0

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Plotted By: Jackson, Austin Sheet Set: Carrboro Mixed Use Layout: C8.1 STORM DETAILS March 16, 2021 04:17:23pm K:\RAL_LDEV\015170033-Carrboro_MixedUse\09_CAD Files\PlanSheets\C8.0 STORM DETAILS.dwg
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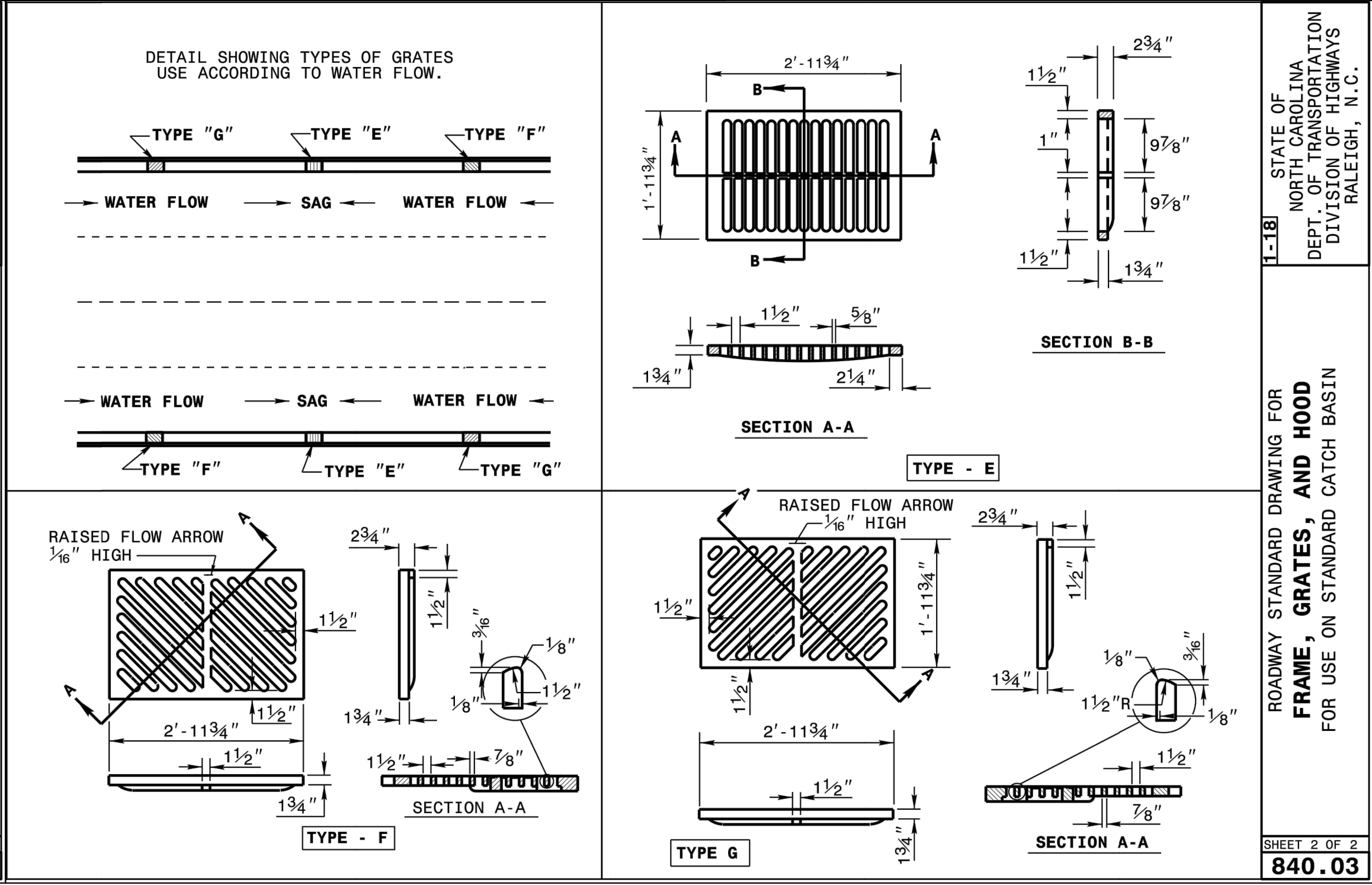
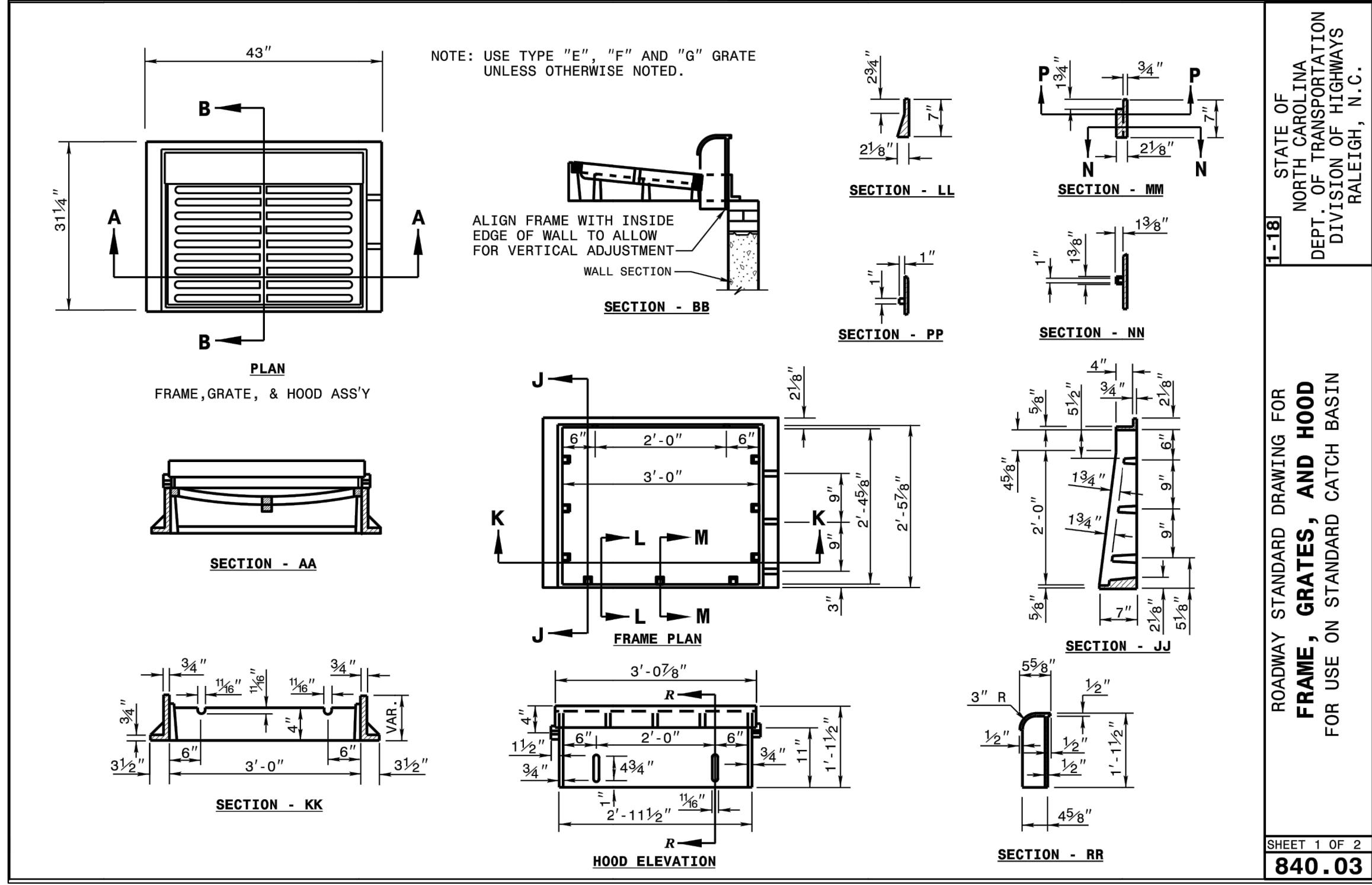
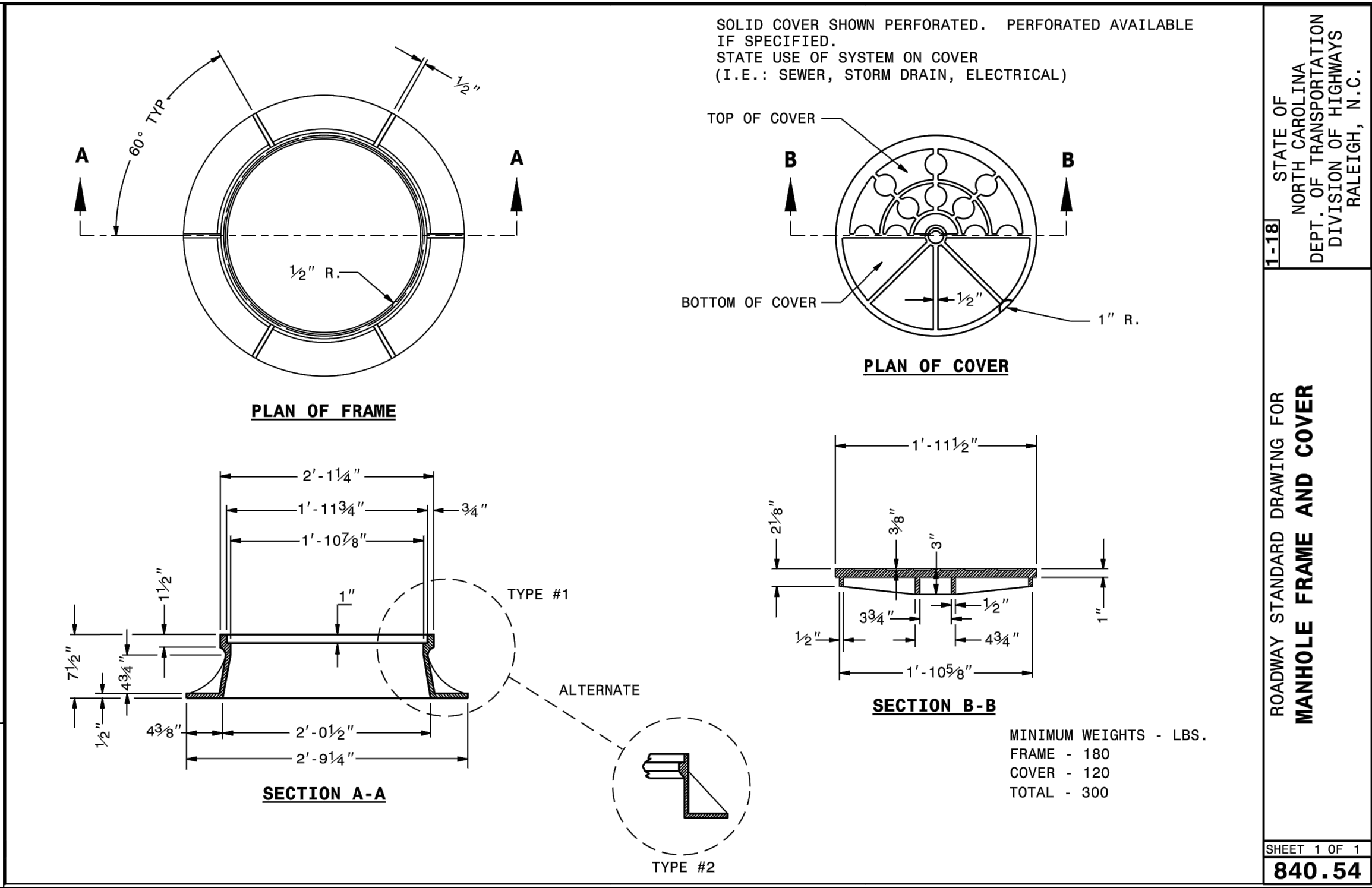
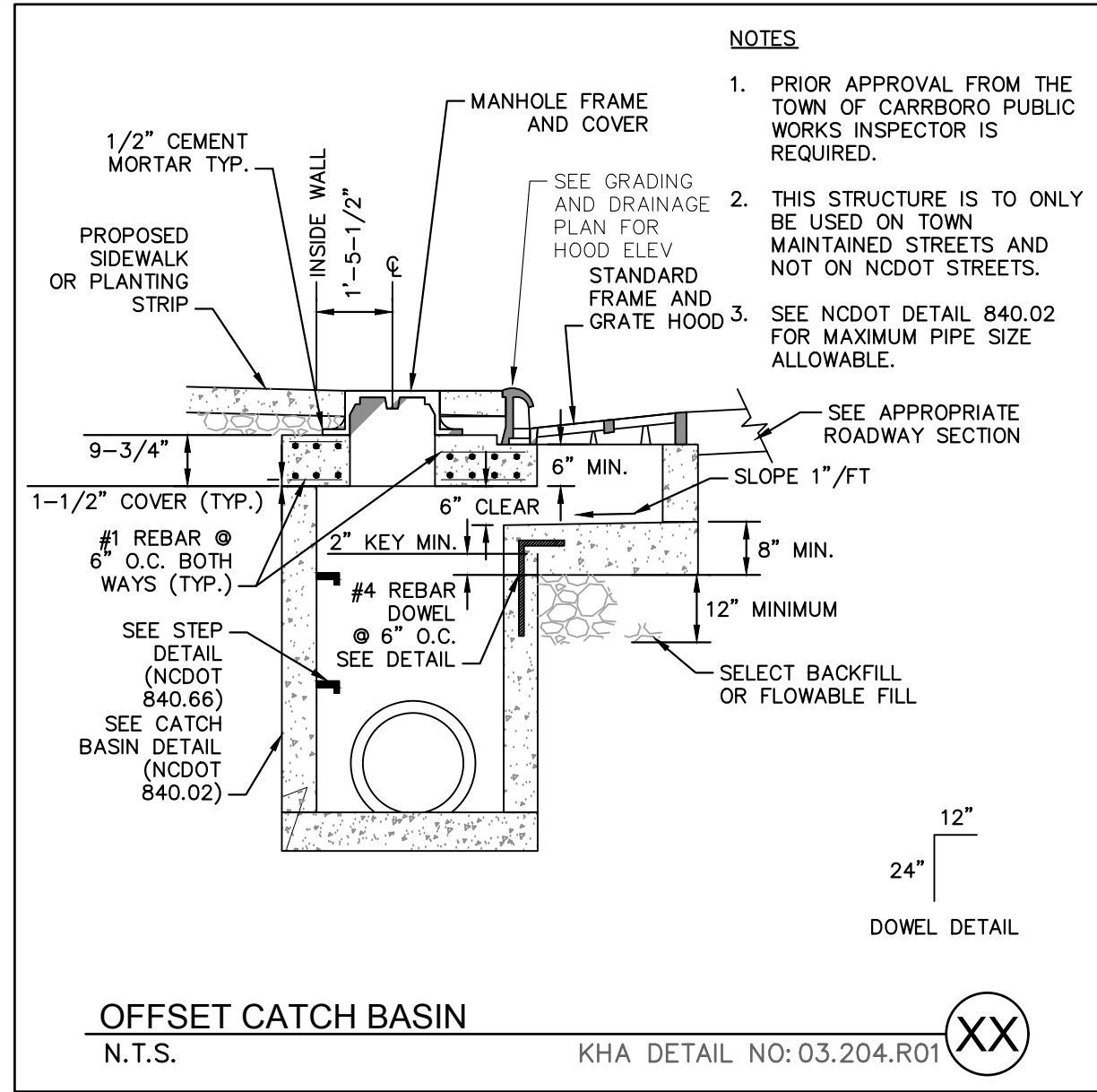
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Job Number		830608.000

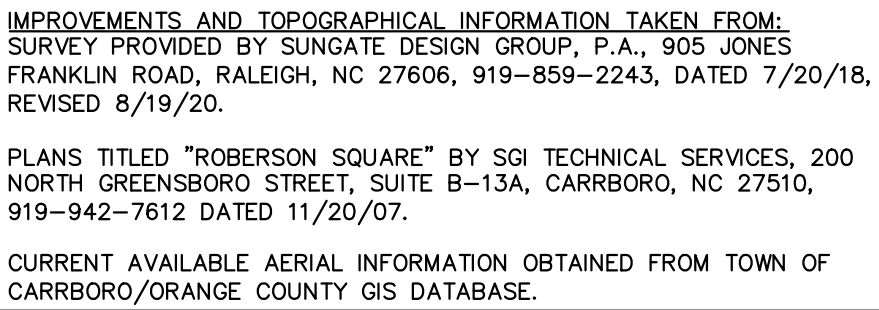
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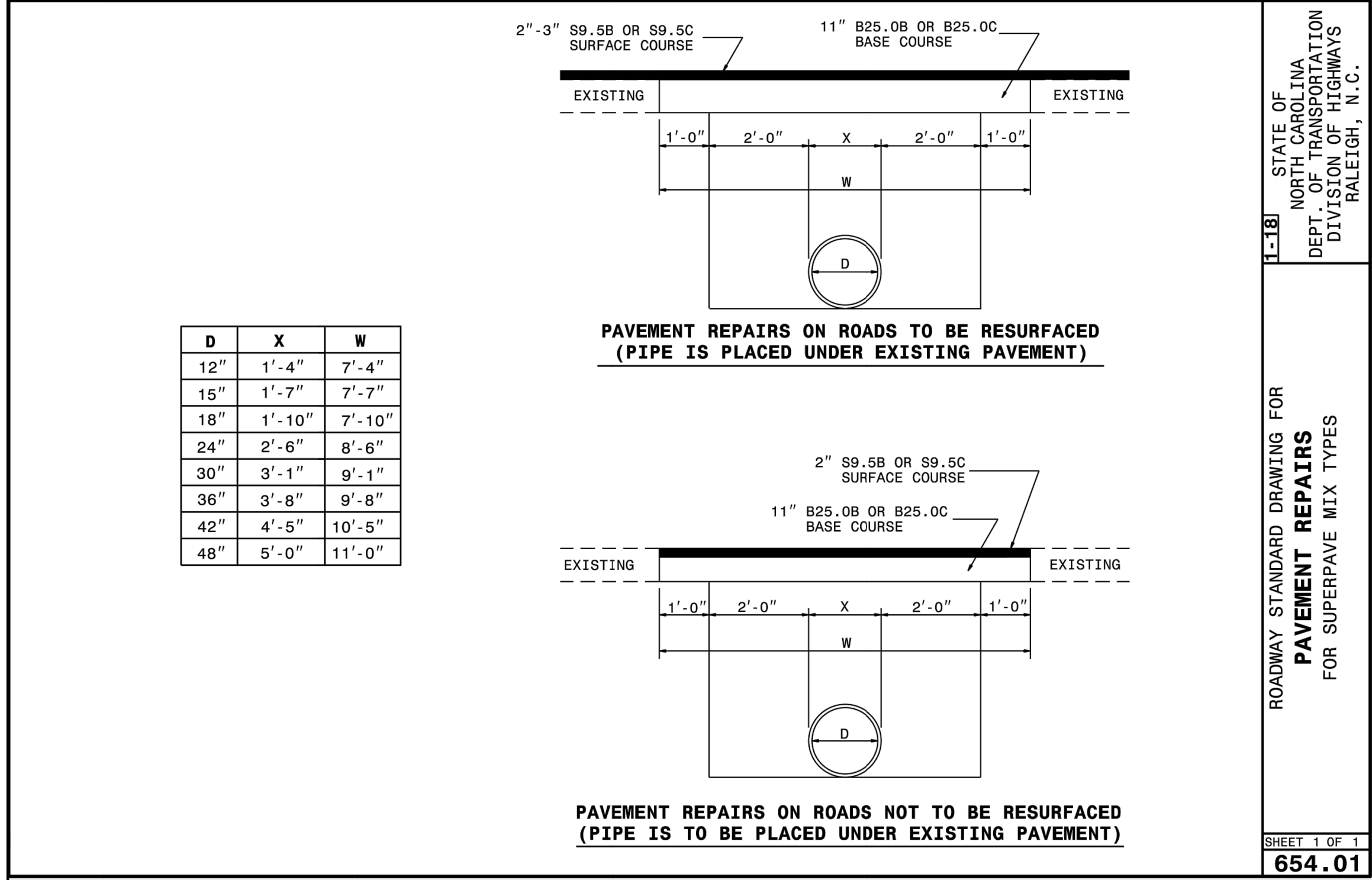
STORM DETAILS

SHEET NUMBER

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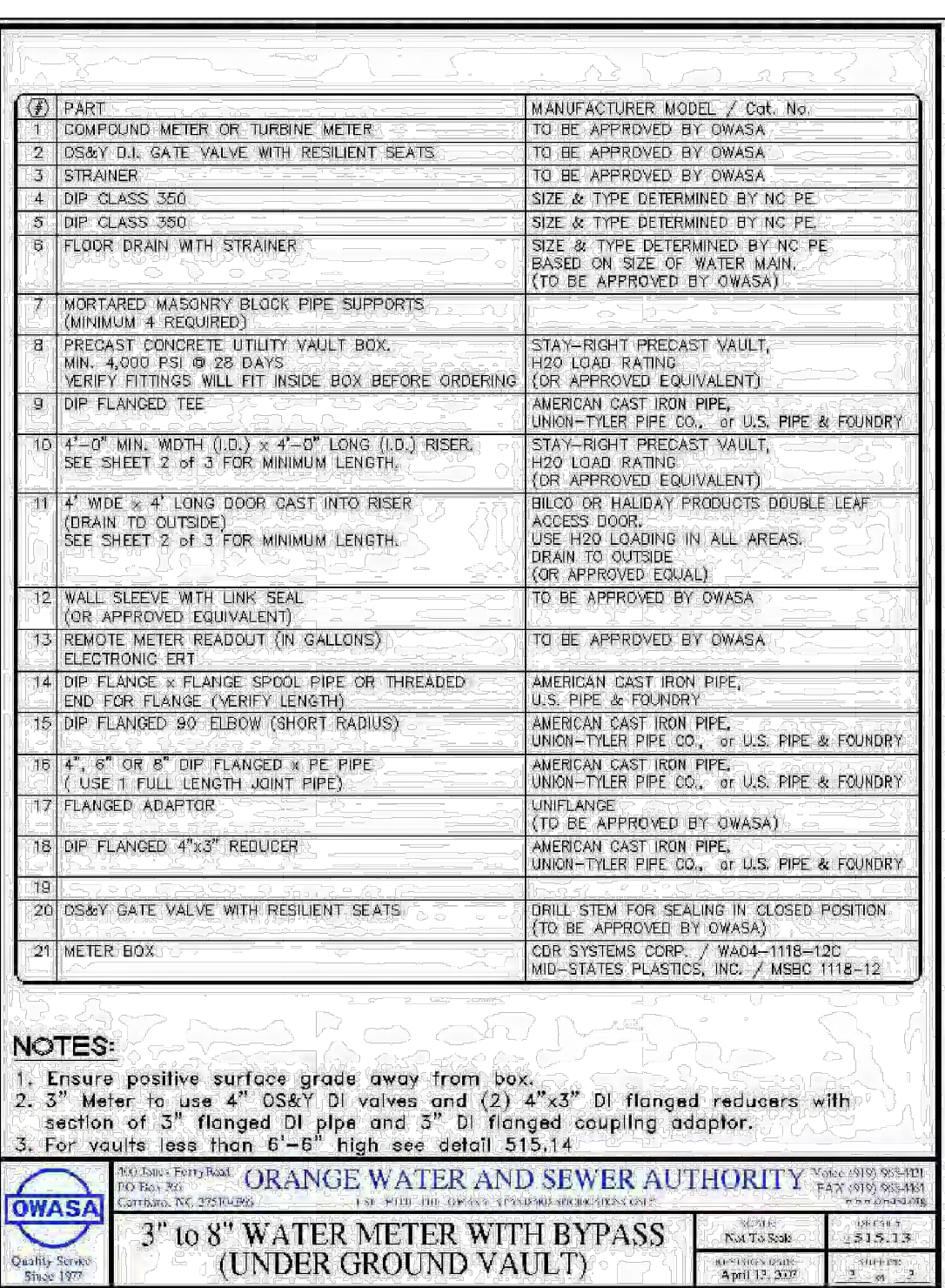
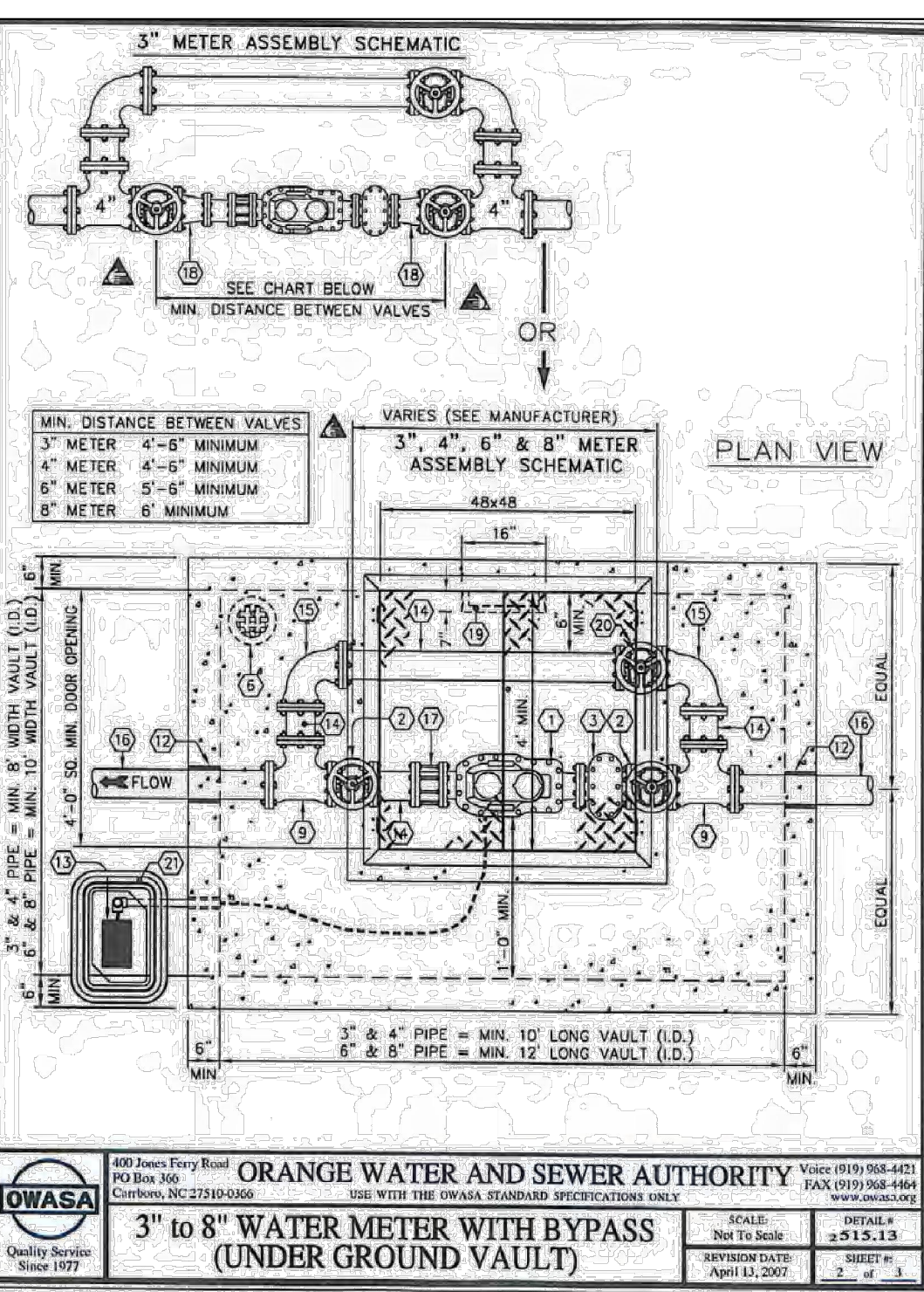
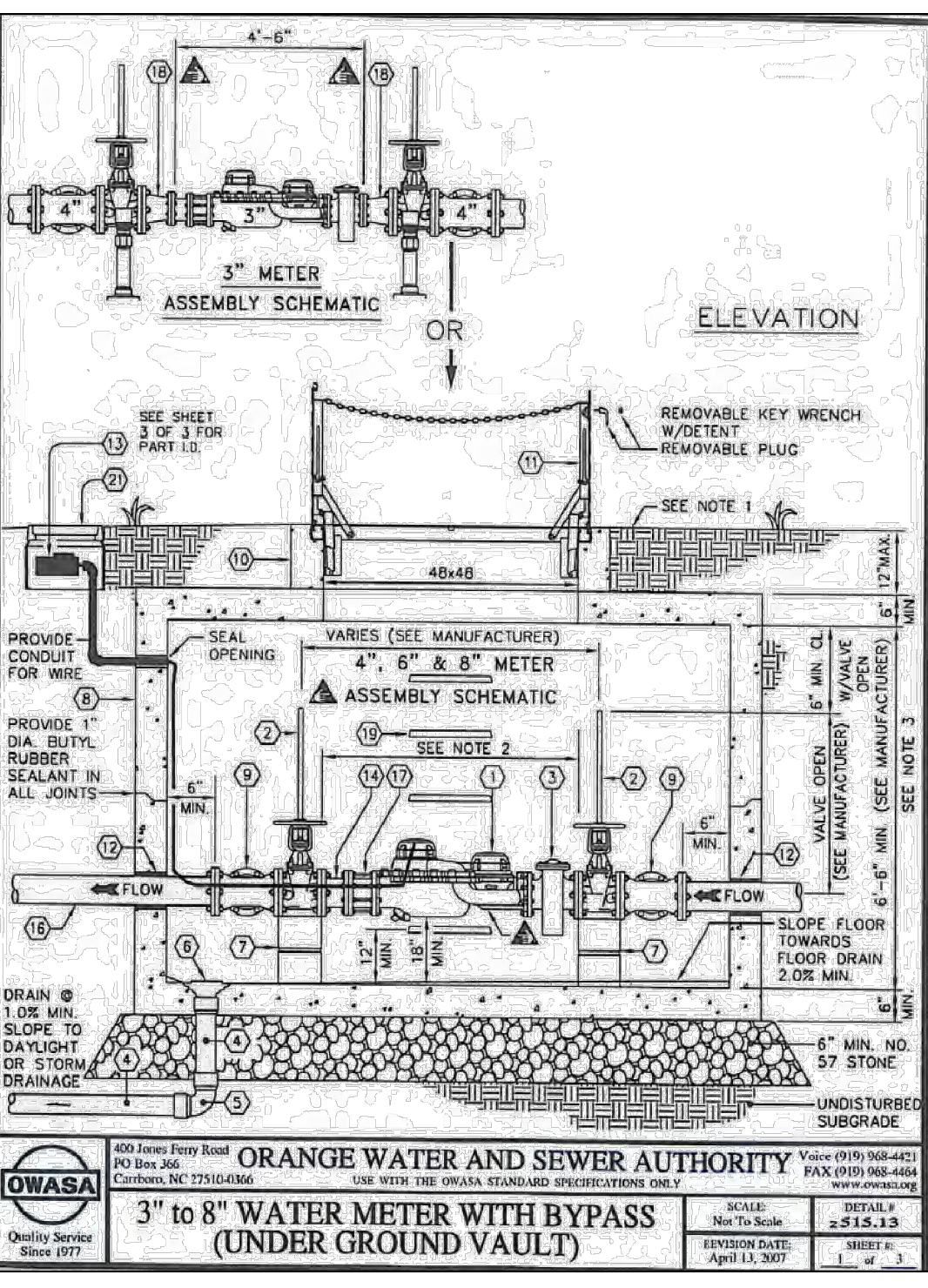
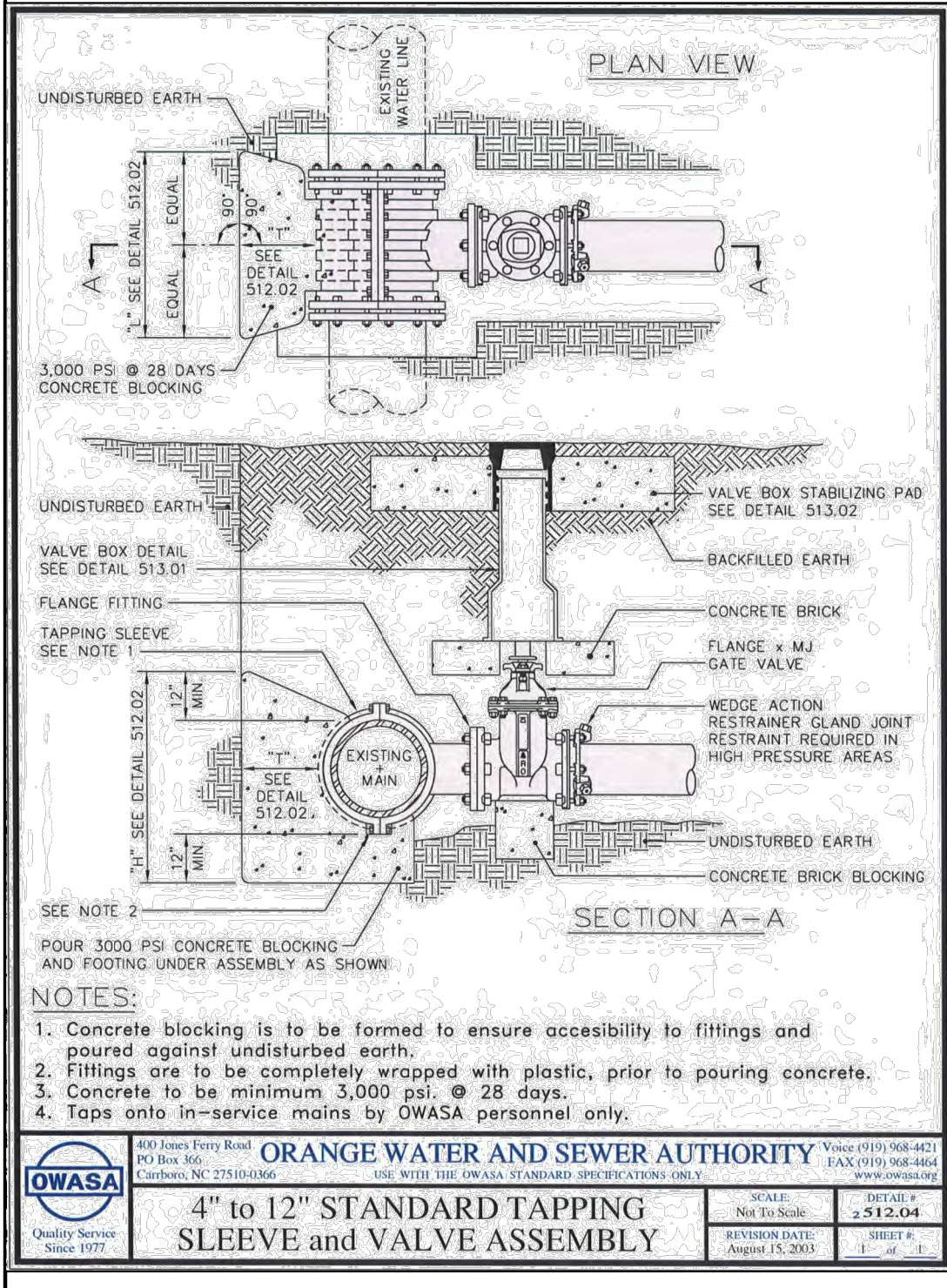
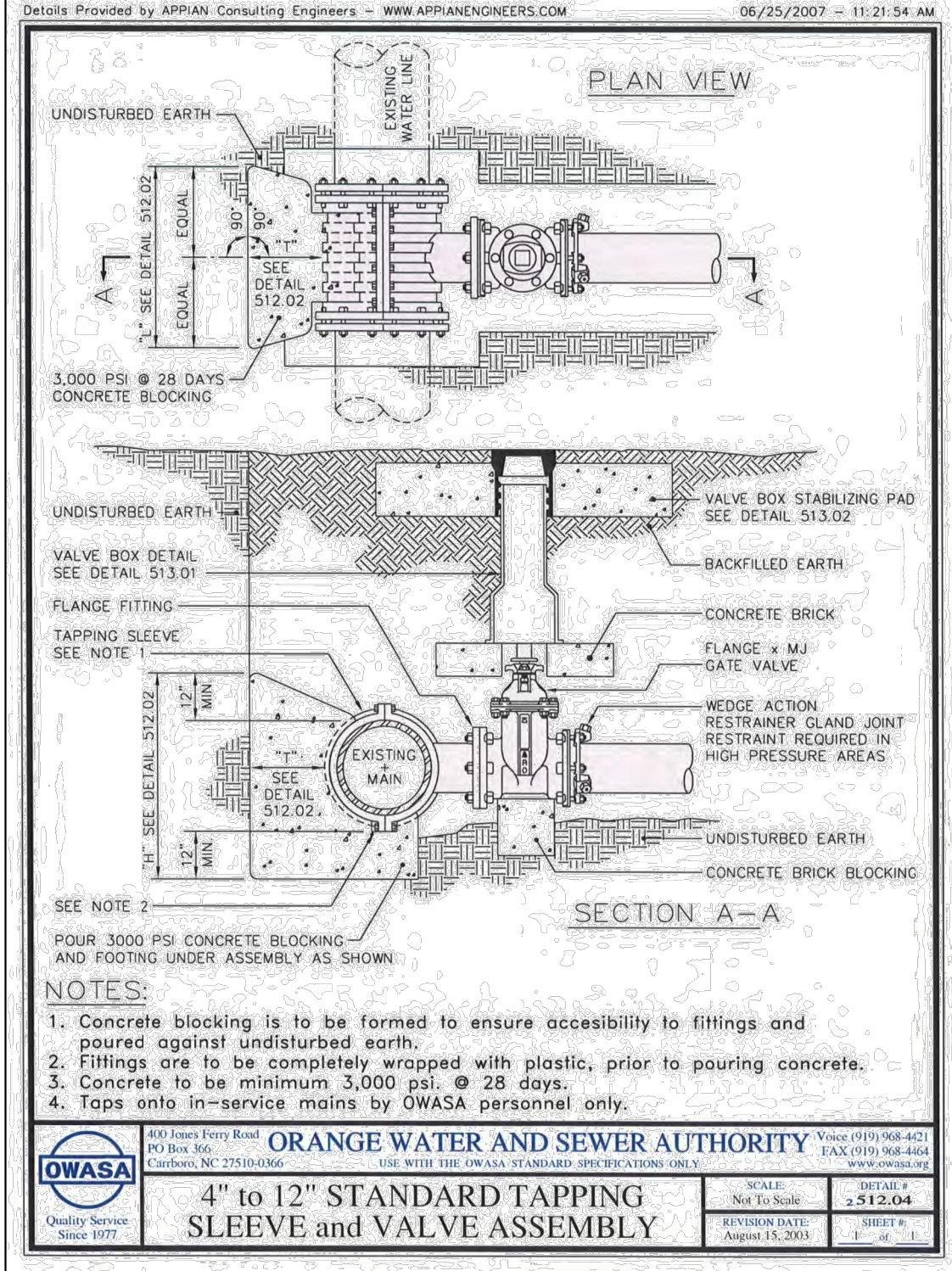
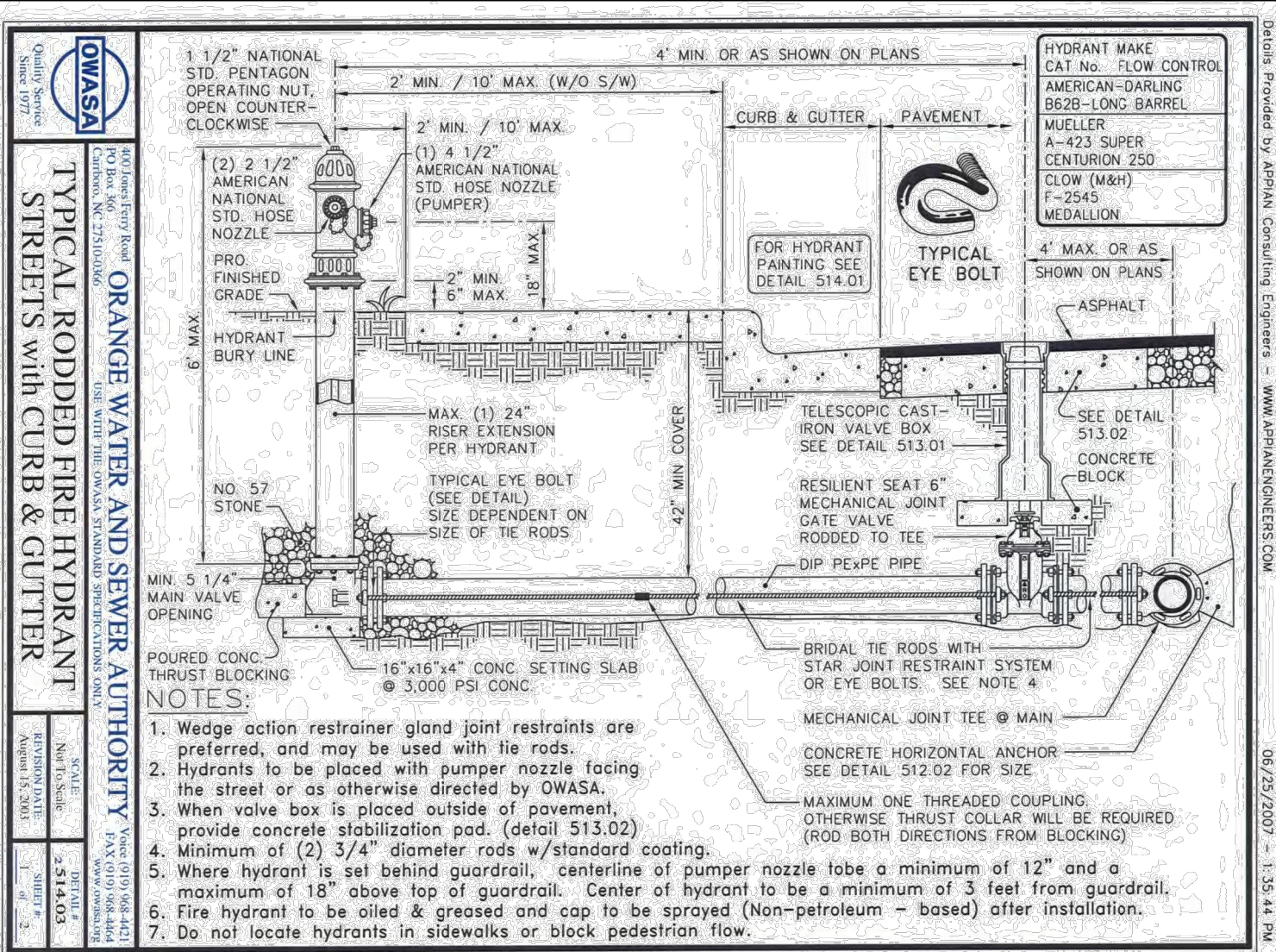
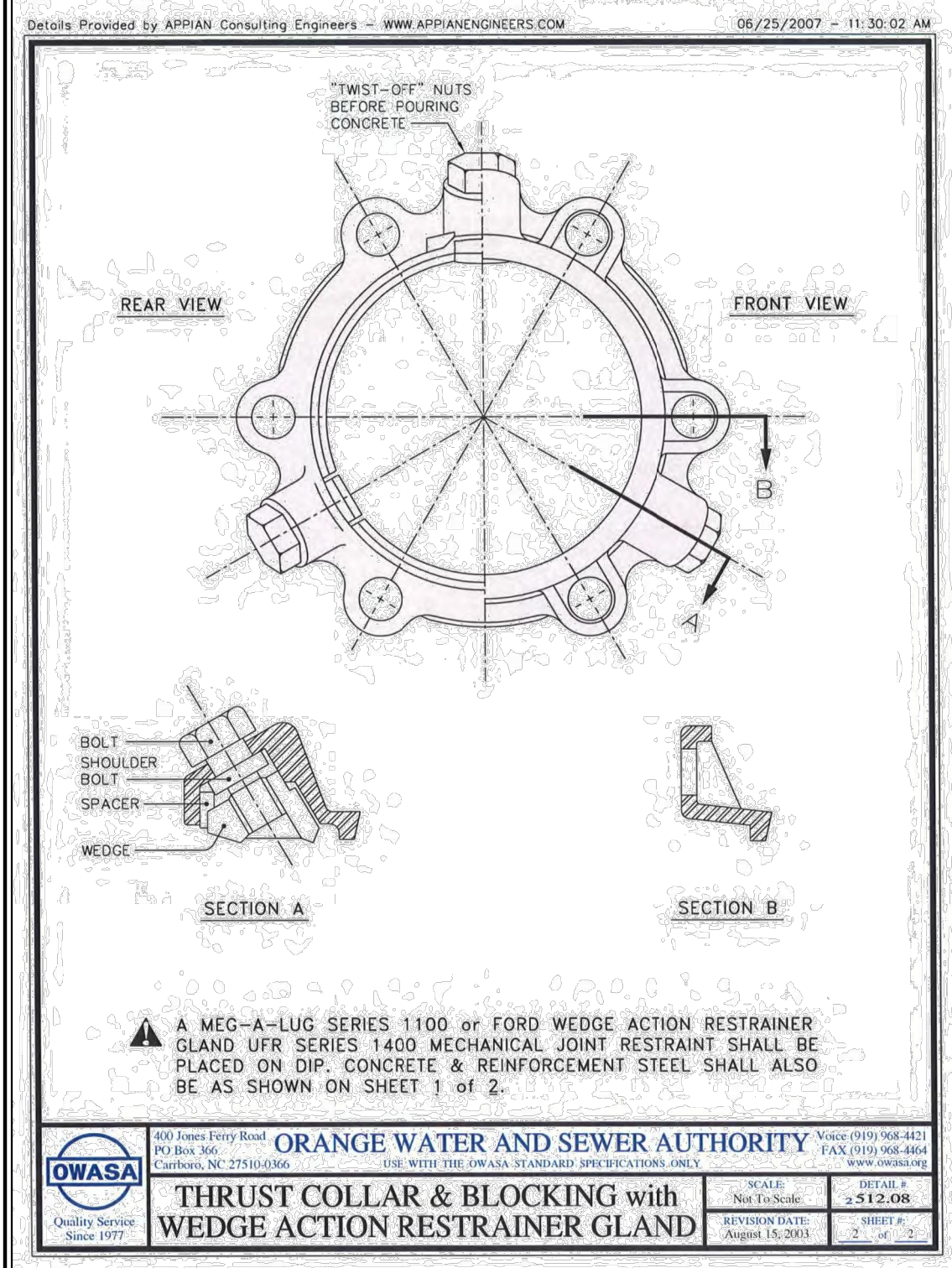
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SEWER DETAILS

SHEET NUMBER

C9.0

Plotted By: Jackson, Austin Sheet Set: Carrboro Mixed Use Layout: C10.0 WATER DETAILS March 16, 2021 04:17:55pm K:\RAL_LDEV\015170033-Carrboro_MixedUse\09_CAD Files\PlanSheets\C10.0 WATER DETAILS.dwg
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ISSUE CHART

MARK	ISSUE	DATE
Job Number		830608.000

TITLE

WATER DETAILS

SHEET NUMBER

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SITE PLAN SUBMITTAL: 03/12/2021
LANDSCAPE ARCHITECTURE



LANDSCAPE ARCHITECTURE - INDEX OF DRAWINGS	
SHEET NUMBER	SHEET NAME
L00-00	GENERAL NOTES AND SHEET INDEX
L01-01	MATERIAL & LAYOUT PLAN
L01-03	ROOF TERRACE PLANS
L04-01	PLANTING PLAN
L04-02	PLANTING SCHEDULE
L-EX 01	TREE CANOPY - EXHIBIT

PLANTING SCHEDULE						
CODE	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT	SPACING	COMMENTS
SHRUB/GROUND COVER						
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	Ilex x attenuata 'Foster'	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	Taxodium distichum	Bald Cypress	4" CAL	B&B	AS SHOWN	FULL, WELL BRANCHED

LANDSCAPE
GENERAL NOTES

- 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.
- 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
- 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
- IRRIGATION SYSTEM IS TO BE DELEGATED DESIGN:
 - REFER TO SPECIFICATION SECTION 32 84 00 FOR PLANTING IRRIGATION DETAILS.
- 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.
- 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

- REFER TO CIVIL DRAWINGS FOR EASEMENT INFORMATION, GRADING PLAN, AND UTILITY DRAWINGS.
- BASE TOPOGRAPHICAL AND EXISTING CONDITIONS AS SHOWN ON EXISTING CONDITIONS DRAWINGS.
- CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR LANDSCAPE ARCHITECT'S APPROVAL OF PREFABRICATED BENCHES.
- 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'.
- UTILITY WORK IS NOT INDICATED ON THIS DRAWING. REFER TO GRADING AND DRAINAGE AND UTILITY PLANS (CIVIL DRAWINGS).
- 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.
- ALL CURVES TO BE TRUE RADII WITHOUT STRAIGHT SEGMENTS.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND ELEVATIONS PRIOR TO CONSTRUCTION.
- 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 OWNERS REPRESENTATIVE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE OWNERS REPRESENTATIVE 48 HOURS PRIOR TO SITE VISIT.

PLANTING NOTES

- HATCHES DO NOT REPRESENT SPACING OR SIZING - SEE SCHEDULE AND DETAILS FOR PLAN SPECIFICATIONS.
- ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL; FREE OF PESTS & DISEASES.
- ALL PLANTS MUST BE CONTAINER-GROWN (CONT.) OR BALLED AND BURLAPPED (B&B) AS INDICATED IN PLANT LIST.
- ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED, & MEET ALL REQUIREMENTS SPECIFIED.
- ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE ARCHITECT & THE OWNER BEFORE, DURING, & AFTER INSTALLATION.
- TREE AND SHRUB PITS SHALL BE DUG AND SOIL PREPARED PRIOR TO MOVING PLANTS TO THEIR RESPECTIVE LOCATIONS. ALL TREE PITS SHALL BE WATER TESTED PRIOR TO PLANTING TO ENSURE THAT WATER WILL DRAIN. IF THE PITS DO NOT PROPERLY DRAIN, CONTRACTOR IS RESPONSIBLE TO PROVIDE POSITIVE DRAINAGE.
- ALL PLANTS AND PLANTING AREAS MUST BE COMPLETELY MULCHED AS SPECIFIED.
- PRIOR TO CONSTRUCTION, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES & SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY & ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCUR AS A RESULT OF THE LANDSCAPE CONSTRUCTION.
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
- 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.

PLANTING IRRIGATION
NOTES

- REFER TO SPECIFICATION SECTION 32 84 00 FOR PLANTING IRRIGATION DETAILS.
- CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR IRRIGATION SYSTEM FOR APPROVAL BY THE LANDSCAPE ARCHITECT AND IRRIGATION DESIGNER BEFORE PROCEEDING WITH WORK.
- IRRIGATION SYSTEM SHOULD PROVIDE 100 PERCENT COVERAGE.
- COMPREHENSIVE ENGINEERING ANALYSIS REQUIRED BY A QUALIFIED PROFESSIONAL ENGINEER.
- IRRIGATION SYSTEM SHOULD COMPLY WITH PERFORMANCE REQUIREMENTS AND DESIGN STANDARDS OF THE TOWN OF CHAPEL HILL.

CLEAN AND MULCH
NOTES

- 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.
- A THREE (3) INCH MINIMUM LAYER OF MULCH SHALL BE SPREAD OVER THE ENTIRE CLEARED AREA.
- THE CONTRACTOR WILL NOTIFY THE ARCHITECT PRIOR TO START OF THE CLEAN AND MULCH WORK.
- THE ARCHITECT WILL VERIFY SCOPE OF WORK IN FIELD WITH THE CONTRACTOR PRIOR TO THE START OF WORK.
- THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND LEGAL DISPOSAL OF ALL DEBRIS FROM CLEAN-UP OPERATIONS FROM THE SITE.

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PROJECT



TOWN OF CARRBORO/
ORANGE COUNTY

203 South Greensboro Street,
Carrboro, NC 27510

KEYPLAN

ISSUE CHART

MARK	ISSUE	DATE
Job Number		830608.000

TITLE

GENERAL NOTES AND
SHEET INDEX

SHEET NUMBER

L00-00

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MATERIAL & LAYOUT
PLAN

SHEET NUMBER

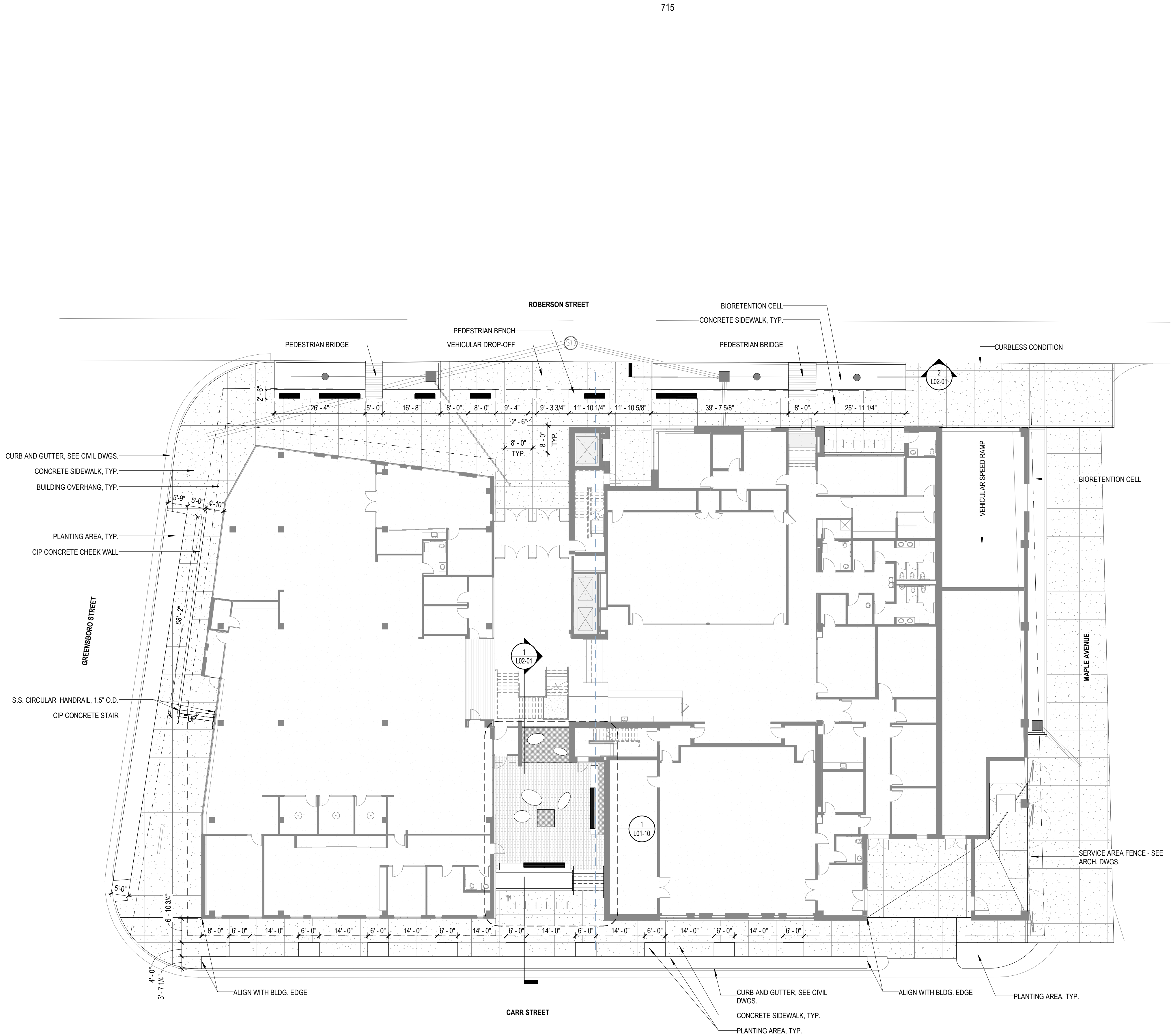
L01-01

LANDSCAPE
GENERAL NOTES

- 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.
- 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
- RE: ELECTRICAL DRAWINGS FOR SITE INFORMATION INCLUDING, BUT NOT LIMITED TO THE FOLLOWINGS:
 - 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
- IRRIGATION SYSTEM IS TO BE DELEGATED DESIGN:
 - REFER TO SPECIFICATION SECTION 32 84 00 FOR PLANTING IRRIGATION DETAILS.
- 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.
- 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

- REFER TO CIVIL DRAWINGS FOR EASEMENT INFORMATION, GRADING PLAN, AND UTILITY DRAWINGS.
- BASE TOPOGRAPHICAL AND EXISTING CONDITIONS AS SHOWN ON EXISTING CONDITIONS DRAWINGS.
- CONTRACTOR TO SUBMIT SHOP DRAWINGS FOR LANDSCAPE ARCHITECT'S APPROVAL OF PREFABRICATED BENCHES.
- 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'.
- UTILITY WORK IS NOT INDICATED ON THIS DRAWING. REFER TO GRADING AND DRAINAGE AND UTILITY PLANS (CIVIL DRAWINGS).
- 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.
- ALL CURVES TO BE TRUE RADII WITHOUT STRAIGHT SEGMENTS.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS, DIMENSIONS AND ELEVATIONS PRIOR TO CONSTRUCTION.
- 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.



1 MATERIAL AND LAYOUT PLAN
1/16" = 1'-0"

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ISSUE CHART

MARK	ISSUE	DATE
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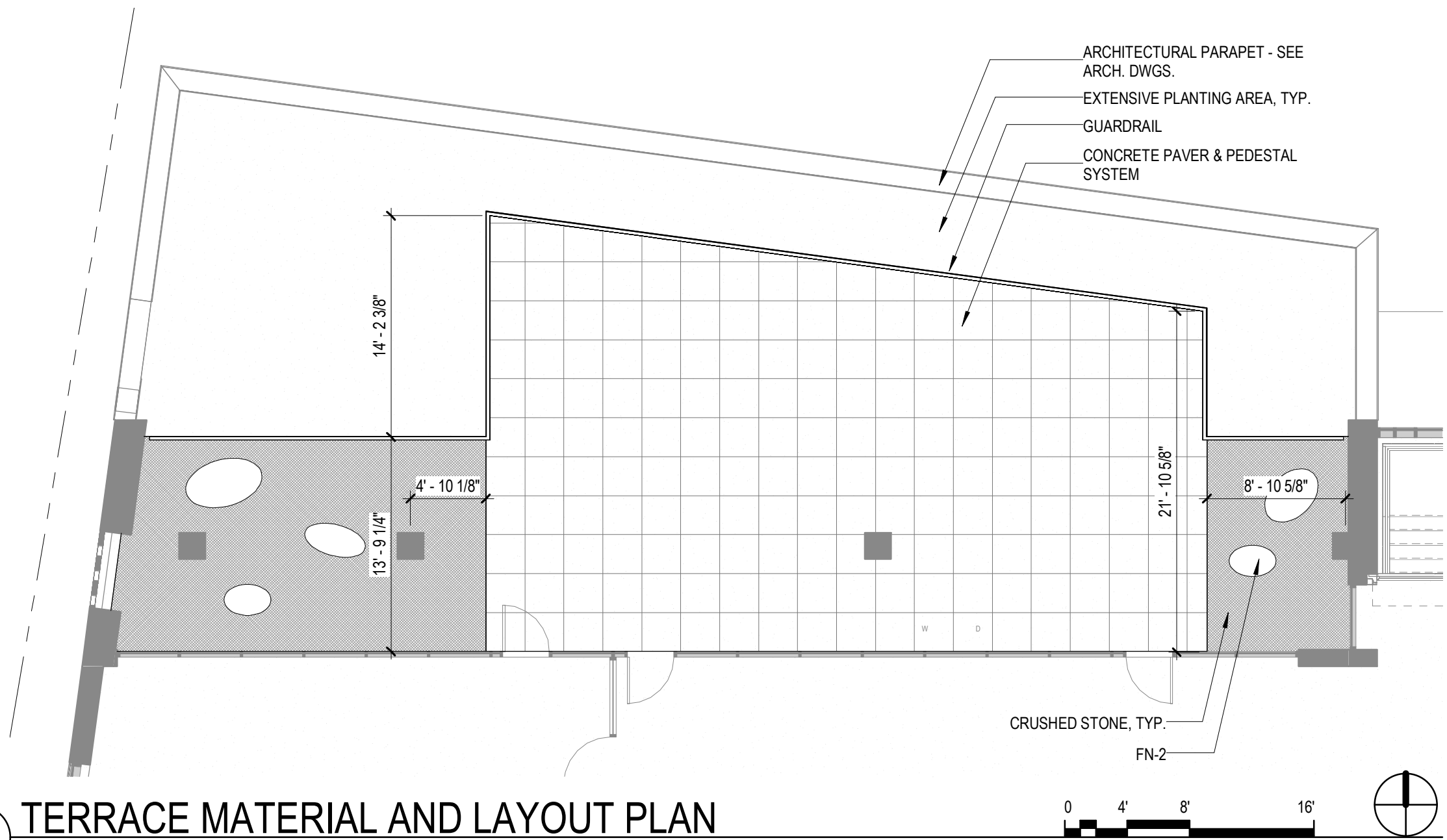
ROOF TERRACE
PLANS

SHEET NUMBER

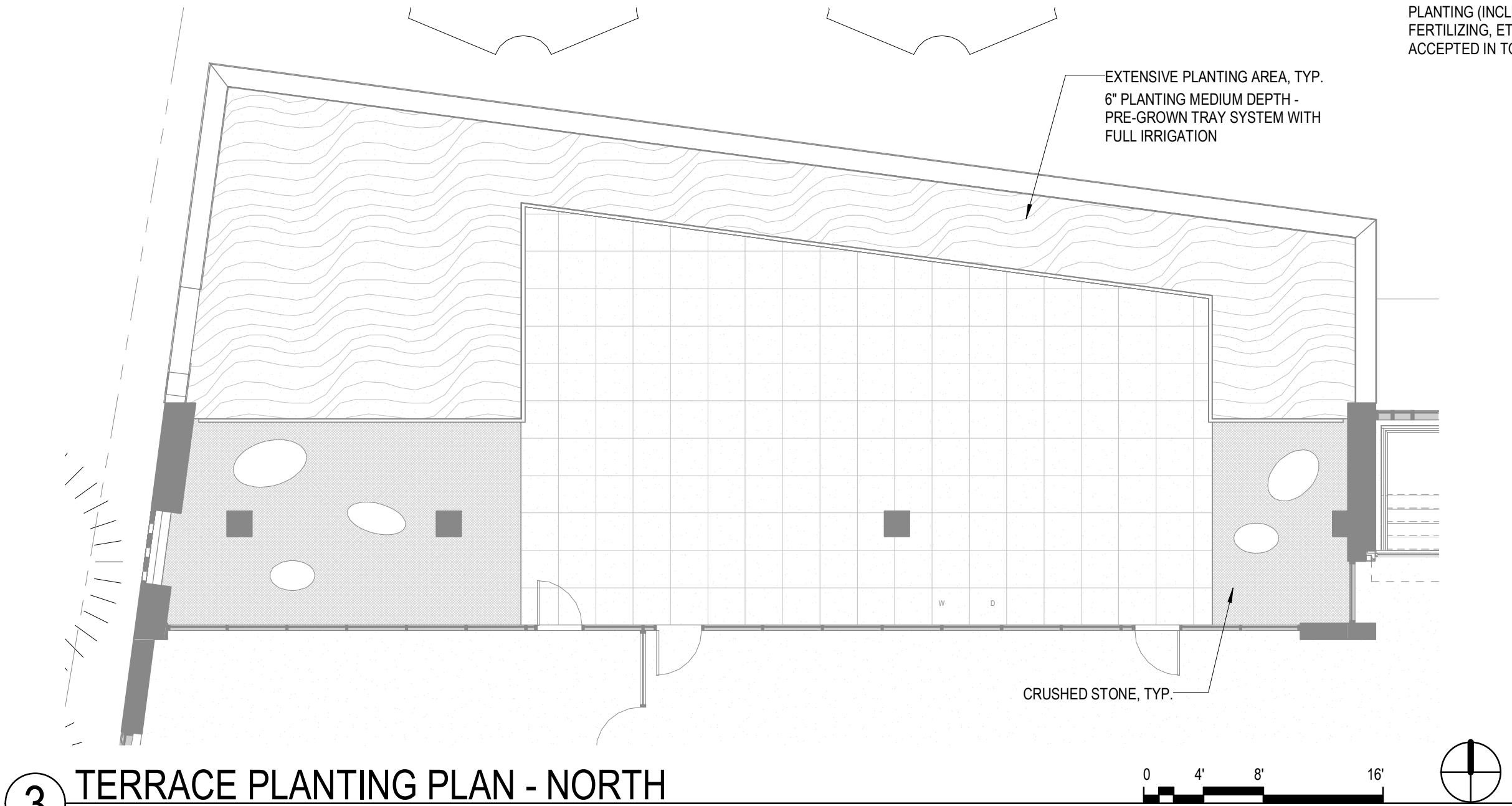
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PLANTING NOTES

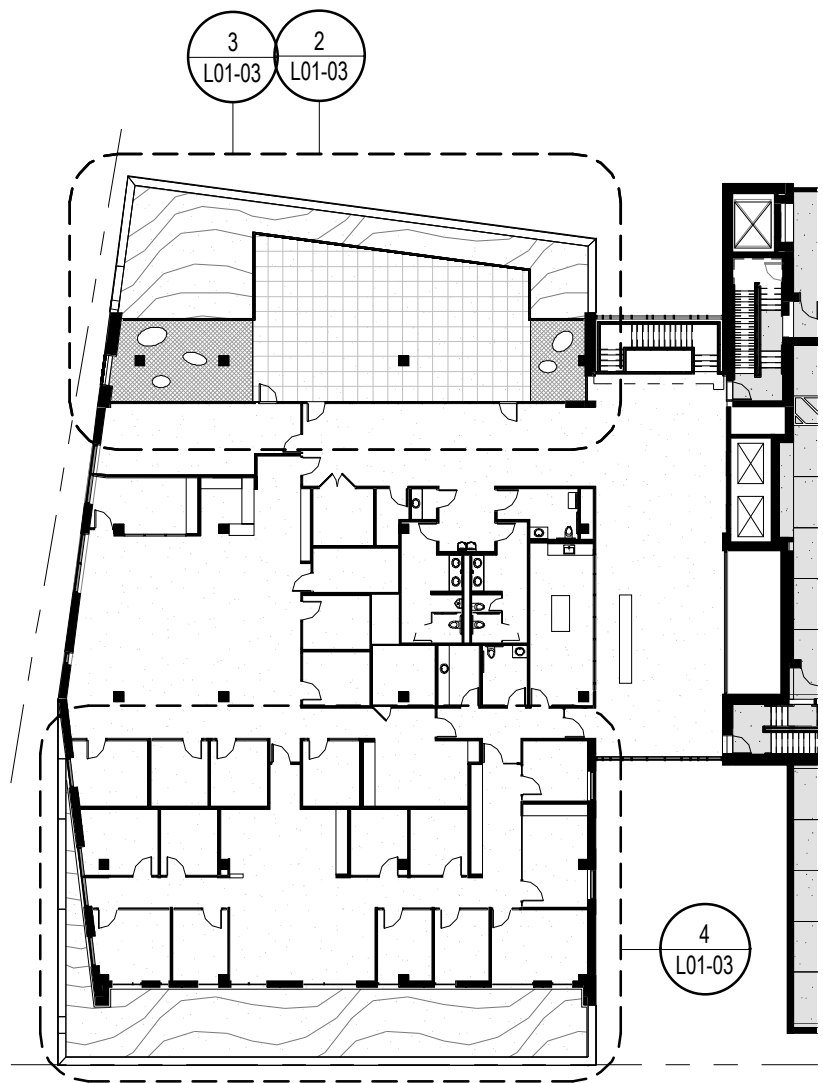
- HATCHES DO NOT REPRESENT SPACING OR SIZING - SEE SCHEDULE AND DETAILS FOR PLAN SPECIFICATIONS.
- ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL; FREE OF PESTS & DISEASES.
- ALL PLANTS MUST BE CONTAINER-GROWN (CONT.) OR BALLED AND BURLAPPED (B&B) AS INDICATED IN PLANT LIST.
- ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED, & MEET ALL REQUIREMENTS SPECIFIED.
- ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE ARCHITECT & THE OWNER BEFORE, DURING, & AFTER INSTALLATION.
- TREE AND SHRUB PITS SHALL BE DUG AND SOIL PREPARED PRIOR TO MOVING PLANTS TO THEIR RESPECTIVE LOCATIONS. ALL TREE PITS SHALL BE WATER TESTED PRIOR TO PLANTING TO ENSURE THAT WATER WILL DRAIN. IF THE PITS DO NOT PROPERLY DRAIN, CONTRACTOR IS RESPONSIBLE TO PROVIDE POSITIVE DRAINAGE.
- ALL PLANTS AND PLANTING AREAS MUST BE COMPLETELY MULCHED AS SPECIFIED.
- PRIOR TO CONSTRUCTION, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES & SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY & ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCUR AS A RESULT OF THE LANDSCAPE CONSTRUCTION.
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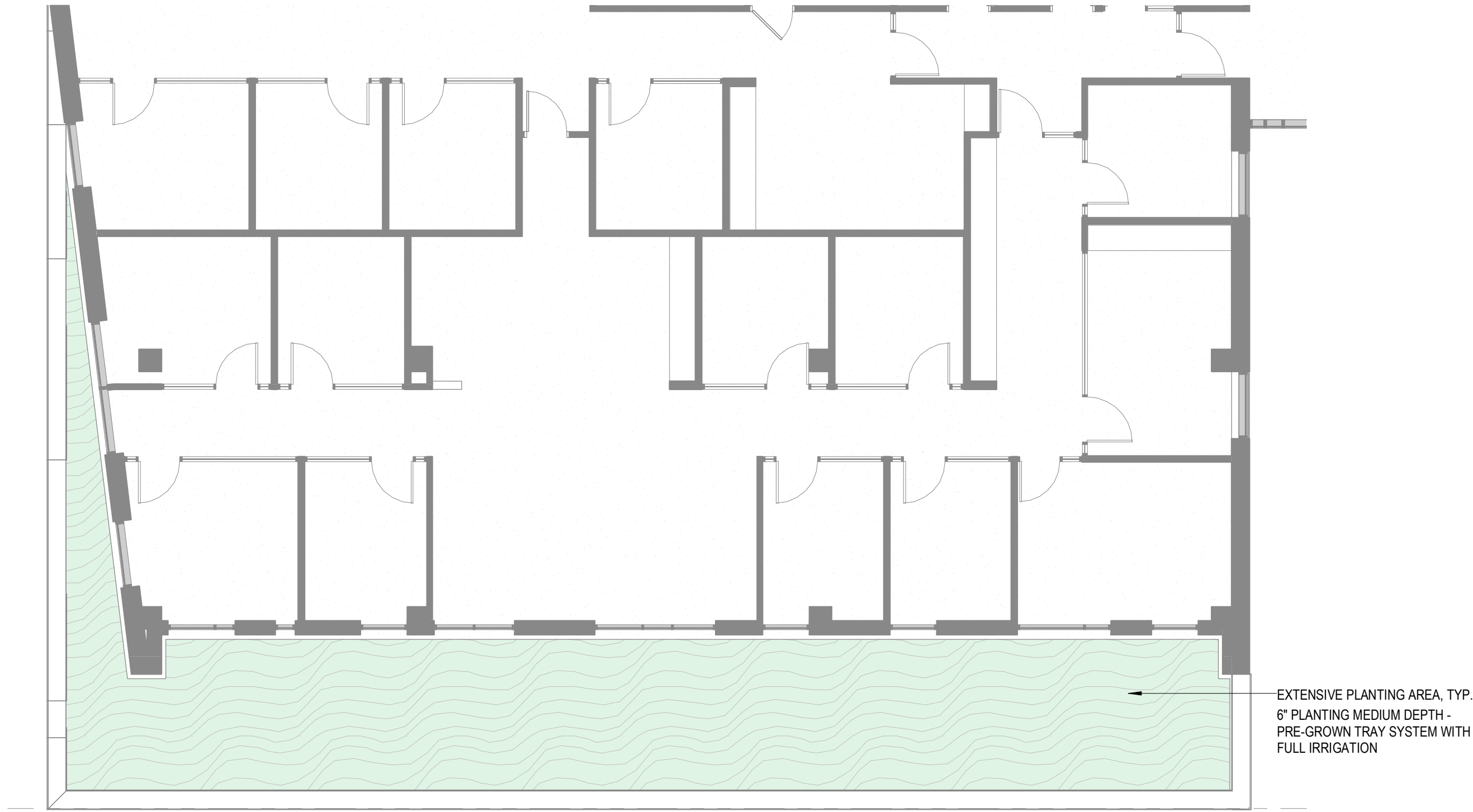
2 TERRACE MATERIAL AND LAYOUT PLAN
1/8" = 1'-0"



3 TERRACE PLANTING PLAN - NORTH
1/8" = 1'-0"



1 TERRACE - OVERALL PLAN
1/32" = 1'-0"



4 TERRACE PLANTING PLAN - SOUTH
1/8" = 1'-0"

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KEYPLAN

ISSUE CHART

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Job Number		830608.000

TITLE

PLANTING PLAN

SHEET NUMBER

L04-01

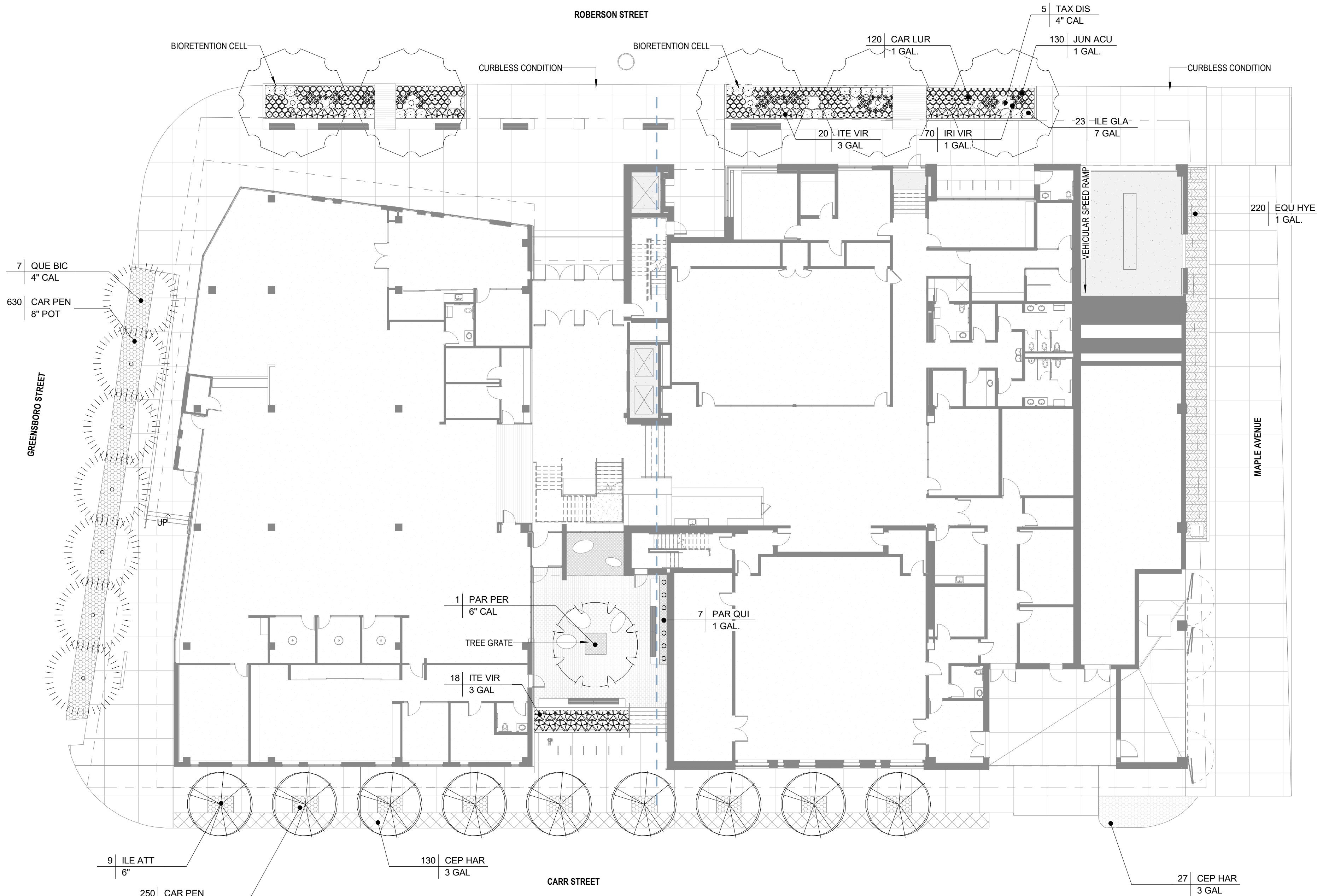
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PLANTING NOTES

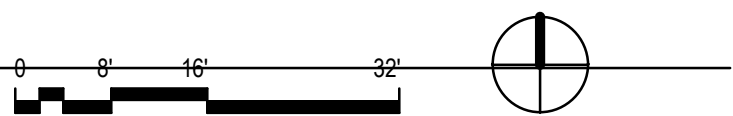
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LANDSCAPE PLAN NOTES

- 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:**
- 160 LF
 - PROVIDED:
 - 7 LARGE COLUMNAR TREES @ 15' OC
 - 5' CONTINUOUS PLANTING BUFFER BETWEEN ROAD AND SIDEWALK
- E. CARR STREET:**
- 240 LF
 - PROVIDED:
 - 9 UPRIGHT EVERGREEN TREES @ 20' OC
 - 4' CONTINUOUS EVERGREEN PLANTING BUFFER BETWEEN ROAD AND SIDEWALK
- ROBERSON STREET:**
- 225 LF
 - PROVIDED:
 - 5 LARGE TREES @ 30' OC
 - 7' WIDE BIORETENTION CELL PLANTING ZONES WITH PEDESTRIAN BENCHES
 - VEHICULAR DROP OFF FOR TRANSIT
- MAPLE AVENUE:**
- 160 LF
 - PROVIDED:
 - 5' BIORETENTION CELL PLANTING ZONE
 - SHARED / PEDESTRIAN STREETSCAPE
 - COMMUNITY ART MURAL WALL (SEE ARCH. DWGS.)
- PER ULO SECTION 15-319:
 - TREE CANOPY METRICS - SEE TREE CANOPY EXHIBIT:
 - EXISTING COVERAGE: 0.8% (DDH TREE)
 - COVERAGE OF ENTIRE SITE: 8%
 - COVERAGE OF ON-SITE PUBLIC REALM: 34%
 - PROPOSED TREE PLANTINGS VASTLY IMPROVE AND ENHANCE SITE CANOPY COVERAGE METRICS.
 - BIORETENTION CELLS IMPROVE SITE STORMWATER MANAGEMENT METRICS - SEE CIVIL DWGS.



1 PLANTING PLAN
1/16" = 1'-0"



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PLANTING SCHEDULE

SHEET NUMBER

L04-02

PLANTING SCHEDULE						
CODE	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT	SPACING	COMMENTS

SHRUB/GROUND COVER

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	Ilex 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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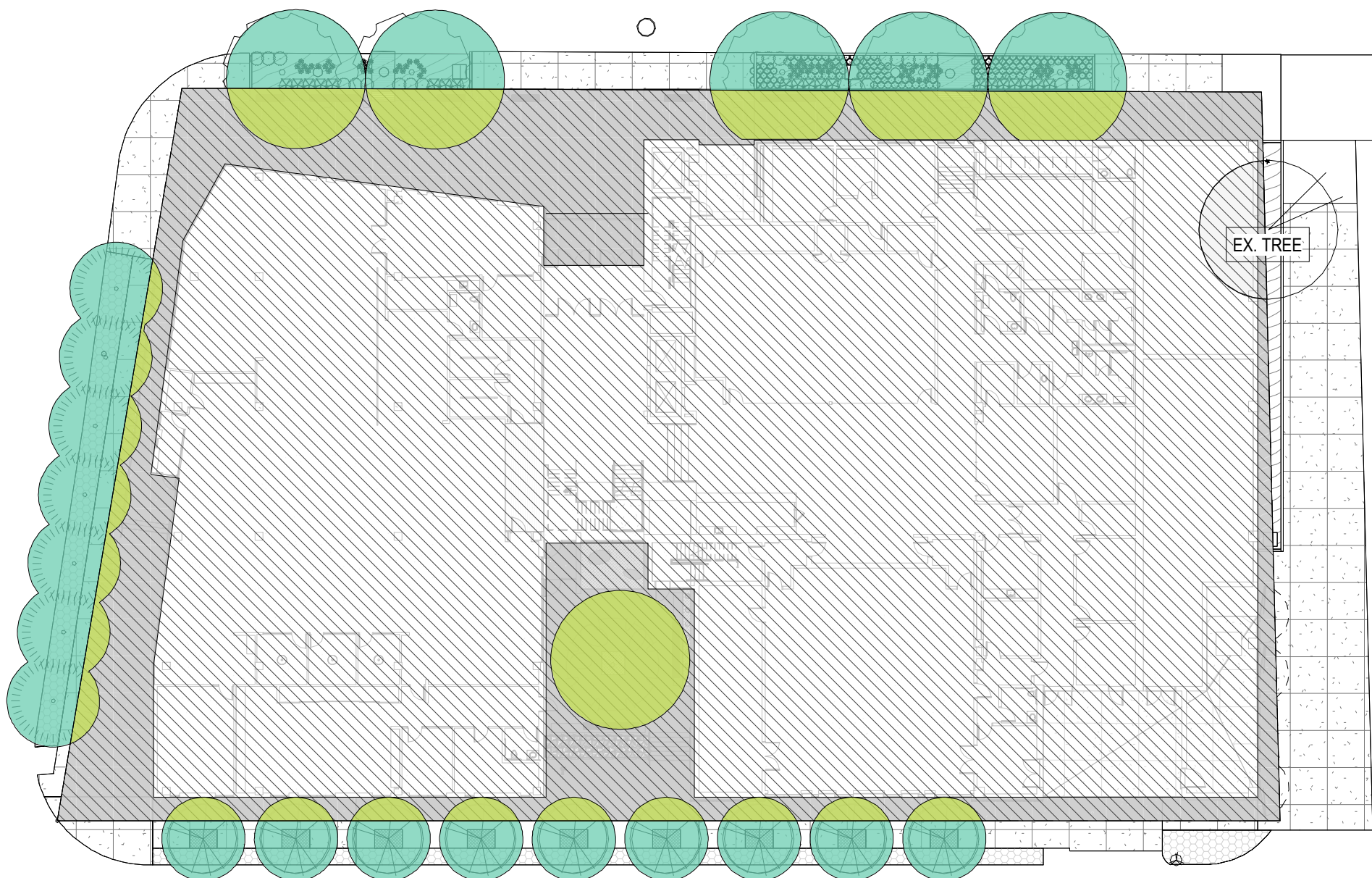
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TREE CANOPY -
EXHIBIT

SHEET NUMBER

L-EX 01

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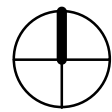


- TREE CANOPY STUDY METRICS**
- EXISTING COVERAGE: 0.8%
 - COVERAGE OF PROPERTY: 8%
 - COVERAGE OF PROPERTY + ROW: 19%
 - COVERAGE OF ON-SITE SIDEWALK: 34%

- 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

1 TREE CANOPY PLAN - EXHIBIT
1" = 30'-0"



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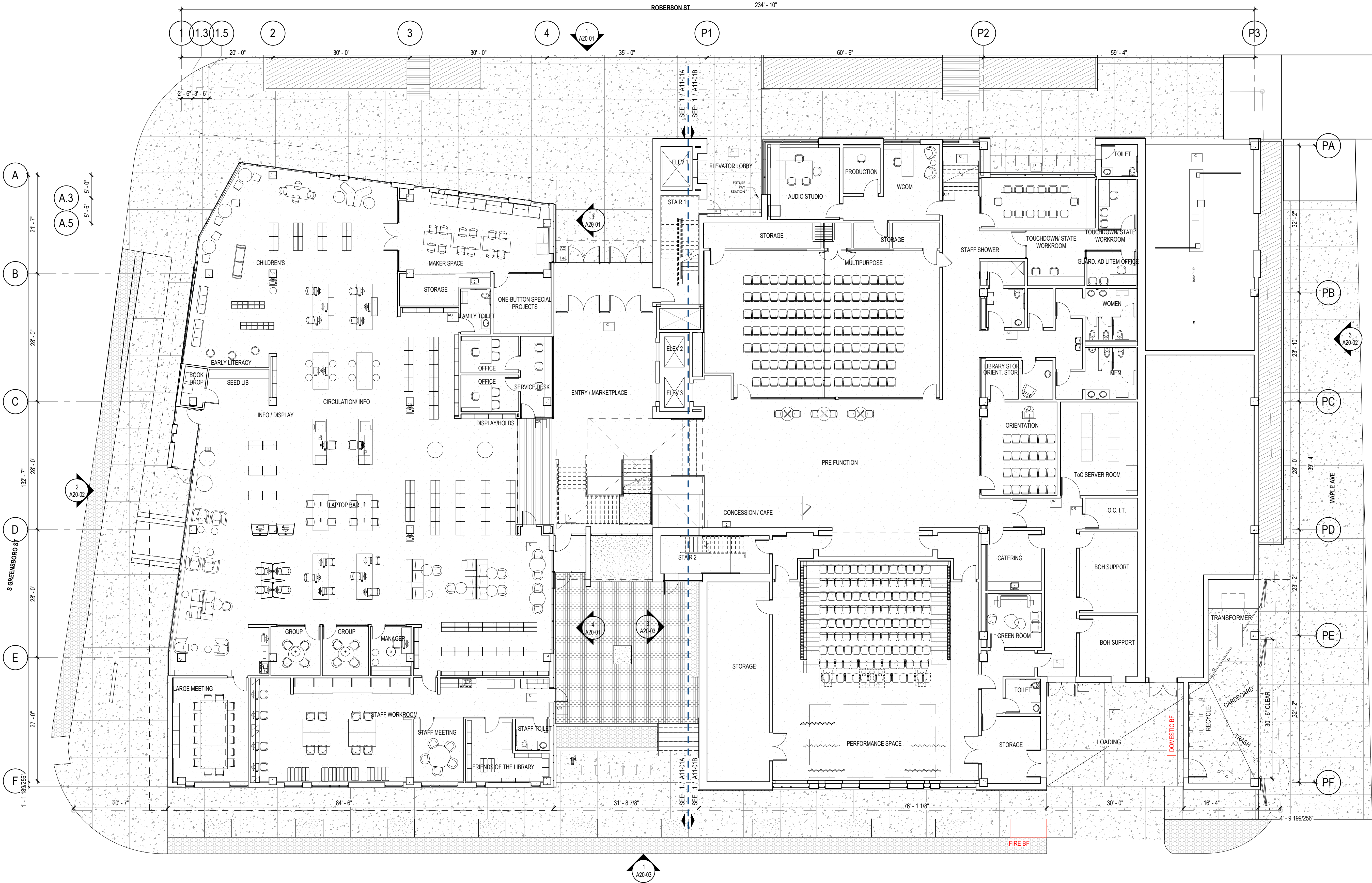
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TITLE		

OVERALL FLOOR
PLAN - LEVEL 01

SHEET NUMBER

A10-01

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1 LEVEL 01 FLOOR PLAN
3/32" = 1'-0"

FLOOR PLAN
GENERAL NOTES

1. All partition types to be A41 unless otherwise noted. See partition types at the beginning of the architectural set.

FLOOR PLAN LEGEND

	BUILDING EXPANSION JOINT		WALL SECTION TAG		DOOR TAG REF: A62-0X SERIES FOR DOOR SCHEDULE.		CCTV CAMERA
	NEW PARTITION		BUILDING SECTION TAG		PARTITION TAG REF: A61-0X SERIES FOR CHARTS		CARD READER
	NEW COLUMN		EXTERIOR GLAZING SYSTEM TAG REF: A33-0X SERIES FOR SCHEDULE		FLOOR DRAIN		OWNER FURNISHED EQUIPMENT ITEM
	EXTERIOR ELEVATION TAG		INTERIOR GLAZING REFER: A63-0X SERIES FOR SCHEDULE				

FLOOR PLAN
NOTES BY NUMBER

<<< Indicates Sheet Keynote on Plan

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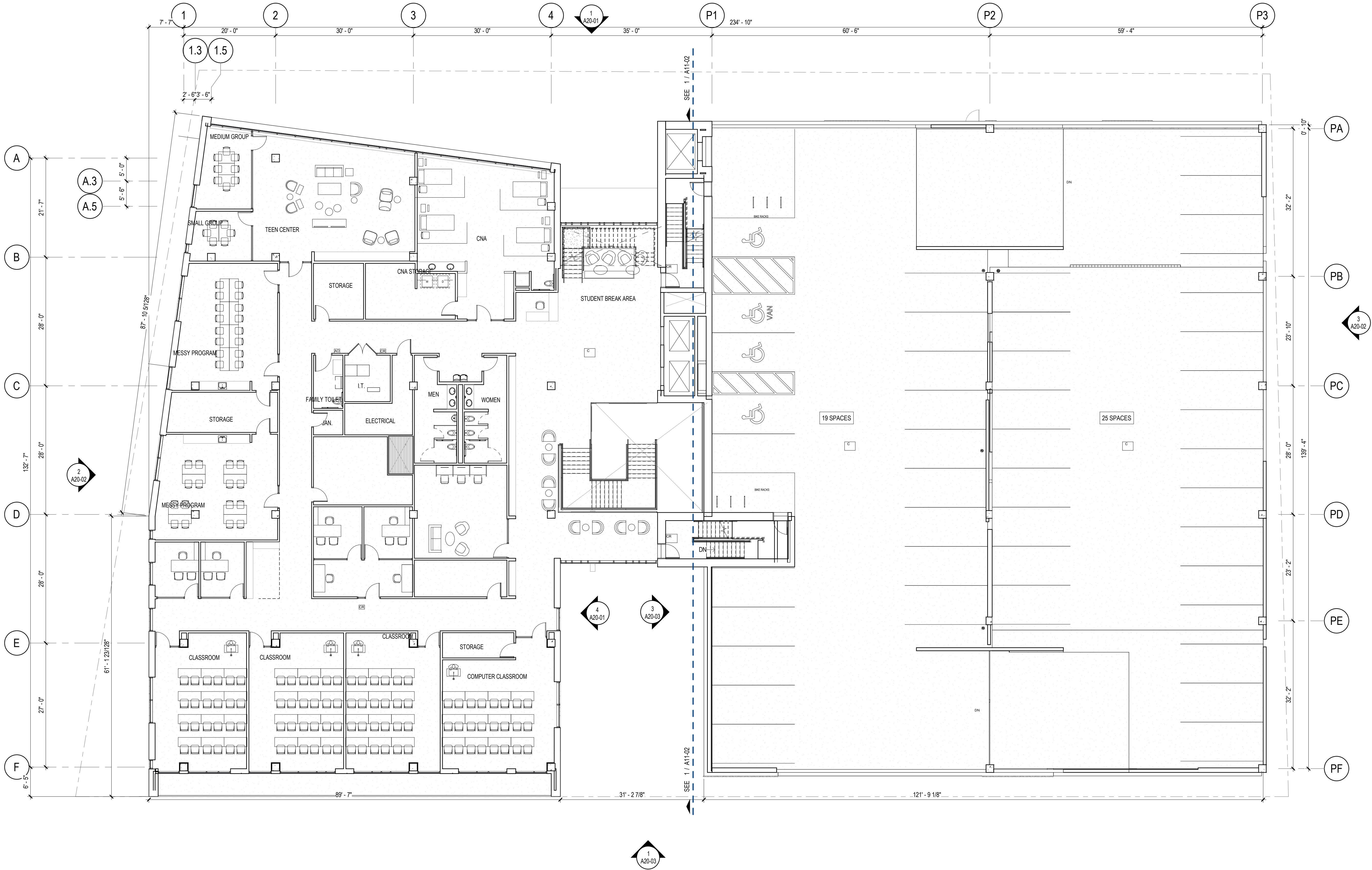
TITLE

OVERALL FLOOR
PLAN - LEVEL 02/P1

SHEET NUMBER

A10-02

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1 LEVEL 02/P1 FLOOR PLAN
3/32" = 1'-0"

FLOOR PLAN
GENERAL NOTES

1. All partition types to be A41 unless otherwise noted. See partition types at the beginning of the architectural set.

FLOOR PLAN LEGEND

- BUILDING EXPANSION JOINT
- NEW PARTITION
- NEW COLUMN
- EXTERIOR ELEVATION TAG

- WALL SECTION TAG
- BUILDING SECTION TAG
- EXTERIOR GLAZING SYSTEM TAG REF: A33-0X SERIES FOR SCHEDULE
- INTERIOR GLAZING REFER: A63-0X SERIES FOR SCHEDULE

- DOOR TAG REF: A62-0X SERIES FOR DOOR SCHEDULE.
- PARTITION TAG REF: A61-0X SERIES FOR CHARTS
- FLOOR DRAIN
- OWNER FURNISHED EQUIPMENT ITEM
- CCTV CAMERA
- CARD READER

FLOOR PLAN
NOTES BY NUMBER

<<< Indicates Sheet Keynote on Plan

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THEATER CONSULTANT COLLABORATIVE

6325 Old NC 86
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PROJECT



203 South Greensboro Street,
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SITE PLAN RE-SUBMITTAL 03.12.2021

KEYPLAN

ISSUE CHART

MARK	ISSUE	DATE
Job Number	830608.000	

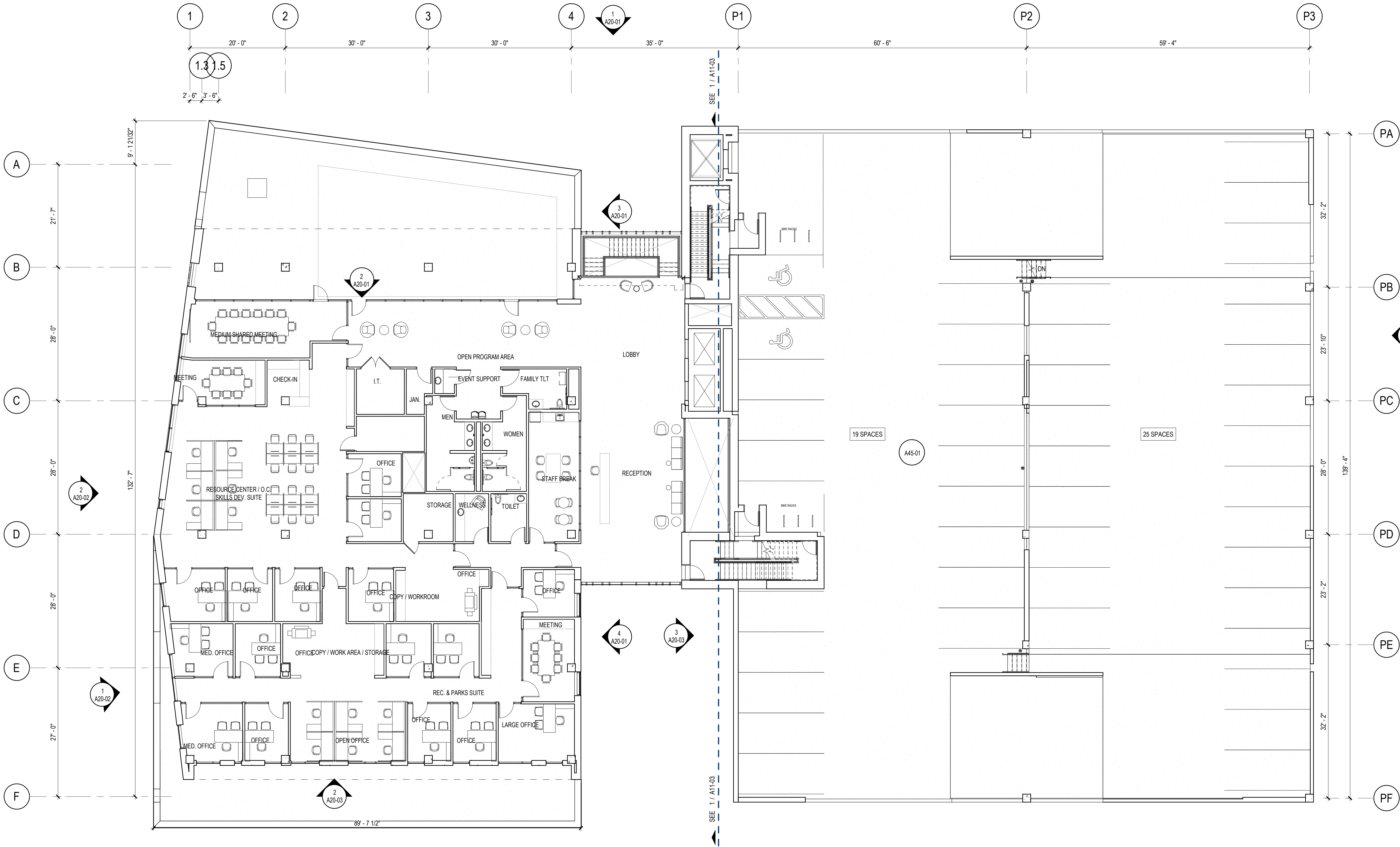
TITLE

OVERALL FLOOR
PLAN - LEVEL 03/P2

SHEET NUMBER

A10-03

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1 LEVEL 03/P2 FLOOR PLAN
3/32" = 1'-0"

FLOOR PLAN
GENERAL NOTES

1. All partition types to be A41 unless otherwise noted. See partition types at the beginning of the architectural set.

FLOOR PLAN LEGEND

- BUILDING EXPANSION JOINT
- NEW PARTITION
- NEW COLUMN
- EXTERIOR ELEVATION TAG

- WALL SECTION TAG
- BUILDING SECTION TAG
- EXTERIOR GLAZING SYSTEM TAG REF: A33-0X SERIES FOR SCHEDULE
- INTERIOR GLAZING REFER: A63-0X SERIES FOR SCHEDULE

- DOOR TAG REF: A62-0X SERIES FOR DOOR SCHEDULE.
- PARTITION TAG REF: A61-0X SERIES FOR CHARTS
- FLOOR DRAIN
- OWNER FURNISHED EQUIPMENT ITEM

- CCTV CAMERA
- CARD READER

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Job Number	830608.000	

TITLE

OVERALL FLOOR PLAN - LEVEL P3

SHEET NUMBER

A10-04

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1. All partition types to be A41 unless otherwise noted. See partition types at the beginning of the architectural set.

FLOOR PLAN GENERAL NOTES

1. All partition types to be A41 unless otherwise noted. See partition types at the beginning of the architectural set.

FLOOR PLAN LEGEND

	BUILDING EXPANSION JOINT		WALL SECTION TAG		DOOR TAG REF: A62-0X SERIES FOR DOOR SCHEDULE.		CCTV CAMERA
	NEW PARTITION		BUILDING SECTION TAG		PARTITION TAG REF: A61-0X SERIES FOR CHARTS		CARD READER
	NEW COLUMN		EXTERIOR GLAZING SYSTEM TAG REF: A33-0X SERIES FOR SCHEDULE		FLOOR DRAIN		
	EXTERIOR ELEVATION TAG		INTERIOR GLAZING REFER: A63-0X SERIES FOR SCHEDULE		OWNER FURNISHED EQUIPMENT ITEM		

3/9/2021 5:24:16 AM BIM360/203 South Greensboro Street/ARCT_203 South Greensboro Street.rvt

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Job Number	830608.000	

TITLE

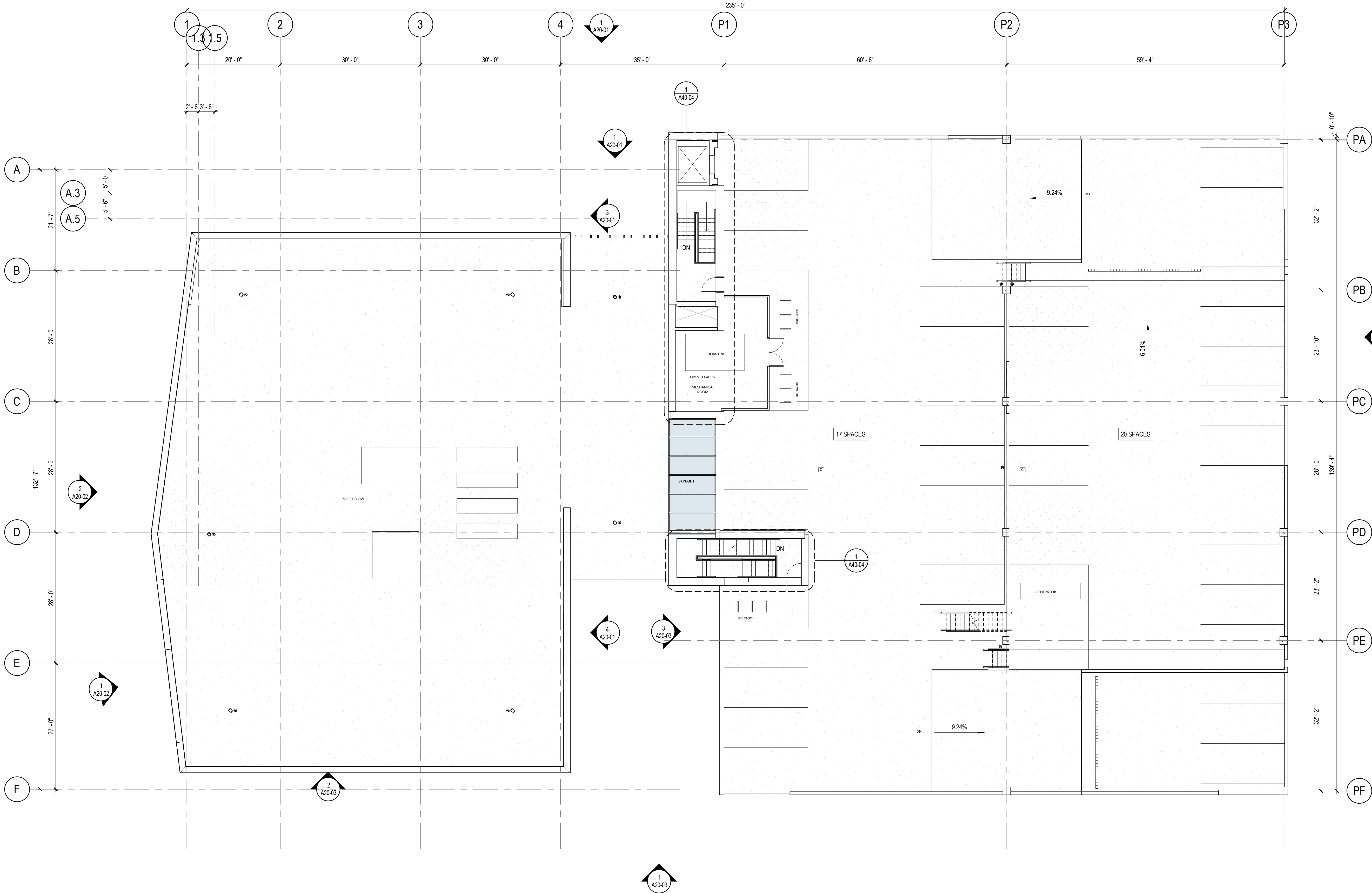
OVERALL FLOOR
PLAN - LEVEL P4

SHEET NUMBER

A10-05

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SITE PLAN RE-SUBMITTAL 03.12.2021



1 ROOF/LEVEL P4 FLOOR PLAN
3/32" = 1'-0"

FLOOR PLAN
GENERAL NOTES

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FLOOR PLAN LEGEND

- BUILDING EXPANSION JOINT
- NEW PARTITION
- NEW COLUMN
- EXTERIOR ELEVATION TAG

- WALL SECTION TAG
- BUILDING SECTION TAG
- EXTERIOR GLAZING SYSTEM TAG REF: A33-0X SERIES FOR SCHEDULE
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Job Number		830608.000

TITLE

EXTERIOR CONCEPT RENDERINGS

SHEET NUMBER

A20-00

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4 CONCEPT RENDERING - MAIN ENTRANCE ON ROBERSOON ST
12" = 1'-0"



2 CONCEPT RENDERING - AERIAL, CORNER OF S GREENSBORO ST AND ROBERSON ST
12" = 1'-0"



3 CONCEPT RENDERING - SW CORNER AT S GREENSBORO ST AND CARR ST
12" = 1'-0"



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

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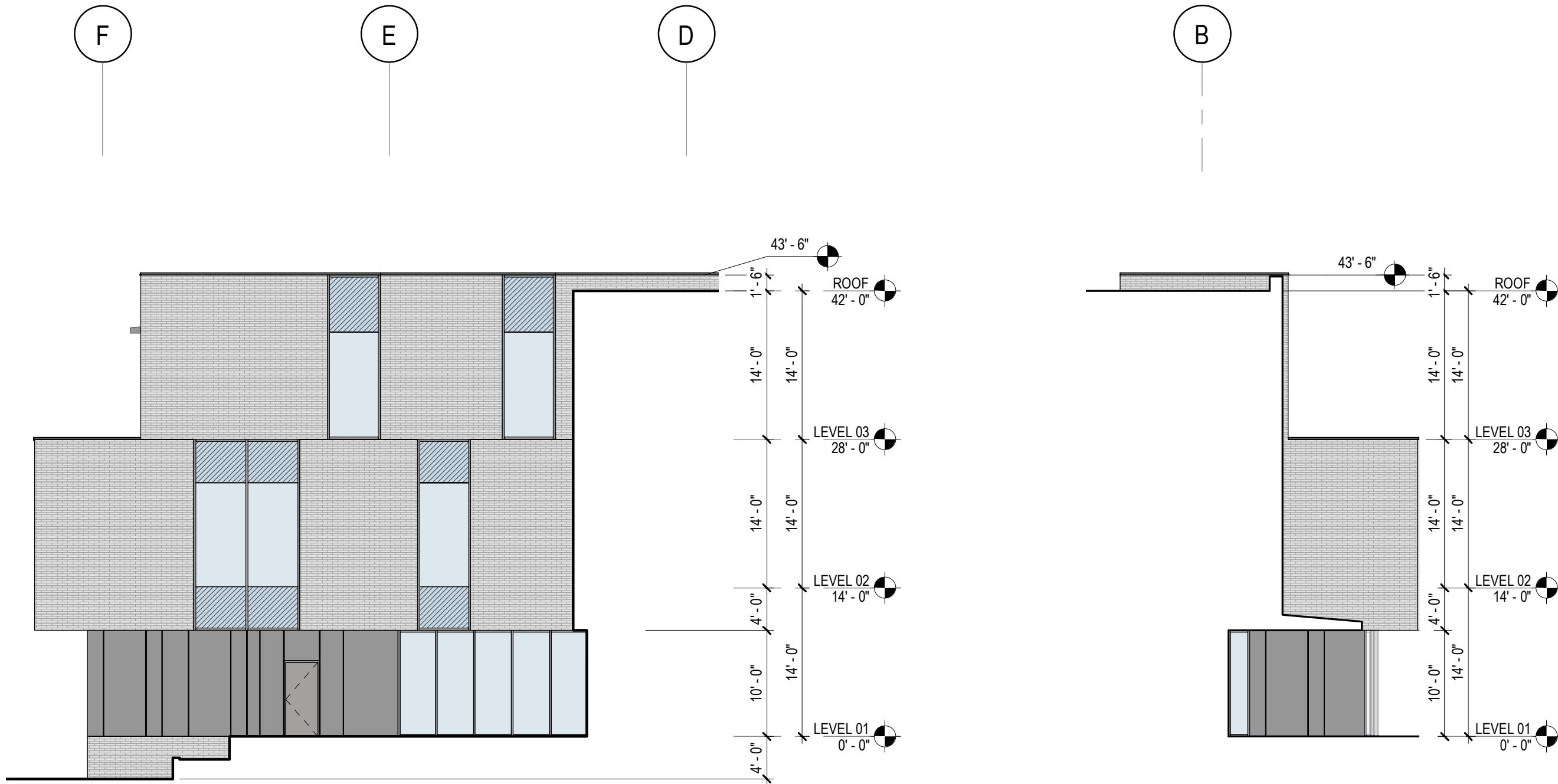
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TITLE

EXTERIOR ELEVATIONS

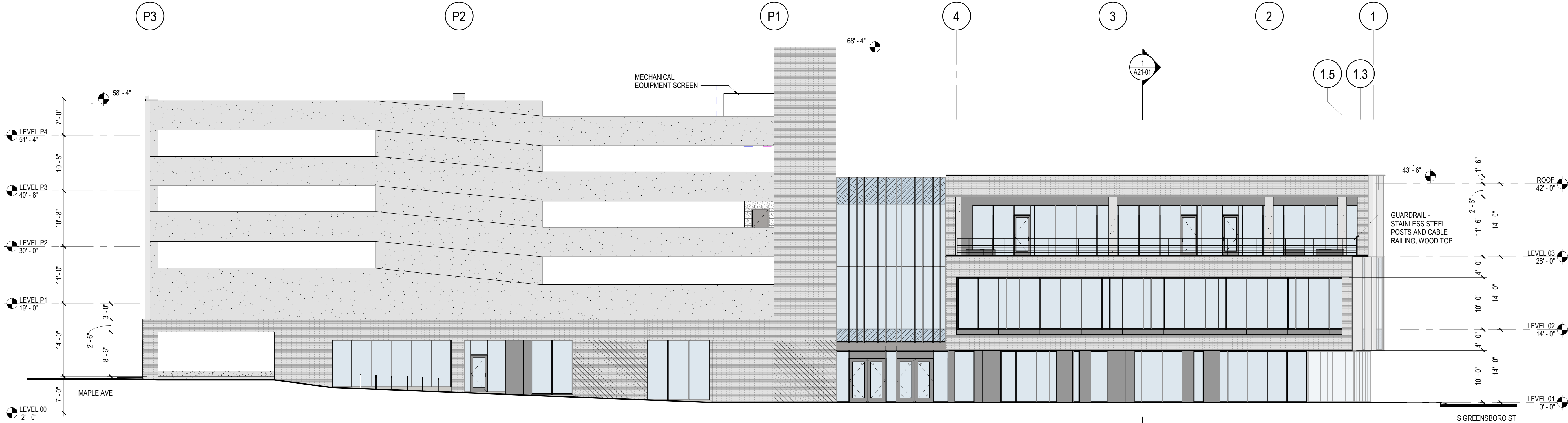
SHEET NUMBER

A20-01



3 EAST ELEVATION - COURTYARD
3/32" = 1'-0"

2 EAST ELEVATION - ENTRY
3/32" = 1'-0"



1 NORTH ELEVATION
3/32" = 1'-0"

EXTERIOR ELEVATION
GENERAL NOTES

1. 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.

EXTERIOR ELEVATION
LEGEND

- ◊ A EXTERIOR GLAZED OPENING TYPE RE: A33-XX SERIES
- Ⓣ TEMPERED GLAZING FOR CODE
- - - BUILDING EXPANSION JOINT. RE: X/AX-XX
- MASONRY EXPANSION JOINT: MATCH BRICK COLOR

MATERIALS LEGEND

- BRICK TYPE 1
- BRICK TYPE 2
- BRICK TYPE 3
- CMU
- VISION GLASS
- SPANDREL GLASS
- METAL PANEL
- CAST-IN-PLACE CONCRETE

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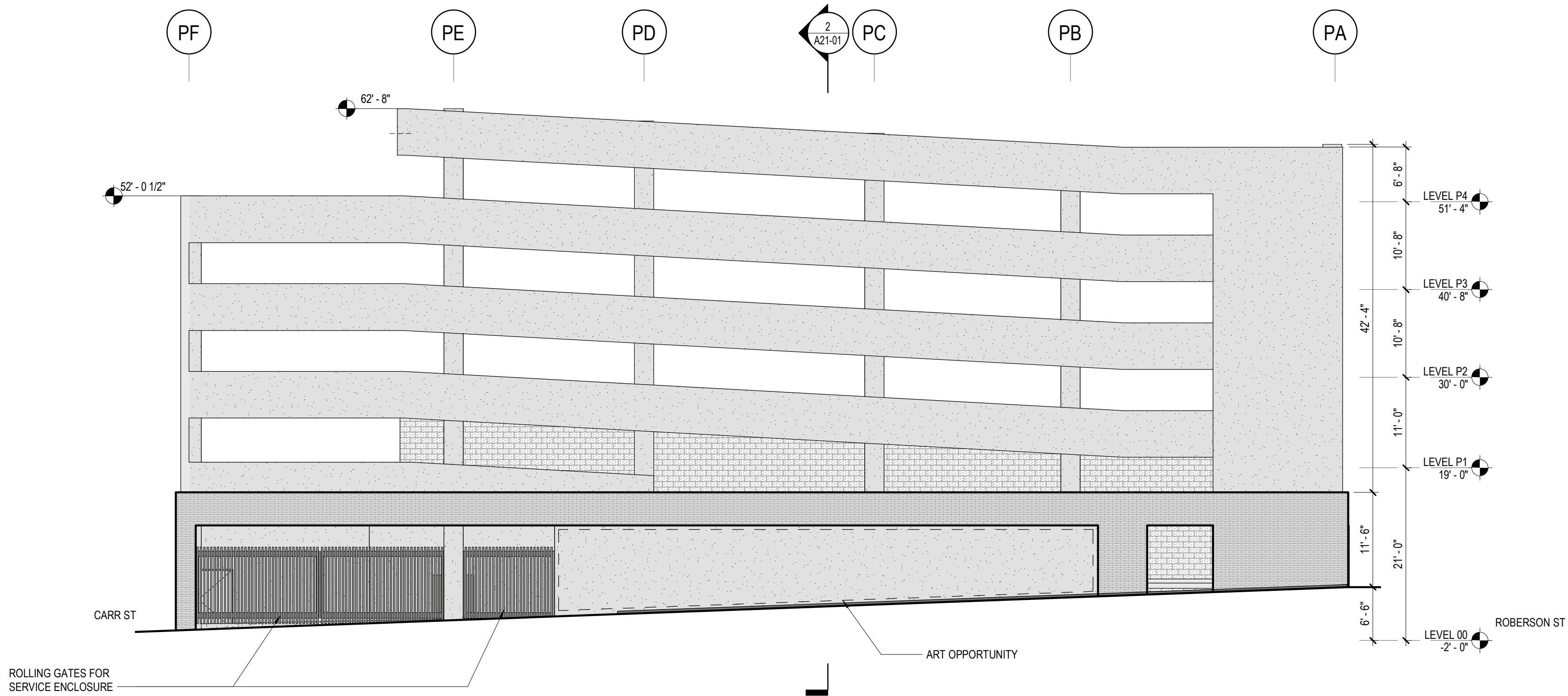
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EXTERIOR ELEVATIONS

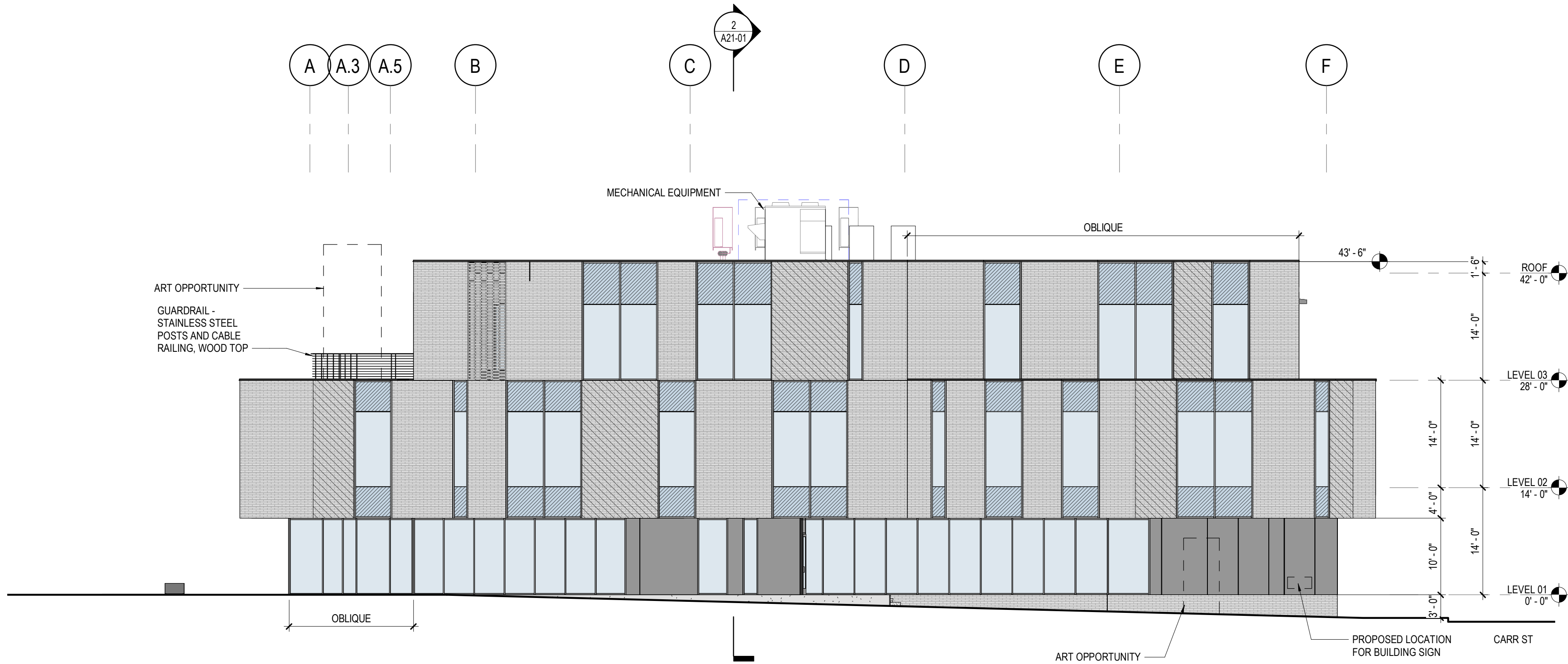
SHEET NUMBER

A20-02

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2 EAST ELEVATION
3/32" = 1'-0"



1 WEST ELEVATION - SOUTH
3/32" = 1'-0"

EXTERIOR ELEVATION
GENERAL NOTES

1. 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.

EXTERIOR ELEVATION
LEGEND

- ◊ A EXTERIOR GLAZED OPENING TYPE RE: A33-XX SERIES
- Ⓣ TEMPERED GLAZING FOR CODE
- - - BUILDING EXPANSION JOINT. RE: X/AX-XX
- MASONRY EXPANSION JOINT: MATCH BRICK COLOR

MATERIALS LEGEND

- BRICK TYPE 1
- BRICK TYPE 2
- BRICK TYPE 3
- CMU
- VISION GLASS
- SPANDREL GLASS
- METAL PANEL
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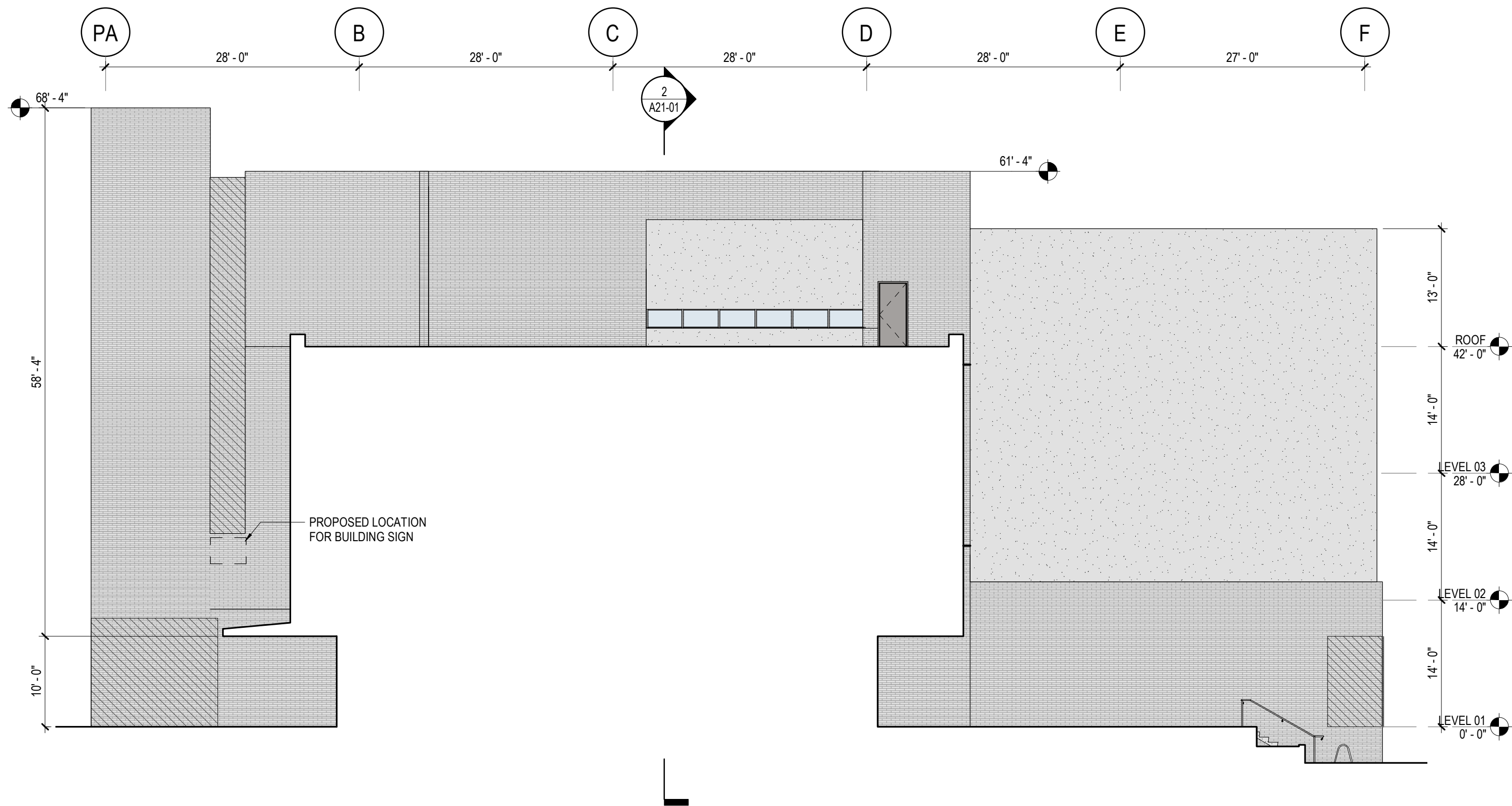
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EXTERIOR ELEVATIONS

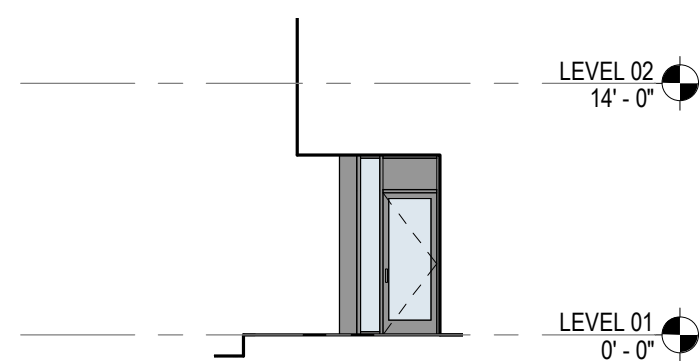
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A20-03

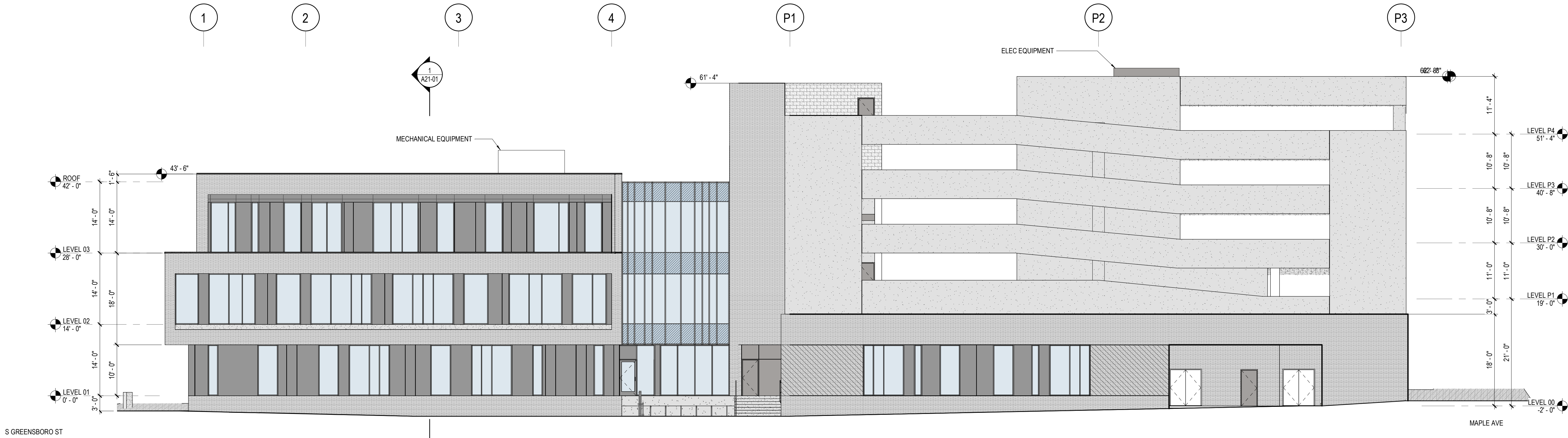
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2 WEST ELEVATION - PARKING DECK
3/32" = 1'-0"



3 SOUTH ELEVATION - GREENSBORO ST ENTRANCE
3/32" = 1'-0"



1 SOUTH ELEVATION
3/32" = 1'-0"

EXTERIOR ELEVATION
GENERAL NOTES

- MATERIAL SYMBOLS ON ELEVATIONS ARE TO DISPLAY THE EXTENT OF THE MATERIAL ONLY. THEY ARE NOT TO SCALE.
- ALL WALLS ON SOUTH AND WEST ELEVATION ARE NOT PARALLEL TO THE VIEW. SEE PLANS FOR SCALE.

EXTERIOR ELEVATION
LEGEND

- EXTERIOR GLAZED OPENING TYPE RE: A33-XX SERIES
- TEMPERED GLAZING FOR CODE
- BUILDING EXPANSION JOINT. RE: X/AX-XX
- MASONRY EXPANSION JOINT: MATCH BRICK COLOR

MATERIALS LEGEND

- BRICK TYPE 1
- BRICK TYPE 2
- BRICK TYPE 3
- CMU
- VISION GLASS
- SPANDREL GLASS
- METAL PANEL
- CAST-IN-PLACE CONCRETE

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Job Number		830608.000

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VEHICLE AND
BICYCLE PARKING
CALCULATIONS

SHEET NUMBER

G01-01

The 203 Project - Parking Calculations
Printed on: 3/12/2021

PARKING ASSUMPTIONS

Use Type	Use Type (LUO pp. 192-198)	Parking Calc (LUO pp. 417-421)	Gross floor area (net + share of)	Parking Spaces REQUIRED	Bike Parking Calc (LUO pp. 421-422) 5 min. for office use	Bike Spaces REQUIRED
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/500gsf	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/350gsf	3,378	23	1 space/10 students + 1 space/10 employees	12
Community Center	6.140	1 space/200gsf	2,949	15	no requirement	0
Storage	10.210	1 space/500gsf	1,075	0	no requirement	0
Circulation (office space use)	3.120	1 space/400gsf	4,565	11	1 bike/ 10 car	1
			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	0
Storage	10.210	1 space/500gsf	425	0	no requirement	0
Circulation (office space use)	3.120	1 space/400gsf	1,610	4	1 bike/ 10 car	0
			10,280			
TOTAL REQUIRED			50,575	152		18
TOTAL PROVIDED				171		72

The 203 Project - Parking Calc ASSUMPTIONS

Offices and Circulation Space

Within Fully Enclosed Building
3.110 Operations designed to
attract and serve
customers or clients on
the premises, such as
the office of attorneys,
engineers, other
professionals, insurance and
stock brokers, travel
agents, government
office buildings, etc.
3.120 Operations designed to
attract little or no
customer or client traffic
other than employees of
the entity operating the
premises site.

Classrooms, Messy Rooms, CNA

5.110 Trade or vocational school
5.130 Colleges, universities, community
colleges (including associated
facilities such as dormitories, office
buildings, athletic fields, etc.)

Library

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 5,000 square feet
5.320 Located within any
permissible structures

Performance Space, Multipurpose Rooms, Teen Center, Youth Center, Terrace

6.140 Community Center is a Town
sponsored, non-profit indoor
facility providing for one or
several of various type of
recreational uses. Facilities in
a Community Center may in-
clude, but are not limited to:
gymnasium, swimming pool,
indoor court areas, meeting
activity rooms, and other
recreational uses.

Terrace? Not Used but thought I would put it here for discussion

6.200 Activity conducted primarily outside
enclosed buildings or structures
6.221 Town of Carrboro owned
and operated facilities.

Storage

10.210 All storage within completely
enclosed structures
10.220 Storage inside or outside
completely enclosed structures

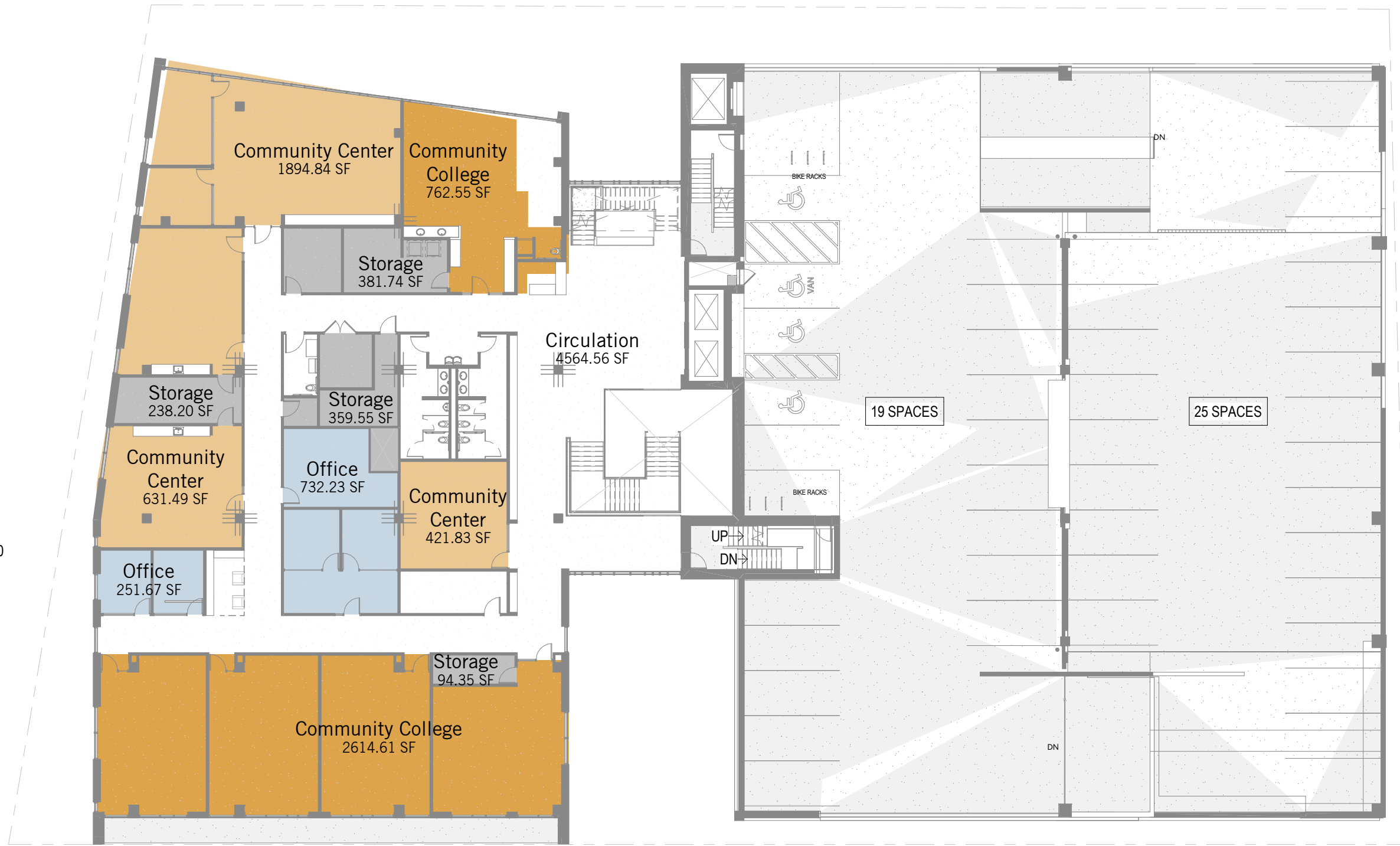
Other?

15.800 Town-owned and/or Operated
Facilities and Services
15.810 Town-owned and/or Operated
Public Parking Lot
15.820 All other town-owned and/or
operated facilities and services

No parking requirement for this use. Could town assign the
requirement?

PARKING CALCS AREAS

- Circulation 3.120
- Community Center 6.140
- Community College 5.130
- Offices 3.120
- Storage 10.210



3 LEVEL 02 Parking Calcs

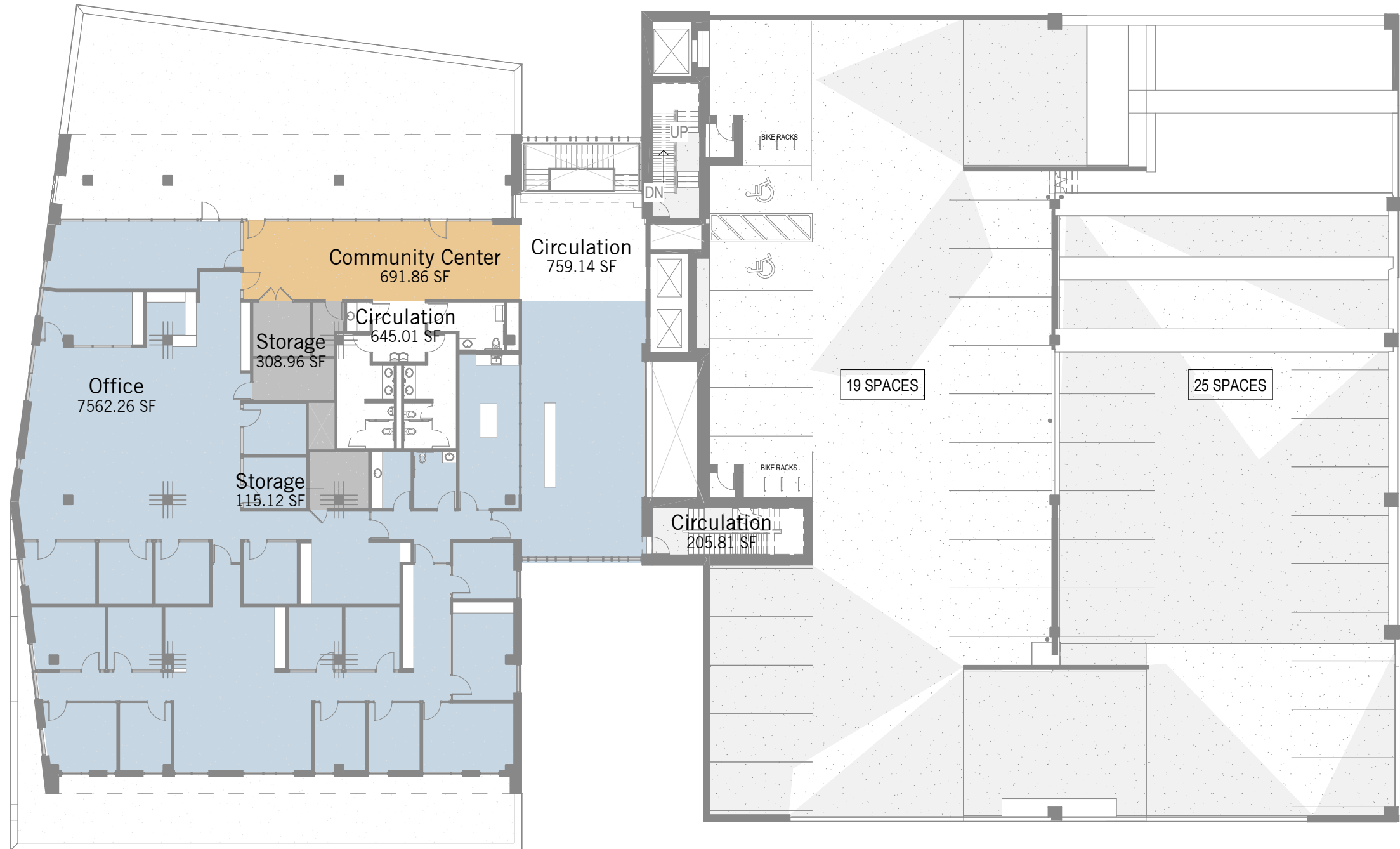
3/64" = 1'-0"

2 PARKING CALCULATIONS

12" = 1'-0"

PARKING CALCS AREAS

- Circulation 3.120
- Community Center 6.140
- Offices 3.120
- Storage 10.210



4 LEVEL 03 Parking Calcs

3/64" = 1'-0"

1 LEVEL 01 Parking Calcs

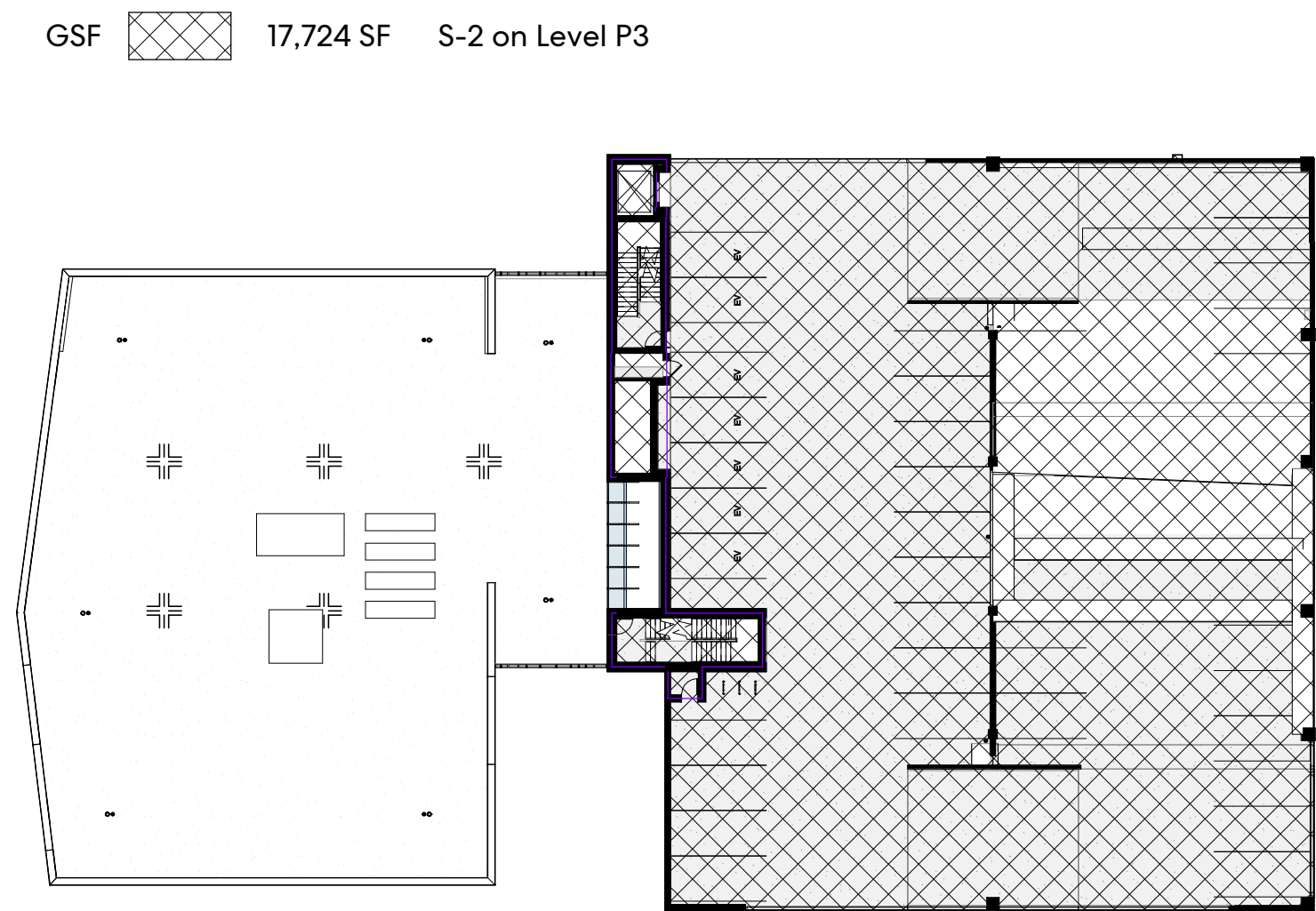
3/64" = 1'-0"

PARKING CALCS AREAS

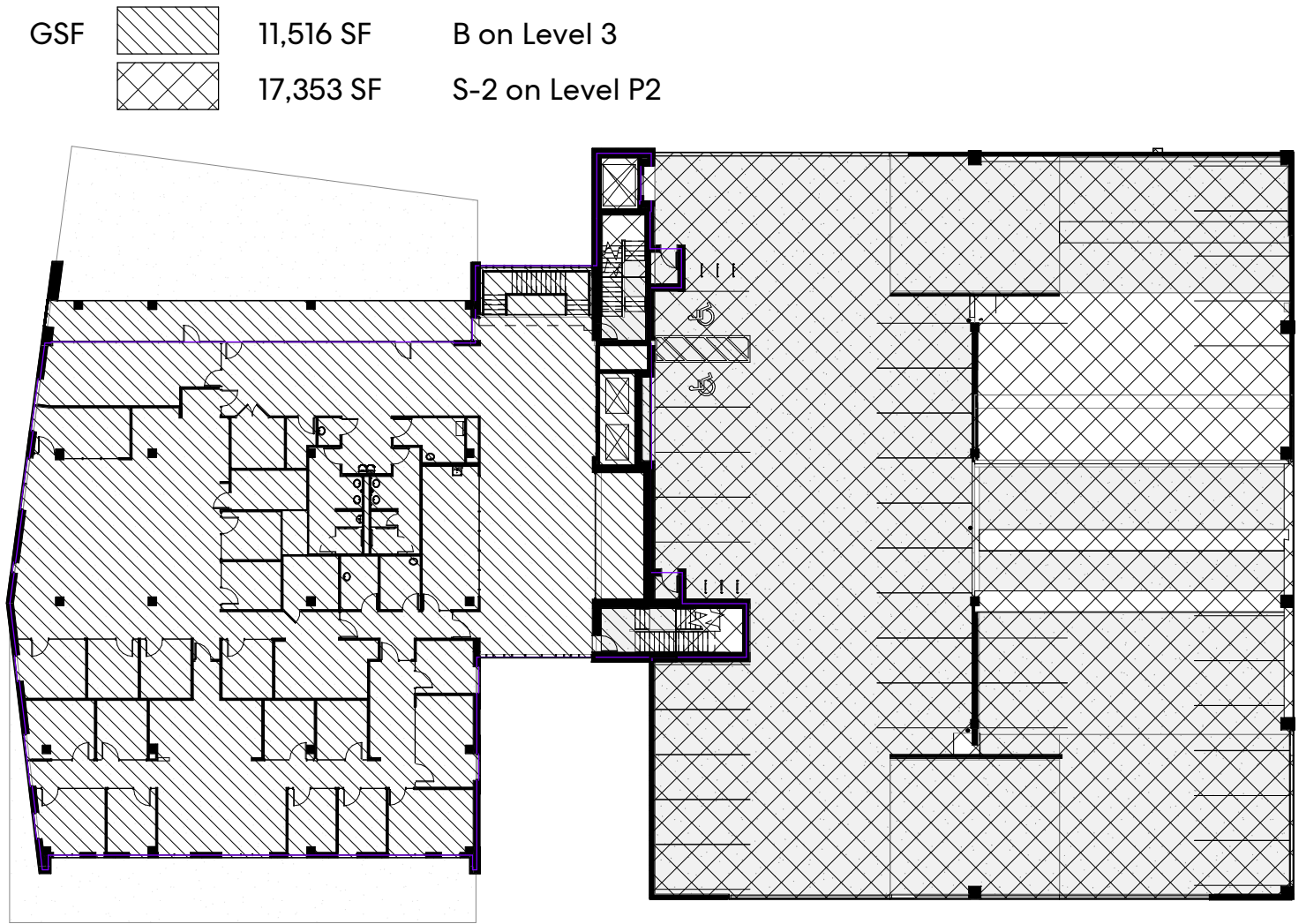
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- Storage 10.210



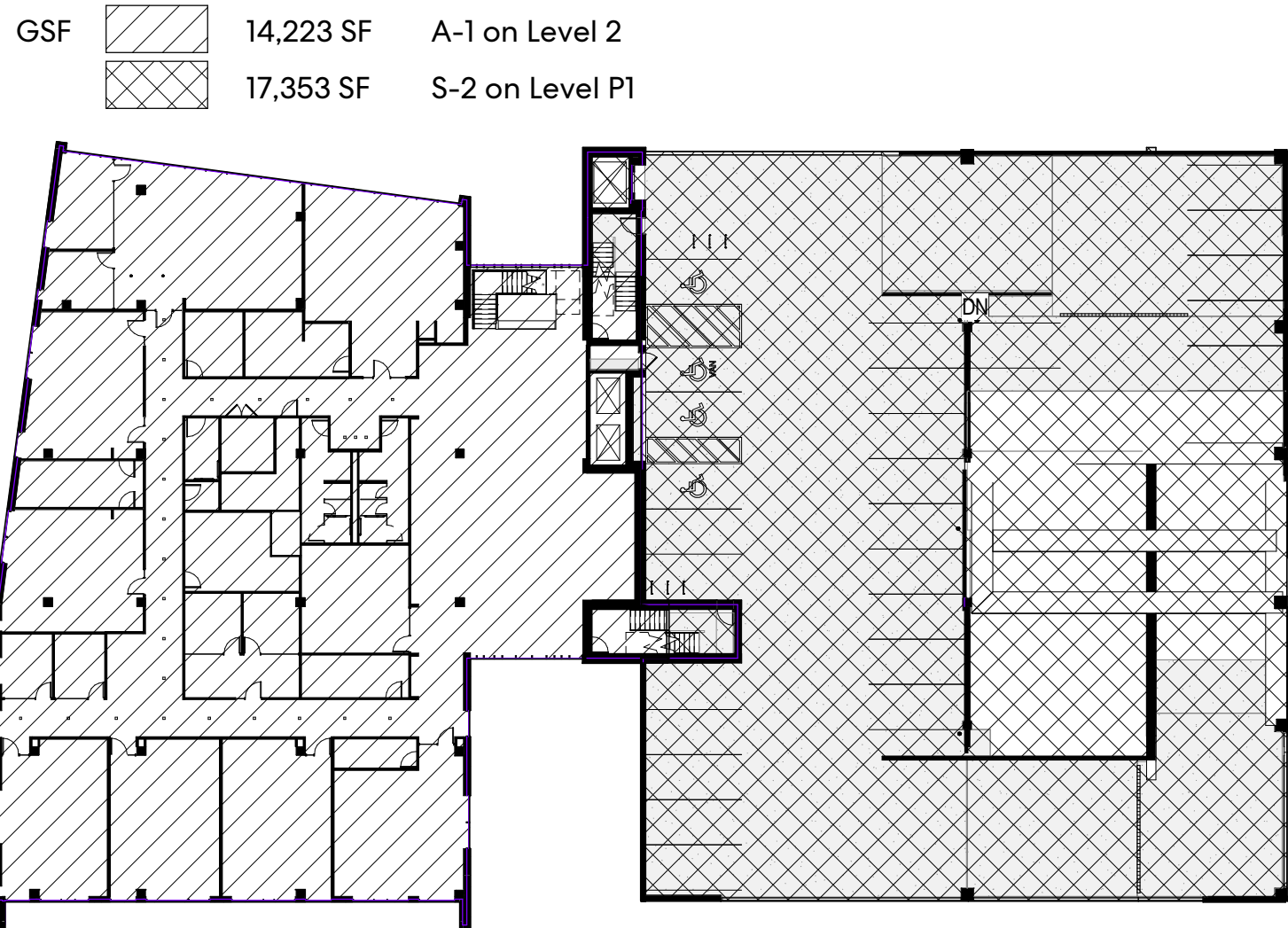
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4 LEVEL P3-ROOF
1/32" = 1'-0"



3 LEVEL 03-P2
1/32" = 1'-0"



2 LEVEL 02-P1
1/32" = 1'-0"



1 LEVEL 00-01
1/32" = 1'-0"

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KEYPLAN

ISSUE CHART

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Job Number		830608.000

TITLE

CODE COMPLIANCE-
ALLOWABLE AREA

SHEET NUMBER

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Raleigh, NC 27601
STRUCTURAL

Lynch Mykins
415 Hillsborough Street, Suite 101,
Raleigh, NC 27603
MEPPP

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



203 South Greensboro Street,
Carrboro, NC 27510

KEYPLAN

ISSUE CHART

MARK	ISSUE	DATE
Job Number	830608.000	

TITLE

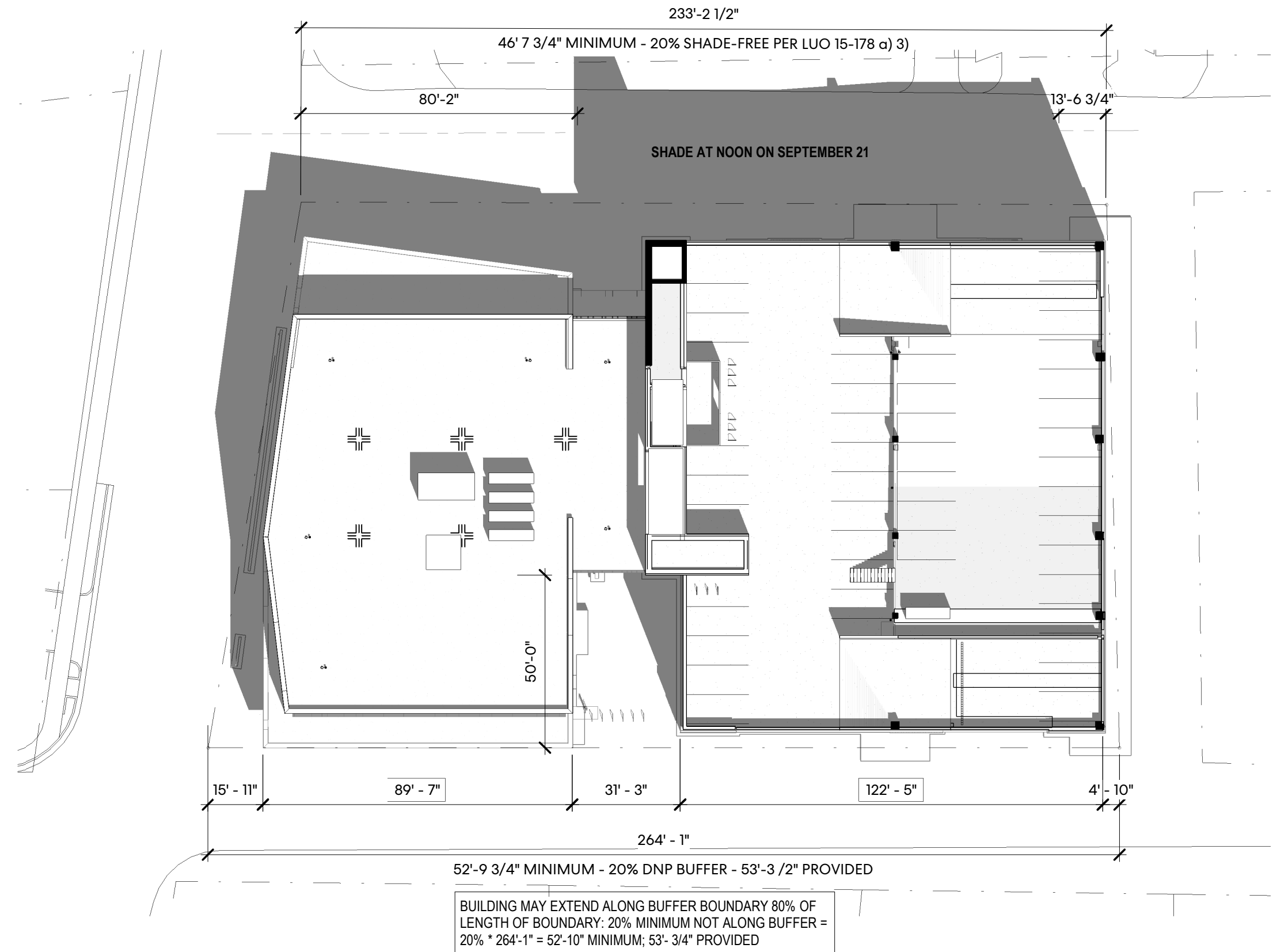
LUO ZONING
REQUIREMENTS

SHEET NUMBER

G01-03

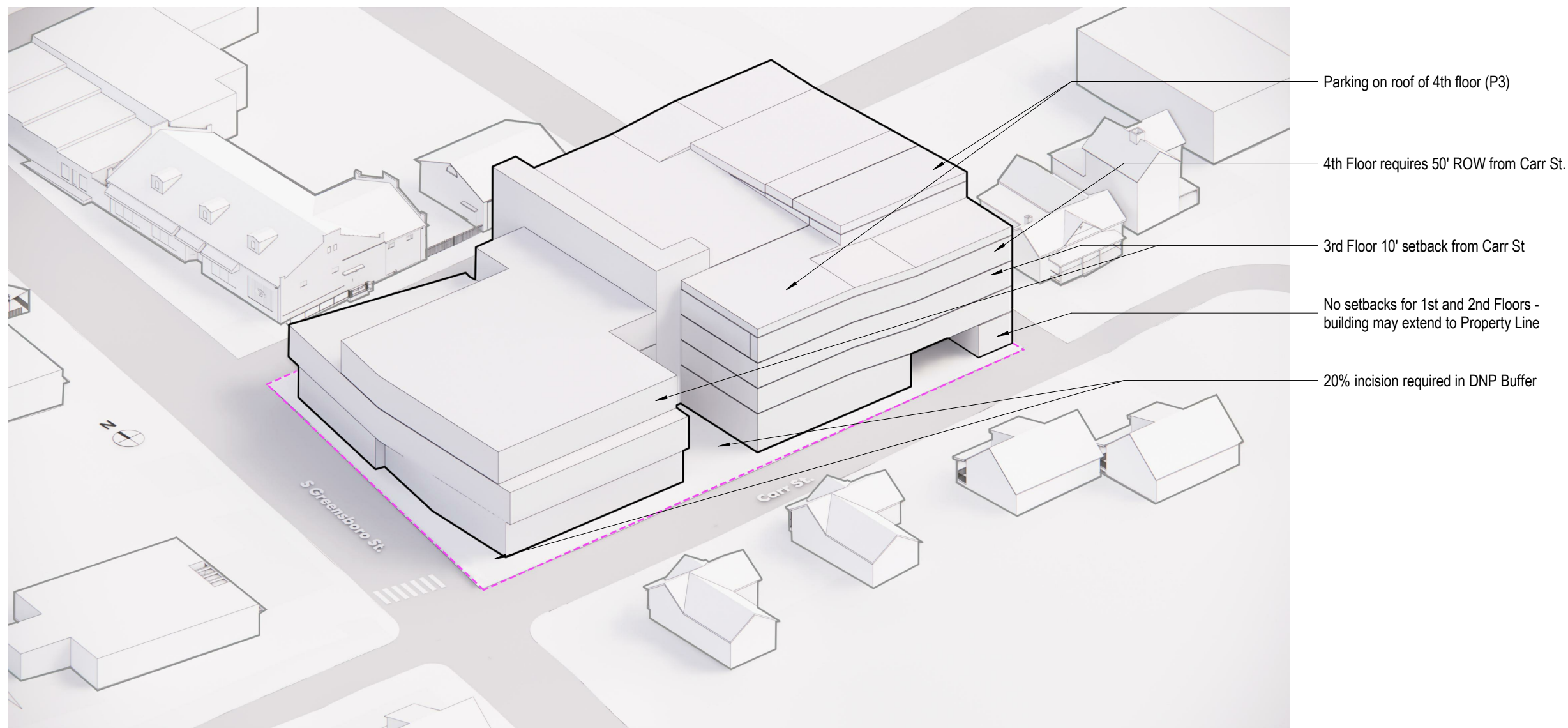
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SITE PLAN RE-SUBMITTAL 03.12.2021



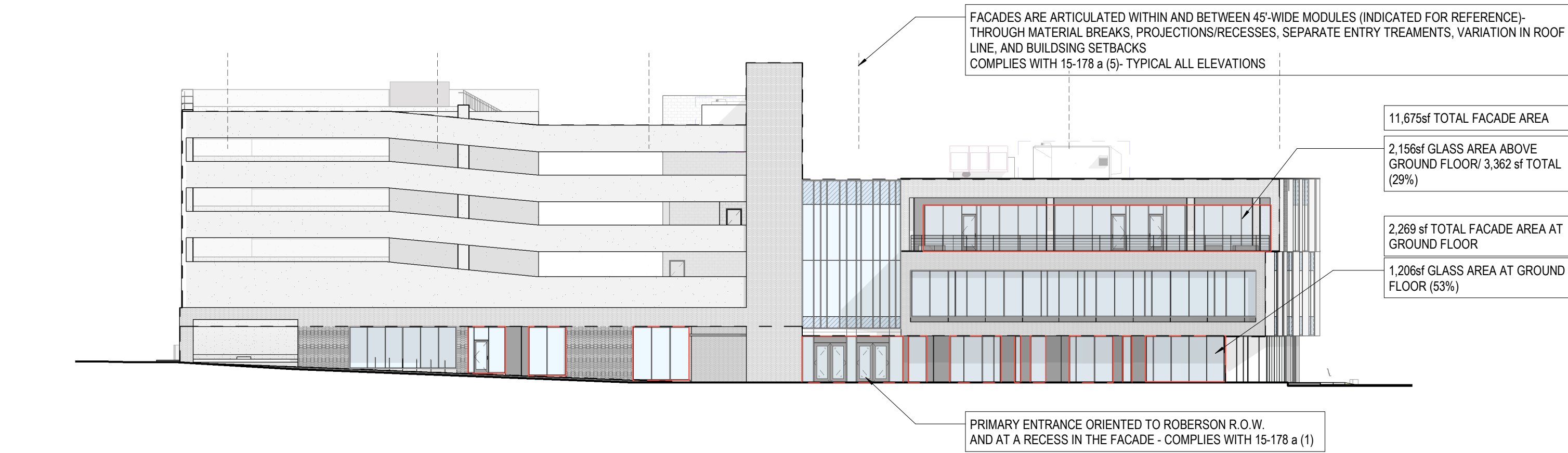
SHADE-FREE ZONE PER LUO 15-178 &
DNP BUFFER PER LUO 15-185.1 c)

1/32" = 1'-0"



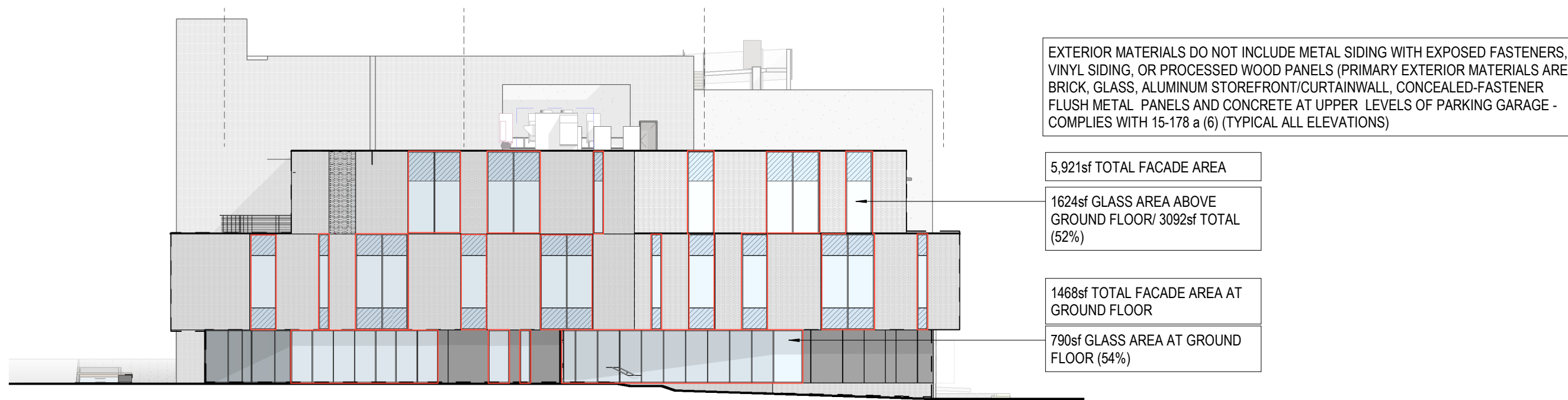
ZONING SETBACKS PER LUO 15-185 3)

1/4" = 1'-0"



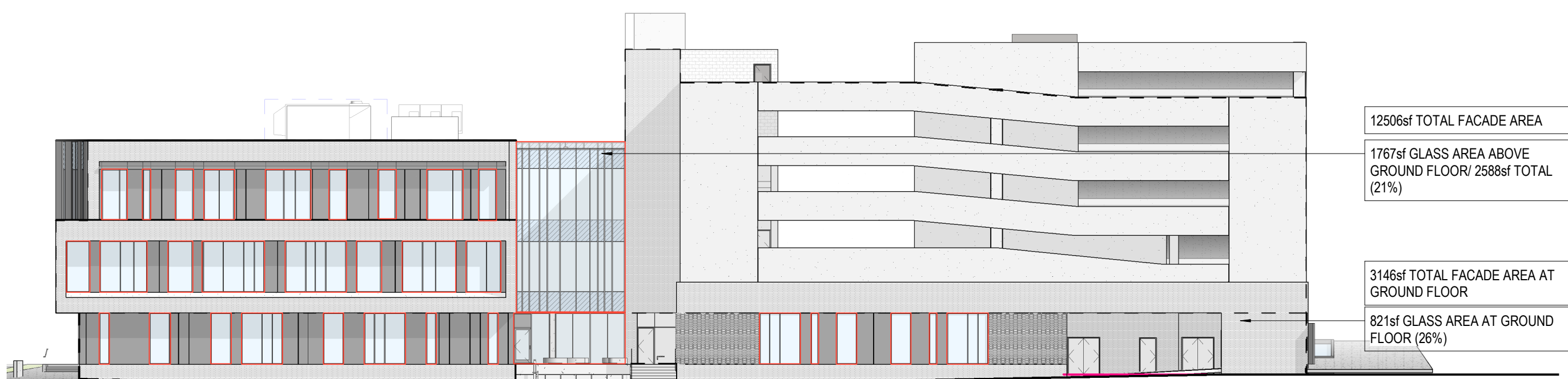
NORTH ELEVATION- LUO COMPLIANCE

3/64" = 1'-0"



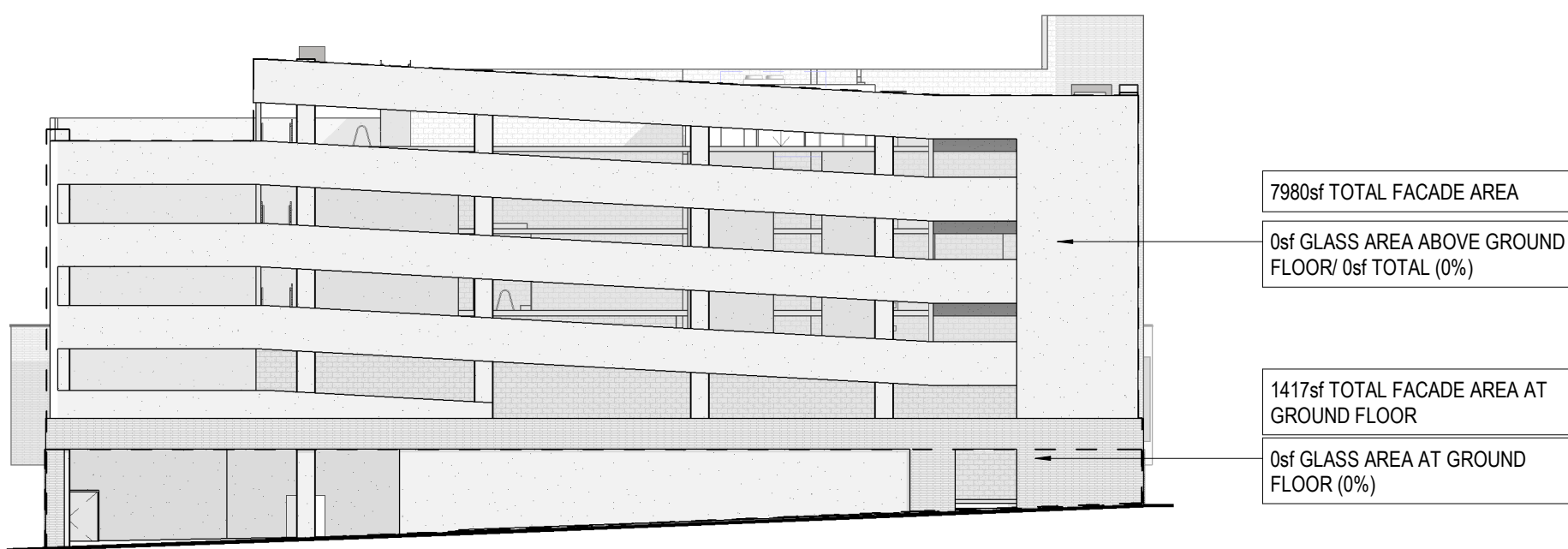
WEST ELEVATION - LUO COMPLIANCE

3/64" = 1'-0"



SOUTH ELEVATION-LUO COMPLIANCE

3/64" = 1'-0"



EAST ELEVATION- LUO COMPLIANCE

3/64" = 1'-0"

General Notes

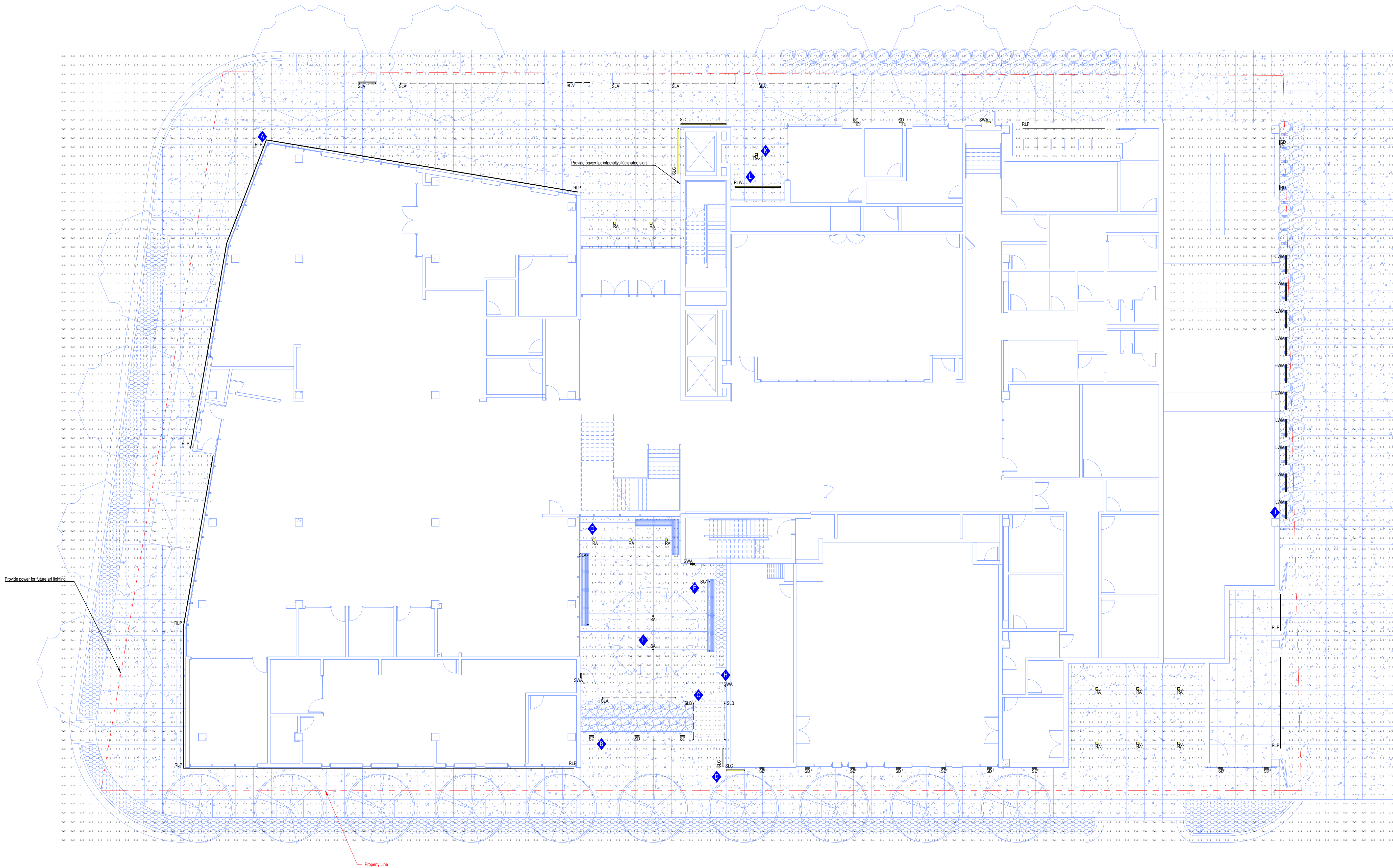
- See Architectural drawings for all mounting details and corresponding specifications. Lighting fixture manufacturer to approve mounting details prior to final order.
- Contractor shall verify that all lighting equipment specified - in its application on this project - complies with all applicable national 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.

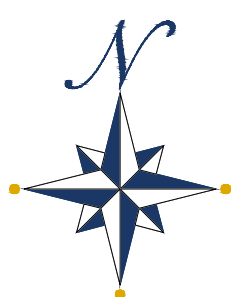
These drawings represent visual concepts and suggestions only. Please rigidly observe all local electrical, structural and safety procedures and codes. Available Light is unqualified to determine structural, electrical or safety appropriateness and will NOT assume responsibility or liability for improper 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 mounted into wall. (Type SD) Typical.
- ◆ 1.5" Diameter handrail with integrated LED linear 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.
- ◆ 4" Square recessed LED downlight fixture in exterior canopy. (Type RA) Typical.
- ◆ 12" Wide by 5" tall by 3-1/2" deep surface mounted direct LED sconce fixture attached to exterior wall. (Type SWA) Typical.
- ◆ 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.



1 Scale: 3/32" = 1'-0"



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Available Light

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AUDIO & VISUAL

The Sextant Group

92 Cornerstone Drive, Suite 204, Cary, NC 27519

AUDIO & VISUAL

The Sextant Group

92 Cornerstone Drive, Suite 204, Cary, NC 27519

OWNER

Town of Carrboro

301 West Main Street, Carrboro, NC 27510

FACILITY

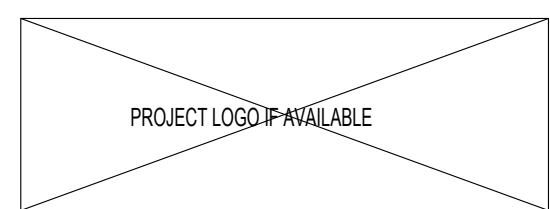
Town of Carrboro

203 South Greensboro Street, Carrboro, NC 27510

CONTRACTOR

PROGRESS SET FOR REVIEW ONLY
DESIGN REVIEW AND NOT
INTENDED FOR CONSTRUCTION,
BIDDING, OR PERMIT PURPOSES.
THEY WERE PREPARED BY OR
UNDER SUPERVISION OF:
--

PROJECT



THE 203 PROJECT

203 South Greensboro Street,
Carrboro, NC 27510

TOWN OF CARRBORO/
ORANGE COUNTY/
WCOM

KEYPLAN

ISSUE CHART

MARK: _____ ISSUE: _____ DATE: _____

Job Number: _____ TITLE: _____

LIGHTING LAYOUT - SITE

01

SHEET NUMBER

AL100



Town of Carrboro

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

Agenda Item Abstract

File Number:21-253

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Energy and Climate Protection Plan and Community Climate Action Plan Implementation Update

PURPOSE: The purpose of this item is to update the Council on Energy and Climate Protection Plan and Community Climate Action Plan Implementation Efforts.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Laura Janway, Environmental Sustainability Coordinator, ljanway@townofcarrboro.org, (919) 918-7342; Patricia McGuire, Planning Director, pmcguire@townofcarrboro.org, (919) 918-7327

INFORMATION: The purpose of this item is to provide the Board with an update on the implementation of two climate action plans, the municipal Energy and Climate Protection Plan (ECPP) and Community Climate Action Plan (CCAP). Work on the ECPP has been underway since the Board's adoption on May 28, 2014. (A complete copy of the ECPP can be found at: <http://www.townofcarrboro.org/DocumentCenter/View/553/Energy--Climate-Protection-Plan-2014>). Progress on the CCAP has been ongoing since the Board's adoption of the plan on January 24, 2017. (A complete copy of the CCAP may be found at: <http://www.townofcarrboro.org/DocumentCenter/View/4116/Community-Climate-Action-Plan>). This update includes a detailed report describing ECPP and CCAP implementation since the January update (Attachment B).

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

RECOMMENDATION: Staff recommends the Town Council consider the attached resolution to receive the report.

A RESOLUTION RECEIVING AN UPDATE ON THE CLIMATE AND ENERGY
PROTECTION PLAN AND COMMUNITY CLIMATE ACTION PLAN

WHEREAS, the Town Council has received a presentation regarding the Energy and Climate Protection Plan and the Community Climate Action Plan; and

WHEREAS, the Town of Carrboro has a number of emissions-reduction projects in process; and

WHEREAS, Town staff have requested Council input at key milestones; and

WHEREAS, staff have provided the Council with updates on particular projects at regular Intervals; and

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Town Council that the Council receives this update on the implementation of the Energy and Climate Protection Plan and the Community Climate Action Plan.

This the 22nd day of June in 2021.



TOWN OF CARRBORO

TRANSMITTAL

Manager's Office

DELIVERED VIA: ☐ HAND ☐ MAIL ☐ FAX ☒ EMAIL

To: David Andrews, Town Manager

From: Laura Janway, Environmental Planner
Patricia McGuire, Planning Director

Date: June 22, 2021

Subject: Implementation Update: Energy and Climate Protection Plan (2014)
& Community Climate Action Plan (2017)

Summary

The purpose of this memo is to provide the Board with a progress report on implementation of the Energy and Climate Protection Plan (ECPP), adopted May 28, 2014, and the Community Climate Action Plan (CCAP), adopted January 24, 2017. The ECPP concentrates on lowering municipal greenhouse gas (GHG) emissions and the CCAP has recently been updated with an 80% reduction goal in per capita greenhouse emissions by 2030. Town staff are examining and pursuing several initiatives to reach the emissions reductions goals.

Staff have continued to implement the ECPP through the Facilities Rehabilitation and Renovation Project. The Town Council and the Environmental Advisory Board provided input on the definition of net zero for Town buildings. Staff also provided guidance to a graduate student who finalized an update to the Town's municipal and community GHG inventories and analyzed additional emissions related to natural gas usage.

Recent CCAP implementation measures include submitting a grant for two electric vehicle (EV) charging stations on Town property. The proposals were successful and the stations will be installed this summer. Staff are also moving forward with the Green Neighborhoods Grant Program and are finalizing a program for independent volunteer work to remove invasive species. Staff drafted a charge for a new advisory board, the Climate Action Team (CAT), which the Town Council approved. Planning Department and Public Works staff organized a volunteer event to plant landscape-sized trees and other riparian vegetation in Henry "Hank" Anderson III Community Park as part of a grant received from the NC Urban Forest Council. Additionally, staff, along with a volunteer from the Environmental Advisory Board (EAB), are in the final stages of an analysis to create a baseline food emissions profile for the Town to inform future implementation of CCAP Food Choices recommendations.

Energy and Climate Protection Plan

Facilities Rehabilitation and Renovation

- *Policy Connections:* ECPP Section 2.B.i: Building Assessments and Ratings

Planning Department and Public Works staff worked to coordinate the presentation of net zero choices for the Facilities Rehabilitation and Renovation project to the Environmental Advisory Board. On January 11, 2021, Christian Kaltreider and Ish Sud from Sud Associates, P.A. presented to the EAB. The EAB provided comments and agreed with the definition preferred by the Town Council. Staff brought a resolution to the Council to approve the definition and receive additional feedback. In May 2021, the Council received presentations on the Town Hall & Century Center Concept Plans and an overview of energy and sustainability options and recommendations from the Public Works Department and consultants.

Municipal and Community Greenhouse Gas Inventories

- *Policy Connections:* ECPP Section 4 (Measurement, Inventory, Assessment, and Reporting). Pursuing these activities will inform actions and stakeholders and create transparency.

Mr. Jacob Becker recently worked to update Carrboro's municipal and community greenhouse gas inventories for his Master's Project. The project had three goals:

- Explore the effectiveness of Carrboro's policies in decreasing greenhouse gas emissions from the Town's most recent municipal and community greenhouse gas inventories.
- Quantify the impact of fugitive methane on GHG inventories.
- Recommend additional policies to meet Carrboro's goal of 80% carbon reduction by 2030 compared to 2010 levels.

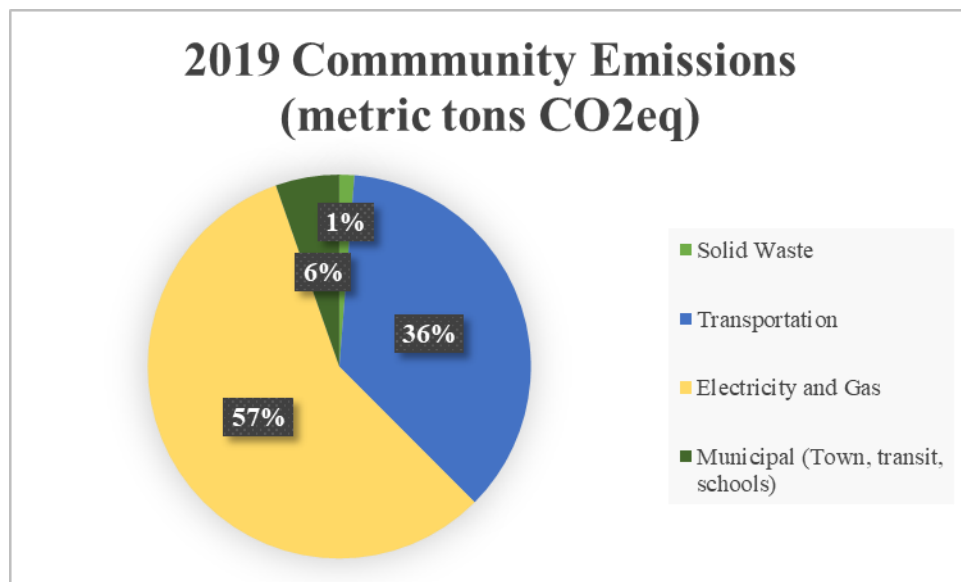
The results from Mr. Becker's analysis comparing municipal and community emissions from 2009, 2012, and 2019 are shown in the table below. Emissions were measured in metric tons of carbon dioxide equivalent (CO₂eq).

Emissions 2009-2019

Community Emissions	2009 Emissions (metric tons CO₂eq)	2012 Emissions (metric tons)	2019 Uncorrected Emissions (metric tons)	Change 2012 to 2019	% Change 2012 to 2019
Solid Waste	1,678.00	3,034.00	1,336.77	(1,697.23)	-56%
Transportation	31,576.00	31,183.00	38,342.34	7,159.34	23%
Electricity and Gas	71,645.00	70,355.00	60,433.53	(9,921.47)	-14%
Total Community	104,899.00	104,572.00	100,112.64	(4,459.36)	-4%
Per Capita	5.27	5.31	4.72	(0.59)	-11%
Municipal Emissions	8,718.00	7,382.00	5,681.56	(1,700.44)	-23%

Total community emissions have decreased 4% since 2012. There has been a 11% decrease in per capita emissions since 2012 and municipal emissions have decreased 23% in this time period. Vehicle emissions increased 23% due to an increase in miles driven in Carrboro. Emissions from electricity and natural gas decreased by 14% due to changes in the electric grid, however, overall energy usage increased by 6% due to an increase in natural gas usage.

In each of the three inventoried years, residential and commercial electricity use are responsible for most greenhouse gas (GHG) emissions, followed by transportation and gas heat. At the municipal level, emissions from electricity usage and gas heat produce the most emissions, followed by transit and vehicle use. Emissions from landfill trash account for ~1% total GHG emissions.



In addition, Mr. Becker performed an analysis to account for additional methane emissions created from the entire lifecycle of natural gas production, transmission, storage, and downstream distribution. Methane is a more potent greenhouse gas than carbon dioxide and in previous inventories, the factor sets used did not account for a leaked methane from pipelines and supply chains. Using research on estimated methane leak rates, Mr. Becker found that accounting for these methane emissions increases the total CO₂eq emissions for 2019 by 9.2%, or 8,650 metric tons.

If the Town Council has interest, staff can provide deeper analysis of this report in the fall.

Police Department Electric Vehicle (EV) Exploration

In March 2021, the Town Manager asked staff to research the potential for electric police vehicles for Carrboro. Staff have been researching potential vehicle models, return on investment, greenhouse gas emissions savings, and infrastructure needs. In FY21-22, the Town will continue to evaluate alternatives and options to convert its entire fleet to a fuel source other than gas to reduce greenhouse gas emissions.

FY21-22 Budget

In March 2021, staff completed a budget request for the FY21-22 Budget, along with the FY21-22 Environmental Sustainability Work Plan. The Work Plan was presented to the Environmental Advisory Board at their June 7th meeting.

Climate Action Team (CAT)

- *Policy Connections:* CCAP Community Integration Recommendation #5: Expand Capacity

The Town Council adopted a Town Code Amendment to create the Climate Action Team on October 20, 2020. The Town Code has been updated and the Town Clerk is promoting open seats and collecting applications for this advisory board. As of June 16th, seven applications have been received. The timeline for bringing applicants to the Town Council for appointment will be determined as additional applications are received.

Green Neighborhoods Grant Program

- *Policy Connections:* CCAP Community Integration Recommendation #3: Create Participatory Green Neighborhood Budgeting Program to Reduce Carbon Emissions, Build Community, Save Money, and Reallocate Savings to New Green Project Initiatives

Staff have incorporated comments from the Town Council into the program. Staff are currently planning to move forward at the beginning of July with an outreach campaign for the program. EAB members have indicated interest in holding meetings this summer to help launch the program. Applications will be due in the Fall 2021.

Modules Project

- *Policy Connections:* CCAP Community Integration Recommendation #5: Expand Capacity

Staff have been working with members of the community to create a library of modules to share with the public and local partners. Four modules have been reviewed by the Environmental Advisory Board and edited by volunteers and staff. These modules discuss transportation, ecosystems, composting, and food choices.

Orange County Community Climate Action Grant Program

- *Policy Connections:* CCAP Buildings Recommendation #1: 80% Challenge; Ecosystem Recommendation #3: Accelerate/Expand Organic Waste Collection/Composting; ECPP

Recommendation 3.C: Renewable Portfolio

Staff are exploring the submission of applications to this program in July 2021 to fund several projects, involving solar photovoltaic panels, a green roof, and organics collection/composting.

Building Energy Efficiency Measures

Energy Efficiency Revolving Loan Fund (EERLF)

- *Policy Connections:* Buildings Recommendation #1, #2: Reduce Emissions Attributed to Carrboro Buildings by 50% by 2025; Energy Audit/Performance Rating; Community Integration Recommendation #4, #6: Integrate Climate Action with Local Living Economy; Facilitate Low Cost Financing for Energy Efficiency and Renewable Energy Projects

Staff expect to be actively working to move forward with this program in the next quarter. Staff will also examine opportunities to leverage this funding with larger-scale Federal programs.

Transportation

Volkswagen (VW) Settlement Phase 1 – Level 2 Charging Station

- *Policy Connections:* ECPP Goals; CCAP Transportation Recommendation #1: Reduce Greenhouse Gas Emissions from Motor Vehicle Use by 50% by 2025.

Town staff submitted two applications for Level 2 Charging Stations on Town property in January 2021. In March 2021, staff were informed that the proposals were successful. The charging stations will be located in Dr. Martin Luther King Jr. Park and the Rosemary St. Municipal Parking Lot. Staff have executed agreements with the North Carolina Department of Environmental Quality for both stations. Public Works staff have been in contact with Duke Energy, charging station vendors, and electricians and are moving forward to install the charging stations this summer. The stations are required to be in operation by September 2021.

Transportation Demand Management (TDM) Grant – Fresh Starts Project

- *Policy Connections:* CCAP Transportation Recommendation #4: Further Promote Walking, Biking, Transit

This project will involve a partnership between the Center for Advanced Hindsight, the Town of Carrboro, and Orange County to design and study the efficacy of transportation welcome packets for new residents. Project work will begin at the start of the next fiscal year in July 2021.

Contribution to Piedmont Electric Membership Corporation (PEMC) for Level 1 Electric Vehicle (EV) Charging Station at Carrboro Plaza

- *Policy Connections:* ECPP Goals; CCAP Transportation Recommendation #1: Reduce Greenhouse Gas Emissions from Motor Vehicle Use by 50% by 2025.

Piedmont Electric Membership Corporation has been awarded funding from the Volkswagen Settlement Phase 1 Zero Emission Vehicle Infrastructure Program for a DC Fast Charging Station in Carrboro Plaza (https://files.nc.gov/ncdeq/Air%20Quality/motor/vw-phase-1-images/DCFAST_AWARDEES.pdf). The Town will contribute funding towards PEMC's match for the grant, as it will help Carrboro work toward CCAP goals. Staff have been in discussion with PEMC and are finalizing the payment of this contribution.

Ecosystem Protection and Enhancement

NC Urban Forest Council Grant

- *Policy Connections:* Ecosystem Recommendation #4: Tree Preservation, Protection and Conservation; Ecosystem Recommendation #6: Pursue Watershed Restoration Actions to Protect Local Streams from Changes in Rainfall Due to Climate Change

Staff had planned to organize a second volunteer event for this project in January to plant live stakes along the stream. However, due to high levels of local and statewide COVID-19 cases and the extension of the Governor's Stay-at-Home Order, staff decided to hold a virtual event. On March 6th, staff held a live presentation using Zoom to discuss the project with Carrboro residents, followed by a question and answer session. Staff submitted the final project report in April 2021.

Bee City USA

Staff submitted a yearly report and renewed the Town's participation in Bee City USA in February 2021. In March 2021, Mayor Lavelle joined the Mayors' Monarch Pledge, which involves committing to create habitat for the monarch butterfly and pollinators and to educate residents about how they can make a difference at home and in their community. Staff worked to determine that the following action items would fit within the Town's FY21-22 Environmental Sustainability Work Plan:

- Issue a Proclamation to raise awareness about the decline of the monarch butterfly and the species' need for habitat.
- Launch or maintain a public communication effort to encourage residents to plant monarch gardens at their homes or in their neighborhoods
- Host or support a native seed or plant sale, giveaway or swap.
- Host or support a monarch neighborhood challenge to engage neighborhoods and homeowners' associations within the community to increase awareness and/or create habitat for the monarch butterfly.
- Launch, expand, or continue an invasive species removal program that will support the re-establishment of native habitats for monarch butterflies and other pollinators.

- Display educational signage at monarch gardens and pollinator habitat beyond monarch demonstration gardens.
- Change weed or mowing ordinances to allow for native prairie and plant habitats.
- Direct city property managers to consider the use of native milkweed and nectar plants at city properties, where appropriate.
- Change ordinances so pesticide, herbicide, insecticide or other chemicals used in the community are not harmful to pollinators.
- Adopt ordinances that support reducing light pollution

Invasive Species Volunteer Events

- *Policy Connections:* Ecosystem Recommendation #5: Improve Regulations and Community Capacity to Discourage Invasive Plants and Encourage Native Plants

The Town's Environmental Sustainability Coordinator will continue to supervise small monthly meet-ups at Wilson Park to control invasive species. Public Works staff have also worked to coordinate pickups to remove the vegetation. Staff are now working on a new direction for this project and are pursuing the creation of a program for volunteers to work independently, which will be presented to the Council in the fall. Staff have reached out to local municipalities with Adopt-a-Park/Trail programs for input and will be modeling the program to meet the Town's needs.

Composting Bin Sales

- *Policy Connections:* Ecosystem Recommendation #3: Accelerate/Expand Organic Waste Collection/Composting

Town staff have launched composting bin sales and are working with the Town's Communication Manager to promote the sales and perform additional outreach with a composting how-to video. Carrboro residents can purchase compost bins by mailing an order form and payment to Town Hall. Planning Department staff will provide contactless bin delivery. Staff will work to provide additional purchasing options, including in-person purchasing, when COVID-19 precautions no longer need to be in place.

Managed Natural Landscape Ordinance

- *Policy Connections:* Ecosystem Recommendation #5: Improve Regulations and Community Capacity to Discourage Invasive Plants and Encourage Native Plants

Town staff have incorporated comments from the North Carolina Botanical Garden and New Hope Audubon Society as requested by the Town Council in October 2020. Staff have also incorporated comments from Carrboro residents and will continue to meet with residents to discuss the ordinance. A new draft ordinance will be presented to the Council in the fall and staff will perform outreach about the ordinance to Carrboro residents.

Stormwater

Planning Department staff have been working with a local Boy Scout to discuss a potential Eagle Scout Service Project to upgrade the rain garden stormwater control feature at the intersection of James Street and Hillsborough Street. Stormwater Utility staff will also be providing input and expertise if the project moves forward.

Food Choice Measures

Build Dietary Greenhouse Gas (GHG) Emissions Profile

- *Policy Connections:* CCAP Food Choice Recommendation #2: Develop Local Dietary Consumption and Associated GHG Profile

Using the 2019 CCAP survey's annual self-reported meat and dairy consumption among Carrboro residents, the Town's Environmental Sustainability Coordinator worked with Doctoral Candidate and Environmental Advisory Board (EAB) member Chrissie Schalkoff to perform an analysis of associated greenhouse gas emissions. Staff are currently working to discuss and finalize the report.



Town of Carrboro

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

Agenda Item Abstract

File Number:21-248

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Request to Allow Pee Wee Homes to Apply for a Rezoning of Town-Owned Property for the Purpose of Developing Affordable Housing

PURPOSE: It is the Town's intent to convey property at 106 Hill Street to Pee Wee Homes for the purpose of developing three permanently affordable homes, contingent upon a rezoning. Pee Wee Homes has prepared a petition to rezone the property to R-3-Conditional (R-3-CZ). The Town Council must receive public input before reaching a decision on a rezoning. A hearing date of September 28, 2021 has been identified. Two resolutions have been provided for the Council's use; the first authorizes the Manager to sign the petition and the second sets the public hearing.

DEPARTMENT: Planning & Housing and Community Services

CONTACT INFORMATION: Christina Moon - 919-918-7325, cmoon@townofcarrboro.org <<mailto:cmoon@townofcarrboro.org>>; Marty Roupe - 919-918-7333, mroupe@townofcarrboro.org <<mailto:mroupe@townofcarrboro.org>>; Patricia McGuire - 919-918-7327, pmcguire@townofcarrboro.org <<mailto:pmcguire@townofcarrboro.org>>; Rebecca Buzzard, 919-918-7438, <<mailto:rbuzzard@townofcarrboro.org>>; Nick Herman - 919-929-3905, gnherman@broughlawfirm.com <<mailto:gnherman@broughlawfirm.com>>

INFORMATION: It is the Town's intent to convey to Pee Wee Homes a single parcel of land located at 106 Hill Street for the purpose of developing three permanently affordable dwelling units to serve residents earning less than 30-percent of the Area Median Income (AMI), contingent upon rezoning the property. A petition to rezone the property to a conditional district is required by ordinance to be signed by the owner of the property.

Pee Wee Homes has prepared a petition to rezone the 0.17-acre parcel (approximately 7,405 square feet) from R-7.5 to R-3-CZ. As can be seen in the attached vicinity map (*Attachment E*), the property is located at the southwest corner of Hill Street and Broad Street and can be further identified as PIN # 9778-97-5883. It is also located within the Lloyd-Broad Overlay District. The existing R-7.5 zoning would allow for one dwelling unit; the requested rezoning would allow for the three units (*Attachment D*). Two of the units would be approximately 400 square feet in size and the third unit would be a little more than 300 square feet in size. A conceptual site plan is provided with the rezoning petition.

On February 17, 2021, the Affordable Housing Advisory Commission (AHAC) received a presentation from

Pee Wee Homes and discussed their proposal to build small homes on 106 Hill Street. The AHAC appreciated Pee Wee Homes prioritizing housing for 30-percent AMI or below since there is a dearth of affordable housing in Carrboro for those households. The AHAC recommended that the Town Council consider donating the 106 Hill Street parcel to Pee Wee Homes for this project. Their recommendation is provided (*Attachment F*). The recommendation was held until the viability of the project via a variance and possible rezoning was established.

A draft ordinance for the requested rezoning has been prepared. The ordinance includes an initial list of conditions; additional refinement is anticipated during the public hearing process (*Attachment C*).

The Town Council must receive public comment before adopting map amendments to the Land Use Ordinance. As noted above, two resolutions have been provided for the Council's use. The first resolution (*Attachment A*) authorizes the Town Manager to sign the petition for rezoning as the owner of the property and outlines the terms of conveyance, particularly the requirement for the development of affordable units for residents earning less than 30-percent AMI. This first resolution also authorizes the Town Manager to execute agreements necessary to convey the property to Pee Wee Homes contingent upon the rezoning and the use of the property solely for affordable housing as restricted in the deed of conveyance of the property by the Town to Pee Wee Homes. The second resolution (*Attachment B*) sets the public hearing and refers the request to the advisory boards. Planning Board review is needed, and the TAB, AHAC, EAB, SWAC and Appearance Commission have been identified based on their areas of expertise. If the rezoning is approved the applicant would follow with an application for a zoning permit for the development of the three homes. The applicant was granted a variance from the Board of Adjustment on June 16, 2021 relating to placement of the homes within the stream buffer associated with the piped stream.

FISCAL & STAFF IMPACT: Costs are associated with public hearing notice for Town Council and advisory board review. It is anticipated that the applicants will seek a fee waiver for the fees associated with the rezoning, estimated at \$1245.10 from the Affordable Housing Special Revenue Fund. It is also anticipated that the applicants may seek addition funding from AFSRF in the fall to assist with costs associated with construction.

RECOMMENDATION: Staff recommends that the Town Council consider: 1) adopting a resolution authorizing the Town Manager to sign the petition for rezoning as the owner of subject property (*Attachment A*), and 2) adopting a resolution setting a public hearing to consider the rezoning for September 28th and referring the item to the Planning Board and other Town advisory boards and commissions (*Attachment B*).

**A RESOLUTION APPROVING THE CONVEYANCE OF TOWN-OWNED
LAND TO PEE WEE HOMES TO BUILD AFFORDABLE HOUSING
CONTINGENT UPON THE REZONING AND THE USE OF THE PROPERTY
SOLELY FOR AFFORDABLE HOUSING**

June 22, 2021

WHEREAS, North Carolina state law (N.C. Gen. Stat. § 160A-279 and N.C. Gen. Stat. § 160A-267) grants government entities the authority to dispose of public property for the provision of affordable housing and can use “private sale” procedures to convey public property to the buyer of its choice, without undergoing a public bidding process; and

WHEREAS, the use of existing town-owned property, is another way in which the Town Council can advance its goal of increasing the stock of affordable housing within the Town and its planning jurisdiction; and

WHEREAS, the Town Council, on June 19, 2018, supported the use of three land parcels owned by the Town and identified for the development of affordable housing; and

WHEREAS, a local, nonprofit, affordable housing developer, Pee Wee Homes, proposes to build small homes on one of these identified parcels, 106 Hill Street; and

WHEREAS, the Affordable Housing Advisory Commission (AHAC), is charged with offering recommendations to the Town Council for new or specific actions the Town may pursue to increase the availability of diverse, affordable housing in Carrboro; and

WHEREAS, the AHAC, on February 17, 2021, received a presentation from Pee Wee Homes about their proposed plan to build affordable rental units on 106 Hill Street; and

WHEREAS, the AHAC discussed the opportunities presented by utilizing this parcel of Town-owned land and partnering with Pee Wee Homes; and

WHEREAS, the AHAC made the following recommendation:

- Town of Carrboro conveys 106 Hill Street to Pee Wee Homes to support the construction of affordable rental housing, specifically for households with income 30% AMI or below;
- The Town conveys the property at 106 Hill Street to Pee Wee Homes with a deed restriction that the property remains as affordable housing for 99 years.

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

Section 1. Authorizes the Town Manager sign the application for rezoning.

Section 2. Authorizes the Town Manager to execute agreements necessary to convey the property to Pee Wee Homes contingent upon the rezoning and the use of the property solely for affordable housing as restricted in the deed of conveyance of the property by the Town to Pee wee Homes.

Section 2. This resolution shall become effective upon adoption.

DRAFT

A RESOLUTION CALLING A PUBLIC HEARING ON THE PROPOSED CONDITIONAL
DISTRICT REZONING AT 106 HILL STREET

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

WHEREAS, an application has been received for a Conditional District Rezoning for the property located at 106 Hill Street; and

WHEREAS, the application includes a petition to rezone a single property that may be identified by Orange County PIN Number (#9778-97-5883) from R-7.5 to R-2, Conditional.

NOW, THEREFORE BE IT RESOLVED by the Carrboro Town Council that the Council calls a public hearing on September 28, 2021 to discuss the rezoning petition.

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

☒ Appearance Commission

☐ Recreation and Parks Commission

☒ Transportation Advisory Board

☐ Northern Transition Area Advisory Committee

☒ Environmental Advisory Board

☒ Stormwater Advisory Commission

☒ Economic Sustainability Commission

☒ Affordable Housing Advisory Commission

This is the 22nd day of June in the year 2021.

AN ORDINANCE AMENDING THE CARRBORO ZONING MAP TO REZONE APPROXIMATELY
7405.2 SQUARE FEET OF PROPERTY KNOWN AS 106 HILL STREET FROM R-7.5
(RESIDENTIAL, 7,500 SQUARE FEET PER DWELLING UNIT) TO R-3-CZ (RESIDENTIAL, 3,000
SQUARE FEET PER DWELLING UNIT, CONDITIONAL)

****DRAFT 6-17-2021****

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

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

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

Chapel Hill Township, 106 Hill Street (PIN 9778-97-5883) encompassing approximately 7405.2 square feet as shown on the accompanying map titled "PWH Hill Street – Conceptual Design" is hereby rezoned from R-7.5 (Residential, 7,500 square feet per dwelling unit) to R-3-CZ (Residential, 3,000 square feet per dwelling unit, Conditional).

1. The rezoning exhibit labeled "PWH Hill Street Conceptual Plan," dated _____ is approved and incorporated herein to indicate all potential land uses, the general location and size of buildings, stormwater management features and building setbacks. Other features and issues remain to be decided at the time a permit is requested for development. Those features include, but are not necessarily limited to, preserved trees and other landscaped areas, and the location and amount of required parking.
2. All dwelling units constructed on the subject property are to remain affordable for residents earning less than 30% of the area AMI.
3. The homes shall not be enlarged or replaced. If future replacement is deemed necessary due to age or damage the replacement building shall match the original in size, height, massing and placement on the site.

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

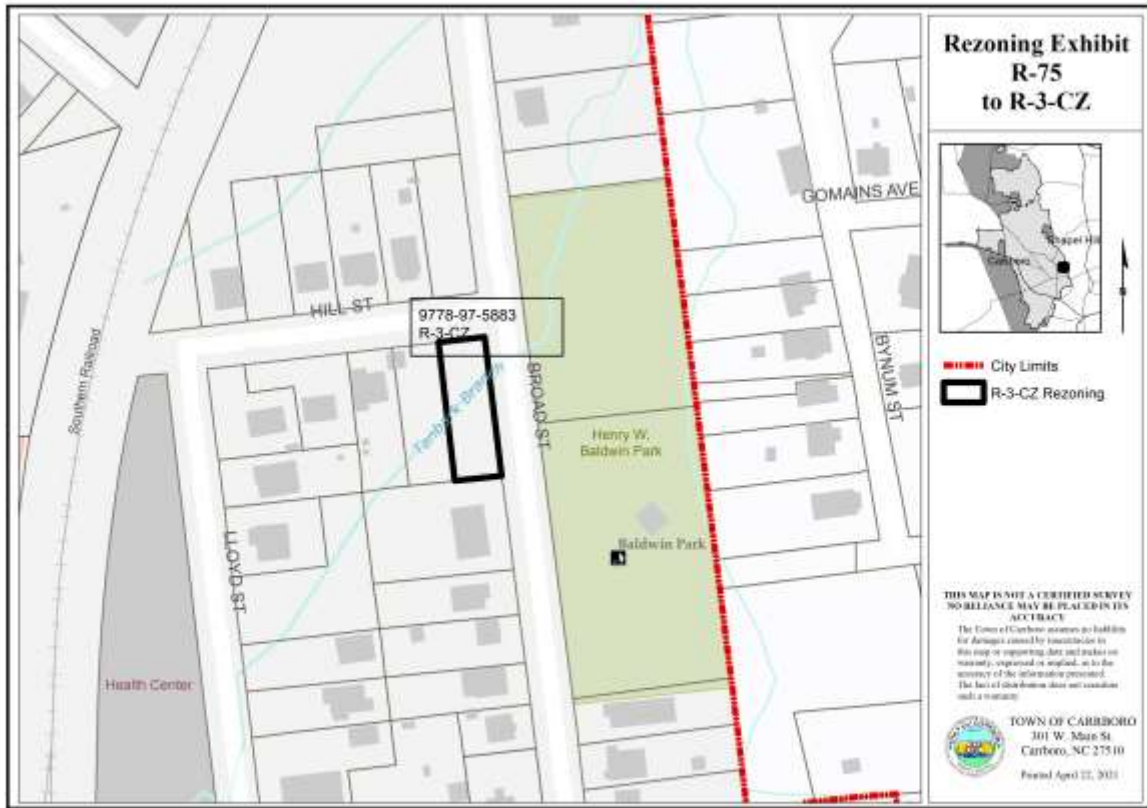
SECTION 3. This ordinance shall become effective upon adoption.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted, this the _____ day of _____ 2021.

AYES:

NOES:

ABSENT OR EXCUSED.



OK

APPENDIX A – 2

PETITION FOR CHANGE OF ZONING FORM

TOWN OF CARRBORO

PETITION FOR CHANGE OF ZONING



Petitioner: Pee Wee Homes

Date: 6/17/21

The Petitioner named above respectfully requests the Town Council of the Town of Carrboro to rezone the below-described property from R7.5 to R3CZ zoning classification. The Petitioner furthermore submits the following information in support of this petition.

1. **PETITIONER'S NAME:** Pee Wee Homes

ADDRESS: 8410 Merin Rd; Chapel Hill, NC 25716

TELEPHONE #: (919) 590- 9023
2. **INTEREST IN PROPERTY(IES):** 106 Hill St; Carrboro, NC 27510

3. **BROAD DESCRIPTION OF PROPERTY AREAS SOUGHT TO BE REZONED BY REFERENCE TO ADJOINING STREETS :**
106 Hill St is on the corner of Hill and Broad streets in the Lloyd/Broad section of the Northside Neighborhood of Carrboro. This location is across the street from the Baldwin Park and community garden.
4. **DESCRIPTION OF INDIVIDUAL LOTS SOUGHT TO BE REZONED :**
 - a. **OWNER: Town of Carrboro**

TAX MAP: 4033, 184 **BLOCK:** _____ **LOT:** _____ **ACREAGE:** 0.17
PARCEL: 9778975883

SUBDIVISION NAME: Lloyd/Broad
FRONTAGE: 200 FT (50 FT HILL STREET, 150 FT BROAD STREET) **DEPTH :** 150 FT

EXISTING STRUCTURES AND USES :
No existing structures. Lot is grass covered with an inlet to the existing piped stream.
Three large trees at the southern portion of the lot.

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

Please See Attached Mailing List

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

106 Hill Street, the subject of the rezoning, is located on the eastern fringe of Downtown Carrboro. Shopping, dining, cultural activities, and other downtown locations are close by. It is currently a vacant lot across from Baldwin Park, located on the corner of Hill and Broad streets in the Historic Lloyd/Broad District in Carrboro. The property is currently zoned R7.5. There are multiple housing types represented in the immediate vicinity, including a tri-plex on the lot adjacent to the south. This location is two blocks from the Harris Teeter grocery store with excellent access to public transportation, as many bus lines that run down Main Street. It is also one block from a health clinic.

The houses are modest in scale and the addition of three tiny houses of similar architectural style would not diverge from the existing character of the neighborhood. The neighboring lot is a triplex, and the neighborhood has several single family homes with accessory structures and several duplexes within a block of the site. The Town of Carrboro intends to donate this lot to Pee Wee Homes with the condition and deed restriction stating the property must remain designated for deeply affordable housing (those making <30% AMI) in perpetuity). If the rezoning is granted, three small homes, ranging in size from 320 SF to 400 SF of conditioned space will be built on this parcel. The homes are designed to take advantage of livable design elements to maximize space and creatively engage the physical environment. This parcel is in the Lloyd Broad District neighborhood - by building in this neighborhood, the project leverages an existing community asset to allow for our tenants to live independently within the context of community. This project will assist with the dire need for affordable rental development in the Town of Carrboro. Additionally, this project has gained support from Northside Compass Group facilitated by the Jackson Center and including many of the longest-term neighbors of the Lloyd-Broad neighborhood.

The requested rezoning would change the site to an R-3 CZ zoning designation, which is a multifamily zoning designation and is the best fit for the proposed project.

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

This lot is unique because a stream buffer for a piped stream covers 91% of the buildable area. If prescribed setbacks are adhered to, <1% of the lot remains

buildable (See attached Buildable Area Diagram). Pee Wee Homes recently received Variances (6/16) granting a reduction of front yard setbacks to 10 ft instead of 15 ft, and allowing two of the homes to encroach into stream buffer Zone 1 and all of the homes to be built in stream buffer Zone 2. However, the 30 ft section in the center of the lot remains unbuildable. Therefore, the 106 Hill St site, without a rezoning, would likely either remain empty, as only a very small structure could be built on the site, or would only have one small unit constructed, housing just one extremely low-income individual as opposed to three. Given the need for extremely affordable housing in Carrboro, this would be an underutilization of the parcel and would work contrary to the Town's affordable housing goals, since it would decrease development density and allow for less walkable dwellings downtown.

The request to rezone to a zoning district with higher density allows for more dwelling units—which combined with interest of Pee Wee Homes to construct tiny homes of 400 SF or smaller, provides a way for the property to be developed. It would also meet Town interest in diversifying the housing stock and providing homes for residents meeting particularly low AMI as noted in the Town's Affordable Housing Goals #2.1, 2.3 and Carrboro Vision202 provision 6.11, 6.13, 6.14. Rezoning the lot to R-3 CZ will allow Pee Wee Homes to provide individuals of <30 % AMI housing in units walkable to downtown without a significant change to the character of the area.

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

The proposed development is congruent to the character of the Lloyd-Broad Neighborhood and will enhance this under-utilized corner with beautiful, dignified homes. The neighborhood in question is already socio-economically diverse with a housing stock of varying levels of durability. Pee Wee Homes builds sustainable, dignified houses of high quality materials, and maintains the homes as well. Additionally, tenants of Pee Wee Homes are vetted and supported in the spirit of maintaining a comfortable, healthy, safe, and pleasant environment in which to live.

Rezoning this property would allow for 3 units to be built in a way that would also enhance the block by improving the streetscape and adding infill that aligns with the architectural character of the surrounding buildings (including porches/decks to enhance outdoor connections). Other single family homes nearby, including 104 Hill Street, which is about to undergo construction should benefit from the fact that, Pee Wee Homes plans to engineer and implement a stormwater management plan that will decrease localized flooding and insect problems plaguing the property owners nearby. Other properties nearby to the west, south and east should not have their values impacted given the mix of existing housing stock. The value of Baldwin Park, across the street from the subject property will have additional caring residents nearby to continue to utilize this important town asset.

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

While the maximum home size is 1750 SF, the proposed design will provide 1120 square-feet of conditioned space divided amongst 3 units, as shown on the attached site plan. Given that the neighborhood has quite a mix of housing, including many smaller units, our Pee Wee Homes will provide both an individual fit for the neighborhood while also staying consistent with the average overall square footage of around 1,200 sq ft on parcels as a whole in the Lloyd-Broad Overlay District. They also maximize affordability on

**CARRBORO DEVELOPMENT
GUIDE
APPENDIX A**

underutilized land, which is both a priority of Carrboro and of the Northside Neighborhood Initiative. The Northside Compass Group has supported the development of Pee Wee Homes multi-family housing across the community because of our efforts to maximize density for affordability while staying consistent with the smaller character of long-term community homes. Furthermore, these units will add permanent non-student housing, supporting the goals of the Lloyd-Broad Neighborhood Association. The overall development will implement energy efficient construction measures and elements of livable design, with at least one if not all units being accessible.

The intent is to build three small homes that would allow for residential use that is comparable to the use of other lots in this neighborhood. Pee Wee Homes is committed to creating dignified, affordable, tiny homes in a caring community for, and with, people transitioning out of homelessness. Pee Wee Homes would own and manage the properties, and rent them to individuals for the long term (not transitional housing). Pee Wee Homes is committed to deeply affordable housing, but to truly ensure these units remain affordable, the land will be donated with a deed restriction and condition that they must remain deeply affordable down the road.

This requested rezoning of the parcel from R-7.5 to R-3 would permit the implementation of extremely affordable housing construction, of which there is substantial need in Carrboro as outlined in the Affordable Housing Issues and Opportunities document (with only 40% of the rental need for this income group being filled). This project would help fill that gap, and remain extremely affordable in perpetuity as the property would be deed restricted for extremely low-income rental use only. This request would thus keep with the Carrboro Vision 2020.

A condition of the rezone request is that off street parking not be required for the extremely low-income tiny homes. According to Land Use Ordinance Section 15-291 Number of Parking Spaces Required, “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”. Historically, tenants of Pee Wee Homes, living at <30% AMI, do not own personal vehicles, and instead utilize public transit, which is assumed to be the case for the tenants of 106 Hill Street as there are many bus lines nearby. In fact, a great advantage of increasing the density of this particular parcel is its ideal location for affordable housing, walkable to parks, schools, grocery stores and downtown amenities as well as just blocks from Carrboro’s main bus routes to connect across town.

Similarly, we would like to leverage the existence of Baldwin Park to waive the necessity to provide recreation facilities on site. In addition to wanting to avoid further encroachment to the stream buffer, our tenants will be well served by Baldwin Park, which has a community garden, full basketball court, swing set, picnic tables, and open space less than 50 feet from the intended homes’ doorsteps.

WHEREFORE, THE PETITIONER REQUESTS THAT THE OFFICIAL ZONING MAP BE AMENDED AS SET OUT ABOVE. THIS IS THE ___17th___ DAY OF _June_, 2021_.

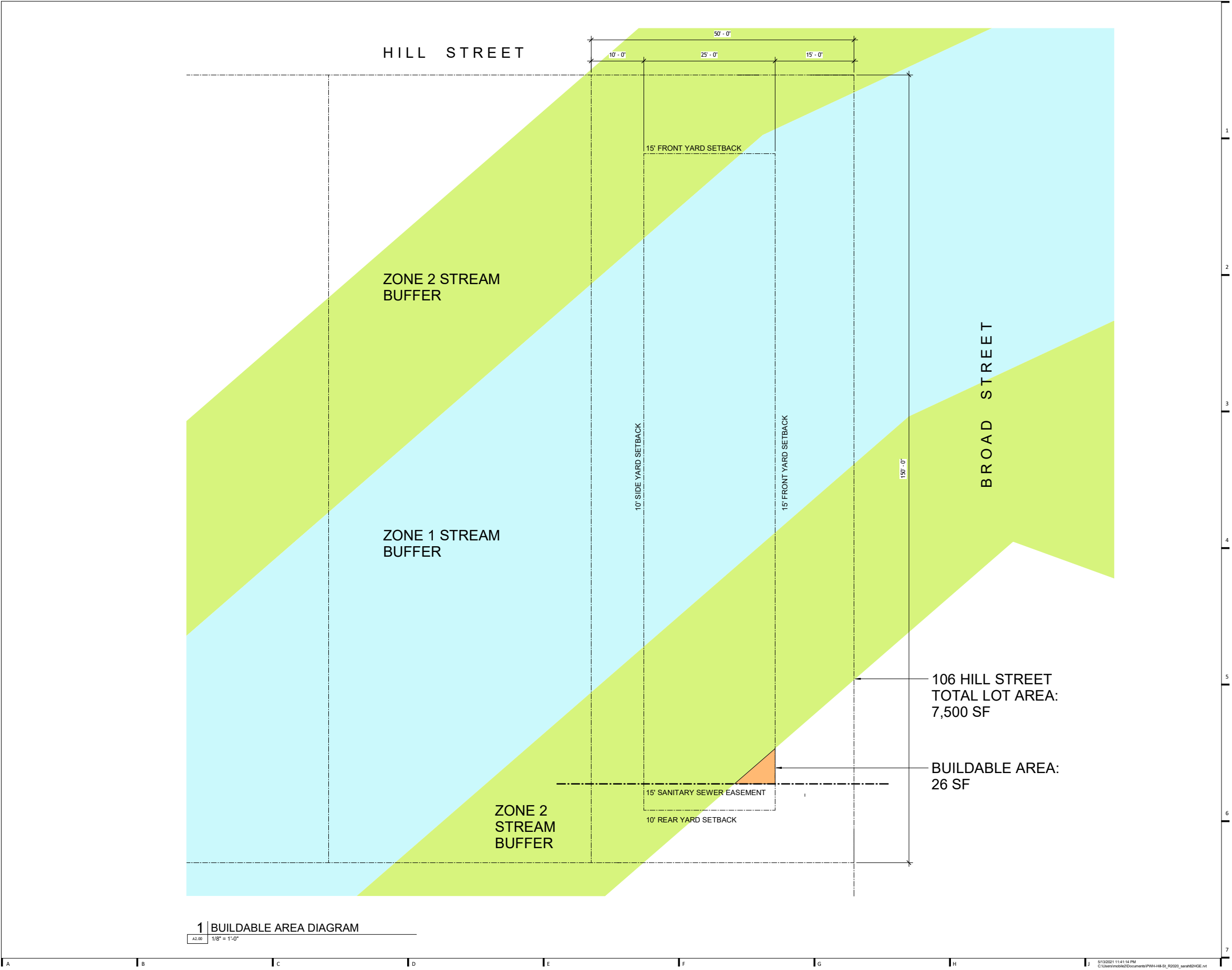
PETITIONER’S SIGNATURE:

Thomas J. Fischbein

PLEASE

NOTE:

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



STEHLI
HOWELL
DESIGN



PWH HILL STREET

PEE WEE HOMES

106 HILL STREET, CARBORO, NC

CONCEPTUAL DESIGN
05.13.2021

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Project Name
PWH HILL STREET

Project Number
PROJ. NUMBER

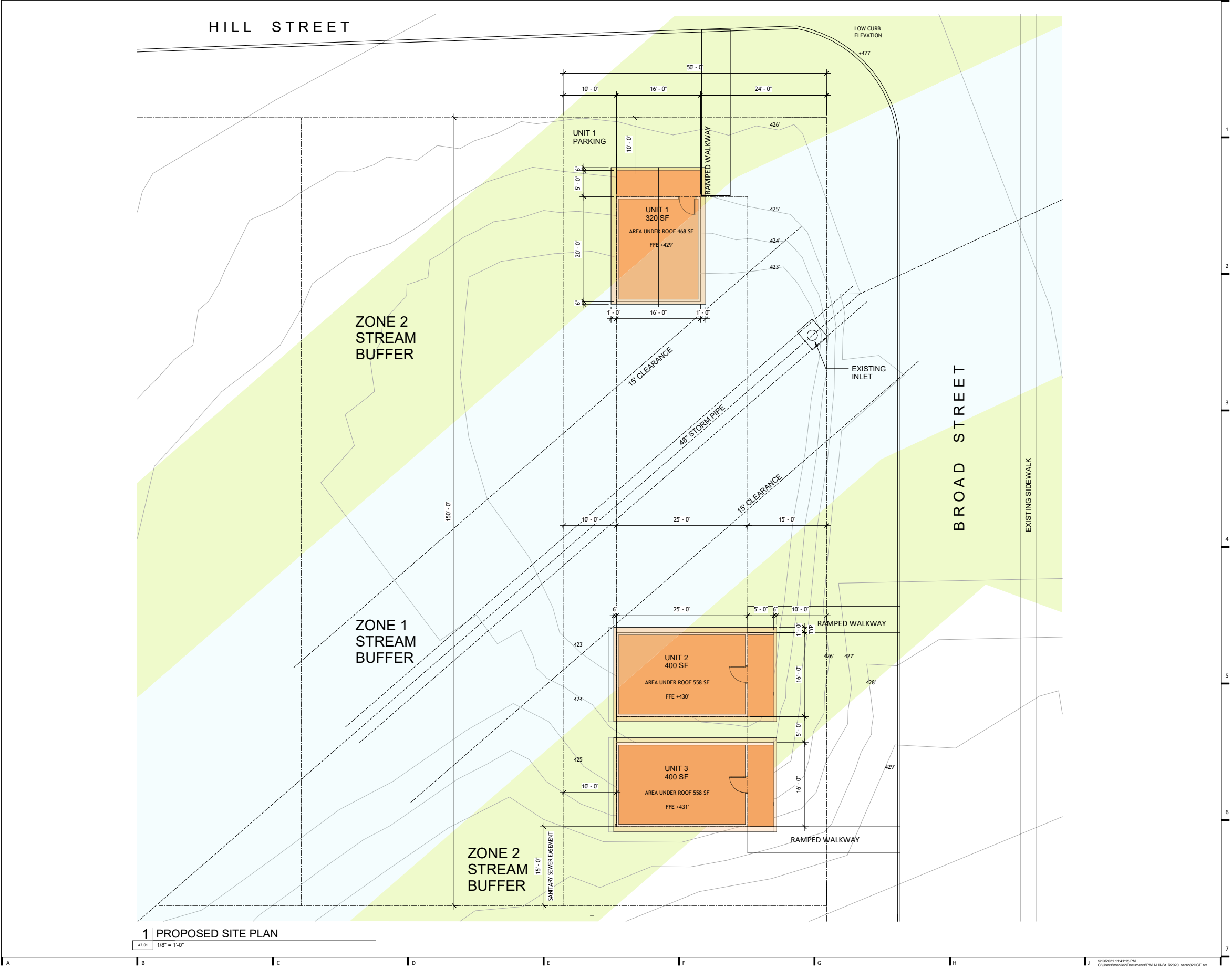
Date
05.13.2021

Scale
1/8" = 1'-0"

Drawn
BUILDABLE AREA DIAGRAM

A2.00

CONCEPTUAL DESIGN



STEHLI
HOWELL
DESIGN



PWH HILL STREET

PEE WEE HOMES

106 HILL STREET, CARBORO, NC

CONCEPTUAL DESIGN
05.13.2021

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no.	date	revision

Project Name
PWH HILL STREET

Project Number
PROJ. NUMBER

Date
05.13.2021

Scale
1/8" = 1'-0"

Drawn
SITE PLAN

A2.01

CONCEPTUAL DESIGN

BALDWIN CHARLIE E
524 HATCH RD
CHAPEL HILL NC 27516

BALDWIN CHARLIE E
524 HATCH RD
CHAPEL HILL NC 27516

BURNETT MARVA L
714 GOMAIN AVE
CHAPEL HILL NC 27514

MISERENDINO ALYSSA
102 HILL ST
CARRBORO NC 27510-

BERNDT JEFFREY N
1006 WOODLAND DR NW
WILSON NC 27893

COMMUNITY HOME TRUST
PO BOX 2315
CHAPEL HILL NC 27515

FEARRINGTON JAMES
302 BROAD ST
CARRBORO NC 27510

UNDERWOOD E LANCE JR
410 BROAD ST
CARRBORO NC 27510

GRAVES SHIRLEY E
110 STARLITE DR
CARRBORO NC 27510-1828

KILPATRICK GEORGE JR
2 WESTRIDGE COURT
GREENSBORO NC 27410-2980

FITCH LUMBER CO
309 N GREENSBORO ST
CARRBORO NC 27510

ST JOSEPH CHRISTIAN METHODIST
EPISCOPAL
510 W ROSEMARY ST
CHAPEL HILL NC 27514

CARRBORO TOWN OF
PO BOX 337
CARRBORO NC 27510

CHAPEL HILL HOUSING AUTHORITY
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514

CHAPEL HILL HOUSING AUTHORITY
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514

CHAPEL HILL HOUSING AUTHORITY
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514

COPPEDGE LYNDELL J
UNIT 7
CARRBORO NC 27510-1771

MITCHELL GORDON N
8616 YORKSHIRE LANE
CHAPEL HILL NC 27516-4831

MCKENNA NANCY BUCK TRUSTEE
709 LOS ROBLES AVE
PALO ALTO CA 94306-7548

CHAPEL HILL HOUSING AUTHORITY
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514

LARGENT STEPHEN D
506 N GREENSBORO ST
CARRBORO NC 27510

LARGENT STEPHEN D JR
506 N GREENSBORO ST #19
CARRBORO NC 27510

HHH INVESTMENTS LLC
421 FAYETTEVILLE ST
RALEIGH NC 27601

DODSON ALEXANDER D
976 NC HWY 119N
LEASBURG NC 27291-9717

LANIER RESIDENTIAL LLC
PO BOX 4435
CHAPEL HILL NC 27515

CAMPBELL MATTHIEU
406 BROAD ST
CARRBORO NC 27510

PETTIS EUGENE O
2401 BROOK CANYON DR
CHARLOTTE NC 28212

CARRBORO TOWN OF
PO BOX 337
CARRBORO NC 27510

HUANG WAKE ORANGE LLC
734 W BARBEE CHAPEL RD
CHAPEL HILL NC 27517

TU PO TUNG
8 WINCHESTER PLACE
BURLINGAME CA 94010-8152

J HERBERT HOLLAND TRUST
608 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514-5703

J HERBERT HOLLAND TRUST
608 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514-5703

SANDERS AUDREY ROBINSON
2508 EAST WEAVER ST
DURHAM NC 27707

BURNETT MARVA
714 GOMAIN ST
CHAPEL HILL NC 27514

JACKSON WILLIAM A
302 LLOYD ST
CARRBORO NC 27510

FOUSHEE JACQUELINE D
136 WENTWORTH ST
CHAPEL HILL NC 27516

SELF HELP VENTURES FUND
301 W MAIN ST
DURHAM NC 27701

SECOND BAPTIST CHURCH OF
CHAPEL HILL
114 S GRAHAM ST
CHAPEL HILL NC 27514

COMMUNITY HOME TRUST
PO BOX 2315
CHAPEL HILL NC 27515

SOUTHERN STATES COOPERATIVE INC
CARRBORO SERVICE
6606 WEST BROAD ST
RICHMOND VA 23230

GARTLAND WILLIAM TIMOTHY
307 BROAD ST
CARRBORO NC 27510-

BLACKWOOD MARY HRS
9 MEADOWCREST DRIVE
DURHAM NC 27703

CARRBORO TOWN OF
301 W MAIN ST
CARRBORO NC 27510

CARRBORO TOWN OF
PO BOX 337
CARRBORO NC 27510

WRIGHT ELVA ALSTON
5509 BEL AIR RD
BALTIMORE MD 21206

NEVILLE CALVIN
107 COBB ST
CARRBORO NC 27510

WEAVER FREDERICK D
213 BROAD ST
CARRBORO NC 27510-

WEAVER FREDERICK D
213 BROAD ST
CARRBORO NC 27510-

PALMER LAURELLE
304 BROAD ST
CARRBORO NC 27510

MOOK CHRISTOPHER P
506 N GREENSBORO ST
CARRBORO NC 27510

LASLIE MICHAEL S
UNIT 6
CARRBORO NC 27510

VILES CHARLES L
204 PLEASANT DR
CARRBORO NC 27510-3262

GOODMAN ELIZABETH IVY
202 PLEASANT DR
CARRBORO NC 27510

CARR MILL MALL LIMITED
PARTNERSHIP
PO BOX 673
CARRBORO NC 27510

EMPOWERMENT INC
109 N GRAHAM ST
CHAPEL HILL NC 27516

MERCIA RESIDENTIAL PROPERTIES
PO BOX 2371
CHAPEL HILL NC 27517

ALSTON JUROTHER
106 STARLITE DR
CARRBORO NC 27510

EMPOWERMENT INC
109 N GRAHAM ST #200
CHAPEL HILL NC 27516-

ROWE PAUL
1908 INTEGRITY WAY
LOUISVILLE KY 40220

ROSEN ALLAN
4307 INFINITY LN
DURHAM NC 27705-8401

IBENAGU NNAMDI E
608 CRAIG ST
CHAPEL HILL NC 27516

EMPOWERMENT INC.
109 N GRAHAM ST
CHAPEL HILL NC 27516

FARRINGTON CAROLYN B
708 GOMAINS AVE
CHAPEL HILL NC 27516-1914

HSIEH SHOWCHEIN
PO BOX 17281
CHAPEL HILL NC 27516

GOODWIN LORETTA G
UNIT 38
CARRBORO NC 27510-1776

FEARRINGTON MATTHEW W
116 STARLITE DR
CARRBORO NC 27510-1828

REITER KENNETH M
PO BOX 1622
CARRBORO NC 27510

HACKNEY KATHY
301 BROAD ST
CARRBORO NC 27510-1811

FOUSHEE GARLAND
106 CREST DR
CHAPEL HILL NC 27516

BERNAL LILIA MARLEN VARGAS
506 N GREENSBORO ST #41
CARRBORO NC 27510-1776

TUCKER KATHERINE A ETAL
506 NORTH GREENSBORO ST
CARRBORO NC 27510

HARTLEY MICHAEL FALK
2633 INNSBROOK RD
CHARLOTTE NC 28226-

HARTLEY MICHAEL FALK
2633 INNSBROOK RD
CHARLOTTE NC 28226-

CURETON WILLIAM
2010 BRUCKNER BLVD
BRONX NY 10473

KING SENETA
105A FOWLER ST
CARRBORO NC 27510-1815

BURNETTE DEBRA A
105B FOWLER ST
CARRBORO NC 27510

SELF CLEMENTINE FEARRINGTON
210 BROAD ST
CARRBORO NC 27510-1810

NORTH ESTES LLC
2922 HATHAWAY RD
RICHMOND VA 23225

PURDY MATTHEW
410B KNOLLS ST
CHAPEL HILL NC 27516

PARGHI YASH
300A PLEASANT DR
CARRBORO NC 27510-

FRAZIER VERONICA
104 FOWLER ST
CARRBORO NC 27510

GILMORE SALLY W
716 CONTINENTAL DR
DURHAM NC 27712

HULL GERALD R
220 BROAD ST
CARRBORO NC 27510-1810

STEVENS VERONICA J
218 BROAD ST
CARRBORO NC 27510

FETTERS TAMARA
104 PLEASANT DR
CARRBORO NC 27510

ONTJES PROPERTIES LLC
5304 COSMOS CT
RALEIGH NC 27613

ALPHABET SOUP INC
310 LLOYD ST
CARRBORO NC 27510

JOHNSON JANIE DEGRAFFENREID
300 LLOYD STREET
CARRBORO NC 27510-0942

WILKERSON CHRISTORIA W
103 FARRINGTON DR
CHAPEL HILL NC 27514

ABELOW GAIL ELLEN
5504 HIDEWAY DR
CHAPEL HILL NC 27516

MORFESIS FRANCESCA N
513 OWEN DR
FAYETTEVILLE NC 28304-3433

LITWINSKI VANESSA
107 PARTIN ST
CHAPEL HILL NC 27514

HYATT PATRICK R
206 PLEASANT DR
CARRBORO NC 27510

COMMUNITY HOME TRUST
PO BOX 2315
CHAPEL HILL NC 27515

JIHAD MICHAEL
404 LLOYD ST
CARRBORO NC 27510

BARBEE MARY F
505 SYKES ST
CHAPEL HILL NC 27514

J HERBERT HOLLAND TRUST
608 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514-5703

OCONNOR JEREMY
103 MULBERRY ST
CARRBORO NC 27510

JONES ROBERT E
200 PLEASANT DR
CARRBORO NC 27510

CLAY CENTRE LLC
402 LLOYD ST
CARRBORO NC 27510

HUCKS TIMOTHY C
506 N GREENSBORO ST #50
CARRBORO NC 27510

BARAZANDEH FARZIN
311 BURLAGE CIR
CHAPEL HILL NC 27514

VICINI CHANEL J
1007 GARDNER ST
RALEIGH NC 27607

SOLORZANO LORENZO
112 STARLITE DR
CARRBORO NC 27510

CUTHBERTSON CARMEN
504 COPPERLINE DR
CHAPEL HILL NC 27516

STROUD CAROLYN E
12173 IRON STONE DR
RANCHO CUCAMAONGA CA 91739

CHAPEL HILL TOWN OF
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514

CHAPEL HILL TOWN OF
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514

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405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514

COMMUNITY HOME TRUST
PO BOX 2315
CHAPEL HILL NC 27515-

INONO LLC
106 PURPLE LEAL PL
CARRBORO NC 27510

RAPPCO LLC
6819 MORROW MILL RD
CHAPEL HILL NC 27516

HOGAN BRIAN P ETAL
530 CARL DR
CHAPEL HILL NC 27516

O BRIEN ELLEN
214 MAPLE AVE
CARRBORO NC 27510

EVANS CAROLYN
114 STARLITE DR
CARRBORO NC 27510-1828

MARGOLIS BENYAMIN
14002 CASTAWAY DR
ROCKVILLE MD 20853

ZIMMERMAN MONICA J
2502 OVERLAND PSGE
CHAPEL HILL NC 27516

ORANGE CHATHAM COMPREHENSIVE
PO BOX 17179
CHAPEL HILL NC 27516

LITWINSKI VANESSA FERREIRA
107 PARTIN ST
CHAPEL HILL NC 27514

MASON LYDIA F
103 FOWLER ST
CARRBORO NC 27510

LIU XING X
100A HILL ST
CARRBORO NC 27510

MANLEY JOHN R II
101 APPLE ST
CHAPEL HILL NC 27514

108 PLEASANT DR LLC
412 JEWELL DR
CHAPEL HILL NC 27516

SELF HELP VENTURES FUND
301 W MAIN ST
DURHAM NC 27701

SELF HELP VENTURES FUND
301 W MAIN ST
DURHAM NC 27701

CLERE THOMAS A
P O BOX 64
FAISON NC 28341

TIGHE CONOR M
105 MULBERRY ST
CARRBORO NC 27510

WILSON ALEXANDER M
107 MULBERRY ST APT B
CARRBORO NC 27510

NEEBE ALICE W
1002 HIGHLAND WOODS RD
CHAPEL HILL NC 27517

NOVEY JEFFREY HOWARD
105A MULBERRY ST
CARRBORO NC 27510

POWELL WILLIAM I IV
105B MULBERRY ST
CARRBORO NC 27510-

LAM YIK
400 LLOYD ST
CARRBORO NC 27510

GRIFFIN MARGARET
101 WOODS WALK CT
CARRBORO NC 27510

SERRE MARC
112 PURPLE LEAF PL
CARRBORO NC 27510

COMMUNITY HOME TRUST
PO BOX 2315
CHAPEL HILL NC 27515

VIRCHICK MITCHELL
506 N GREENSBORO ST
CARRBORO NC 27510

MASON PATRICIA B
615 CARL DR
CHAPEL HILL NC 27516

MITCHELL CHARLES E
111 MULBERRY ST
CARRBORO NC 27510

GRIEST STEPHANIE ANN
109A MULBERRY ST
CARRBORO NC 27510-

COMMUNITY HOME TRUST
PO BOX 2315
CHAPEL HILL NC 27515

BECKER MAY LING
511 COTTON ST
CHAPEL HILL NC 27516

BAKER JOY ADRIEL
222 BROAD ST
CARRBORO NC 27510-

JAMES JASON
611 CRAIG ST
CHAPEL HILL NC 27516

DEZUBE MILANA
212 BENNINGTON DR
CHAPEL HILL NC 27516-

VIRCHICK MITCHELL
506 N GREENSBORO ST
CARRBORO NC 27510

NEEBE ALICE W
1002 HIGHLAND WOODS RD
CHAPEL HILL NC 27514

CARRBORO TOWN OF
301 W MAIN ST
CARRBORO NC 27510

ATCHISON ALEXANDER R ET AL
506 N GREENSBORO ST #11
CARRBORO NC 27510-

ORR ROSINA A ETAL
609 SYKES ST
CHAPEL HILL NC 27516

KURTZ JOHN M
409 BROAD ST
CARRBORO NC 27510

EMPOWERMENT INC
109 N GRAHAM ST
CHAPEL HILL NC 27516

215 BROAD LLC
2923 SYMPHONY WOODS DR
CHARLOTTE NC 28269

CHATTERJEE SANJAY
4465 24TH ST
SAN FRANCISCO CA 94114

HUCKLEBERRY EARLENE M
107C MULBERRY ST
CARRBORO NC 27510

BERLAND LINCOLN L
109C MULBERRY ST
CARRBORO NC 27510

JENGHIS ERROL HASS
109 HILL ST
CARRBORO NC 27510-

RODRIGUEZ DANIEL A
817 MENDOCINO AVE
BERKELEY CA 94707-

WIJNBERG LOUIS
611 SYKES STREET
CHAPEL HILL NC 27516

EMPOWERMENT INC
109 N GRAHAM ST #200
CHAPEL HILL NC 27516

TALLERICO ANTHONY TRUSTEE
3094 MEADOWLANDS LN
SAN JOSE CA 95135

HAEUSER KARLA A
3200 ADRILLA RD
ATASCADERO CA 93422

HAEUSER KARLA A
3200 ARDILLA RD
ATASCADERO CA 93422

GILNER DAVID J
1008 WOOD SAGE DR
CHAPEL HILL NC 27516

GILNER DAVID J
1008 WOOD SAGE DR
CHAPEL HILL NC 27516

TALLERICO ANTHONY TRUSTEE
3094 MEADOWLANDS LN
SAN JOSE CA 95135

YEATTS KARIN
111C MULBERRY ST
CARRBORO NC 27510

MARCUSSON ISABEL H
608 NUNN ST
CHAPEL HILL NC 27516-2211

MACDONALD PIA D M
817 MENDOCINO AVE
BERKELEY CA 94707-1922

ENGELS MICHAEL E
224 BROAD ST
CARRBORO NC 27510

FEARRINGTON LINDA ATWATER
401 B SUNSET DR
CHAPEL HILL NC 27516

VICINI CHANEL
1007 GARDNER ST
RALEIGH NC 27607-

CARTER AMANDA J
401 SUNSET DR
CHAPEL HILL NC 27516

SCROGGS WILLIAM E
210 JOHN WOODS RD
CHAPEL HILL NC 27516

CHNS LLC
319 PROVIDENCE RD
CHAPEL HILL NC 27514-

VAUGHAN JEFFREY W
1110 N HENNESS RD
CASA GRANDE AZ 85122

CASTONGUAY PATRICK
606 CRAIG ST
CHAPEL HILL NC 27516

BRUBAKER JEFFREY
107 PARTIN ST
CHAPEL HILL NC 27514

LEE JAE S ET AL
1000 VINO DR
RALEIGH NC 27607-

FOSTER RACHEL E
104R NC HWY 54 BYPASS
CARRBORO NC 27510-3037

OLESCO PATRICK O
712 GOMAINS AVE
CHAPEL HILL NC 27516

ARCHER REALTY LLC
1319 TALLYHO TRL
CHAPEL HILL NC 27516

RUMFELT JAMES M
PO BOX 520
SNOW CAMP NC 27349

RUMFELT JAMES M
PO BOX 520
SNOW CAMP NC 27349

LITWINSKI VANESSA
107 PARTIN ST
CHAPEL HILL NC 27514

TIGHE CONOR
102 HILL ST
CARRBORO NC 27510-

TOWN OF CHAPEL HILL
405 MARTIN LUTHER KING JR BLVD
CHAPEL HILL NC 27514

VANRAAY RENEE
611 BYNUM ST
CHAPEL HILL NC 27516-

RUMFELT JAMES M
PO BOX 520
SNOW CAMP NC 27349

CHNS LLC
319 PROVIDENCE RD
CHAPEL HILL NC 27514

LARGENT STEPHEN D JR
506 N GREENSBORO ST
CARRBORO NC 27510

SWEENEY CATHERINE
412 LLOYD ST
CARRBORO NC 27510

LITWINSKI VANESSA
107 PARTIN ST
CHAPEL HILL NC 27514

DE TORCY ANTOINE
605 W MAIN ST #307
CARRBORO NC 27510

DESHPANDE ANUPA
506 N GREENSBORO ST #43
CARRBORO NC 27510

SANTELO CATHERINE A
107 HILL ST
CARRBORO NC 27510

NISBET CAROLINE M
919 OXBOW CROSSING RD
CHAPEL HILL NC 27516

ARNESON SARAH MCCARTY
102 MULBERRY ST
CARRBORO NC 27510-1802

MARKFIELD EVAN M
303 BROAD ST
CARRBORO NC 27510

HEADEN SUSAN L
207 BROAD ST
CARRBORO NC 27510

FOSTER RACHEL E
104R NC HWY 54 W BYPASS
CARRBORO NC 27510-3037

SCROGGS WILLIAM
210 JOHN WOODS RD
CHAPEL HILL NC 27516

SWEENEY CATHERINE
406 LINDSAY ST
CHAPEL HILL NC 27516

WORTHY VILITA F
403 SUNSET DR
CHAPEL HILL NC 27516-

PALMER REED N
408 BROAD ST
CARRBORO NC 27510

YEATTS KARIN
111C MULBERRY ST
CARRBORO NC 27510

HOLLINGSWORTH JOHN C
114 NORTHWOOD DR
CHAPEL HILL NC 27516

TAYLOR BRIAN G
609 CRAIG ST #100
CHAPEL HILL NC 27516

HOOVER ERIC S
609 CRAIG ST
CHAPEL HILL NC 27516

CARRBORO TOWN OF
301 W MAIN ST
CARRBORO NC 27510

MERCIA RESIDENTIAL PROPERTIES
LLC
PO BOX 2371
CHAPEL HILL NC 27515

SHELTON STATION APARTMENTS LLC
1375 E 9TH ST STE 2400
CLEVELAND OH 44114-

UNIVERSITY OF NORTH CAROLINA
CHAPEL HILL FOUNDATION INC
306 SOUTH BUILDING
CHAPEL HILL NC 27599

SHELTON STATION LLC
100 TIMBERHILL PL
CHAPEL HILL NC 27514

SHELTON STATION LLC
100 TIMBERHILL PL
CHAPEL HILL NC 27514

SHELTON STATION LLC
100 TIMBERHILL PL
CHAPEL HILL NC 27514

SHELTON STATION LLC
100 TIMBERHILL PL
CHAPEL HILL NC 27514

SHELTON STATION LLC
100 TIMBERHILL PL
CHAPEL HILL NC 27514

AYE MYA
605 CRAIG ST
CHAPEL HILL NC 27516

WATSON TIFFANY
605 CRAIG ST
CHAPEL HILL NC 27516

BALDWIN VALINDA
605 CRAIG ST
CHAPEL HILL NC 27516

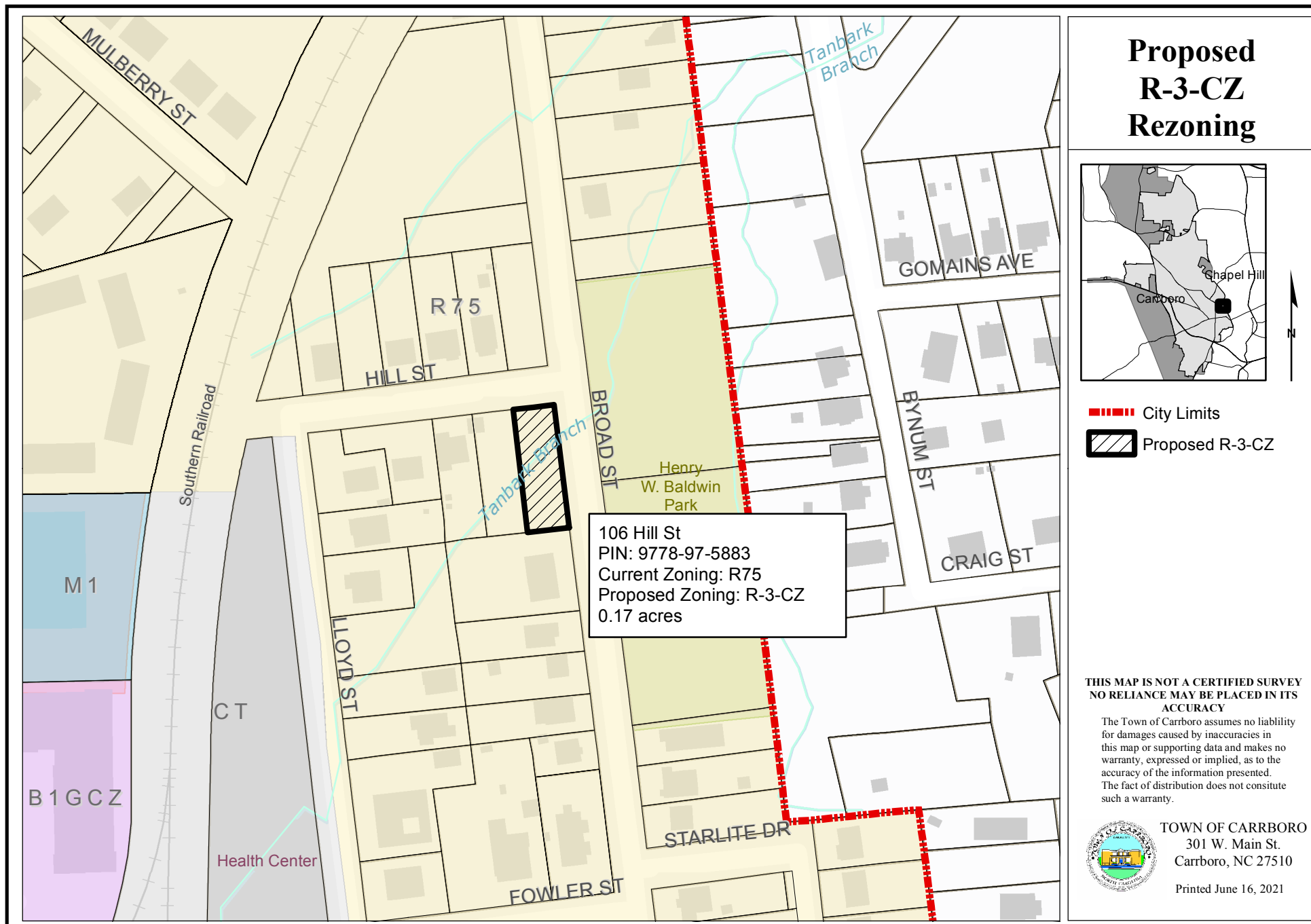
CRAIG STREET COMMONS
HOMEOWNERS ASSOC INC
88 VILCOM CENTER DR
CHAPEL HILL NC 27514

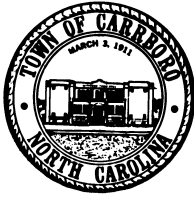
GIFFORD LESLIE FAMILY 2016
REVOCABLE TRUST
100A PLEASANT DR
CARRBORO NC 27510-

GIFFORD LESLIE FAMILY 2016
REVOCABLE TRUST
100A PLEASANT DR
CARRBORO NC 27510-

FALTERMEIER CAROLE A TRUSTEE
404 BROAD ST
CARRBORO NC 27510-

CAMPBELL MATTHIEU
406 BROAD ST
CARRBORO NC 27510-





TOWN OF CARRBORO

Affordable Housing Advisory Commission

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

FEBRUARY 17, 2021

Donation of Town-owned Land to Pee Wee Homes To Build Affordable Housing

Recommendation

On February 17, 2021, the AHAC received a presentation from Pee Wee Homes, a nonprofit affordable housing provider. Pee Wee Homes expects to bring an application for building new, affordable rental housing on 106 Hill Street in Carrboro to staff and the Town Council later in the year. An application proposing building more than one tiny home unit would require a variance from the Board of Adjustment and a rezoning.

Charged with offering recommendations to the Town Council for new or specific actions the Town may pursue to increase the availability of diverse, affordable housing in Carrboro, the AHAC discussed the opportunities presented by utilizing this parcel of Town-owned land and partnering with Pee Wee Homes.

Motion was made by Betty Curry, and seconded by Pam Atwood, that the AHAC recommends that the Town Council consider the following:

- Town of Carrboro donates 106 Hill Street to Pee Wee Homes to support the construction of affordable rental housing, specifically for households with income 30% AMI or below;
- the Town donates the property at 106 Hill Street to Pee Wee Homes with a deed restriction that the property remains affordable for 99 years.

VOTE:

YES: (Pamela Atwood, Betty Curry, Amy Singleton, Quinton Harper)

ABSENT/EXCUSED: (Cain Twyman)

NOES: (0)

ABSTENTIONS: (0)

Comments:

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



February 20, 2021

(Chair)

(Date)



Town of Carrboro

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

Agenda Item Abstract

File Number:21-256

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Consideration of Proposed 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.

DEPARTMENT: Planning Department

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

INFORMATION: On June 15, 2021, the Town Council held a public hearing on a draft ordinance with two options for amending the Land Use Ordinance provisions relating to use of satellite parking. (Meeting materials may be found at the following link: [Town of Carrboro - Meeting of Town Council on 6/15/2021 at 7:00 PM \(legistar.com\)](https://carrboro.legistar.com/MeetingDetail.aspx?ID=823956&GUID=E260FC8E-FC74-4077-8645-2108ACA1F4E0&Options=&Search=>) <<https://carrboro.legistar.com/MeetingDetail.aspx?ID=823956&GUID=E260FC8E-FC74-4077-8645-2108ACA1F4E0&Options=&Search=>>>) The request for the text amendment was submitted by Chris Baldwin of 401 Main in association with an application for a zoning permit (*Attachment D*).

After discussion the Council expressed a preference for option B, which places the amendment in Section 15-299 of the LUO and includes criteria for applicability. The Council also requested that staff provide a follow-up report on the outcome of the amendment approximately two years after adoption (June/September 2023). A separate resolution has been provided to formally make that request (*Attachment C*).

The proposed amendment was referred Orange County, presented to the Joint Advisory Board meeting on June 3rd, presented to the Economic Sustainability Commission on June 9th. Comments are provided (*Attachment E*).

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

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

board review.

RECOMMENDATION: Staff recommends that the Town Council consider adopting the resolution for consistency (*Attachment A*), the draft ordinance modified to only include option B (*Attachment B*) and the request for a follow-up report (*Attachment C*).

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE TOWN COUNCIL'S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO
LAND USE ORDINANCE (N.C. Gen. Stat. 160A-383)

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: A LAND USE ORDINANCE RELATING TO SATELLITE PARKING.

NOW, THEREFORE, the Town Council of the Town of Carrboro Resolves:

Section 1. The Council has reviewed the draft amendment to the text of the Land Use Ordinance and concludes that the proposed 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 provisions 2.41 and 3.2.

_____ *Inconsistent* with current adopted plans. The proposed action is *inconsistent* with the comprehensive plan for the following reason(s):

_____ *Inconsistent* with the current adopted plans; however, because of the following changed circumstance(s), the Council's approval shall also be deemed an amendment to the existing adopted plan, _____, as described below.

Changed circumstance(s):

Amendment to current adopted plan:

Section 2. The Town Council's action is reasonable and in the public interest for the following reason(s):

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.

Section 3. Therefore, the Carrboro Town Council has: approved / denied the proposed amendment to the text of the Carrboro Land Use Ordinance.

Section 4. This resolution becomes effective upon adoption.

Adopted by the Carrboro Town Council this 22nd day of June 2021.

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

Draft 06-16-21

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

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.

TOWN OF CARRBORO



LAND USE ORDINANCE AMENDMENT REQUEST

"Dear Potential Business Operator:

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

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

I (we), the undersigned do hereby respectfully make application and petition the 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."~~

- 3) State the reasons for the proposed amendment:

- For safety of our patrons
- We have constant turnaround traffic in our parking lot during business hours.
- To create a pleasant outdoor experience for our patrons w/o interruption.

SIGNATURE:

Christopher Baldwin
 applicant

Christopher Baldwin
 {print}

ADDRESS:

401 E. Main St
Carrboro NC 27510

TELEPHONE NUMBER:

919. 619. 3608



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

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

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, Tooloe, 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.

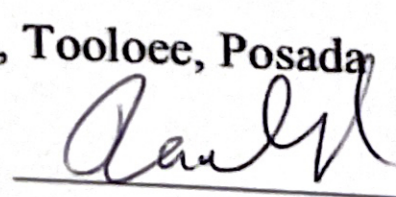
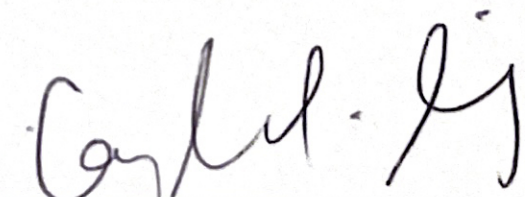
VOTE:

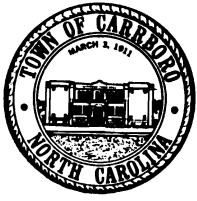
AYES: (7) Poulton, Foushee, Gaylord-Miles, Sinclair, Amina, Mangum, Baker

NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (4) Fray, Clinton, Tooloe, Posada

  6/3/21
(Chair) (Date)



TOWN OF CARRBORO

Transportation Advisory Board

301 West Main Street, Carrboro, North Carolina 27510

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

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.

VOTE:

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.

VOTE:

AYES: (5) Alexander, Keefe, Pcolar, Jones-Peretto, Swan

NOES: (0)

ABSTENTIONS: (0)

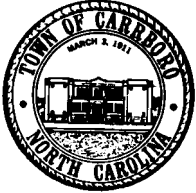
ABSENT/EXCUSED: (2) Brown, Davis

Dave Pcolar

(Chair)

June 4, 2021

(Date)



TOWN OF CARRBORO

Economic Sustainability Commission

301 West Main Street, Carrboro, North Carolina 27510

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

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 Porto and seconded by Shepperson that the ESC of the Town of Carrboro recommends that the Town Council approve option B of the draft ordinance.

VOTE:

AYES: (5) Jessee, Porto, Mayer, Morocco, Shepperson

NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (0)

Associated Findings

By a unanimous show of hands, the ESC 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 Porto and seconded by Shepperson that the ESC of the Town of Carrboro finds the proposed text amendment, option B 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 ESC 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, Morocco, Shepperson

NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (0)

Tina Moon for David Jessee 06/11/2021

(Chair)

(Date)

ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

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



131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



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,

A handwritten signature in black ink that reads "Perdita Holtz". The signature is written in a cursive, flowing style.

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.

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(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)**

USE	<u>PART I.</u> <u>PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)</u>
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)

<u>USE</u>	<u>PART I.</u> <u>PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)</u>
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 space per every four dwelling units. (AMENDED 01/11/00)
1.350	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	4 spaces for offices of physicians or dentists; 2 spaces for attorneys; 1 space for all others.
1.910	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.

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<u>USE</u>	<u>PART I.</u> <u>PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)</u>
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	1 space per 150 square feet of gross floor area.
3.131	(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 schools 5.0 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.

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<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)

<u>USE</u>	<u>PART I.</u> <u>PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)</u>
8.800	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 type--1 space for every three employees on the maximum shift plus reservoir capacity equal to five times the capacity of the washing operation. Self-service type--2 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.

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PART I.	
USE	PARKING REQUIREMENT (EXCEPT AS NOTED IN PART II OF THIS TABLE)
15.500	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	1 space per 200 square feet of gross floor area. 1 space per room plus additional space for restaurant or other facilities.
34.000 34.100 34.200	1 space per room plus additional spaces for restaurant or other facilities. 2 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-1 (G), AND B-2 ZONING DISTRICTS)	
USE	PARKING REQUIREMENT
1.100	1 per bedroom and no more than 2
1.200	1 per bedroom and no more than 2
1.300	1 per bedroom and no more than 2
1.500	.75 per room (Note: This does not include parking for associated conference and/or 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 2.200 2.300	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces
3.100 3.200	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces
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 8.200 8.800	1 space per 10 presumptively required auto spaces, with a minimum of 5 spaces
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

(AMENDED 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;

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(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

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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

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(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:

AISLE TYPE	STANDARD AREA PARKING ANGLE			
	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 than 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.

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- (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-

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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

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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.

Section 15-297.1 Creation of Public Parking Lots from Private Parking Areas (AMENDMENT 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.

Art. XVIII PARKING

(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)**

Section 15-299 Special Provisions for Lots With Existing Buildings and Lots within Neighborhood Preservation Districts **(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.

Art. XVIII PARKING

(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.	

Art. XVIII PARKING

(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.



Town of Carrboro

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

Agenda Item Abstract

File Number:21-252

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Consideration of a Parking Lot Sub-lease to Cat's Cradle

PURPOSE: Consideration of a sub-lease to Cat's Cradle for use of the 300 E. Main/Butler Lot that the Town Council approved to lease from the Main Street Group.

DEPARTMENT: Economic Development

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

INFORMATION: This is a lease agreement between the Town and Cat's Cradle to allow the Cradle to utilize this parking lot daily from 6:00pm-6:00am for their satellite parking requirement as well as during certain other times to allow for their outdoor entertainment performances. The lot will, however, remain available to the Town for public parking during the daytime hours over the course of the lease and evenings until January 1, 2022.

The Town Council approved the lease of this parking lot from the Main Street Group at their June 1, 2021 meeting.

FISCAL & STAFF IMPACT: None.

RECOMMENDATION: Staff recommend approval of the sub-lease.

STATE OF NORTH CAROLINA

COUNTY OF ORANGE

SUB-LEASE AGREEMENT

THIS SUB-LEASE AGREEMENT (“Agreement”) is made this ____ day of _____, 2021, by and between the Town of Carrboro, a North Carolina municipal corporation, formed and existing under the laws of North Carolina (“Sub-Lessor”), and Cat’s Cradle, a North Carolina _____, formed and operated under the laws of the State of North Carolina.

RECITALS:

Sub-Lessor leases from Main Street Properties of Chapel Hill, LLC, (the “Lessor”) a parcel of land (the “Land”) known as the “Butler” property in Carrboro, North Carolina (having parcel number 9778968060), and further described on Exhibit “A,” attached hereto and made a part hereof (hereinafter the “Premises”). Sub-Lessee desires to sub-lease the Premises from the Sub-Lessor and Lessor is willing to sub-lease the Premises to Sub-Lessee in accordance with this Agreement.

WITNESSETH

NOW THEREFORE for good and valuable consideration further described herein, the receipt of which are hereby acknowledged, the Sub-Lessor and the Sub-Lessee agree to the following:

1. Sub-Lessor hereby sub-leases the Premises identified on Exhibit A to Sub-Lessee for guest parking between the hours of 6 p.m. though 6 a.m. each day during a term commencing on January 1, 2022 and ending on December 31, 2023 (the final day of the term of Sub-Lessor’s lease of the Land from Lessor), except that either party may terminate this Agreement without further liability to the other upon providing written notice of such intent to terminate at least sixty (60) days prior to the date on which such termination is to be effective.
2. Beginning on July 1, 2021, Sub-Lessor may also use the Premises for special events outside the hours specified in paragraph 1 above if (a) Sub-Lessee makes a written request for such use of the Premises at least 14 calendar days before Sub-Lessee wishes to use the Land, and (b) Sub-Lessor’s manager approves the use of the Land prior to the date of the special event.
3. Rent during the term shall be \$1 per month. Sub-Lessor shall not be required to make any improvements to the Premises prior to or during the term of this Agreement, and Sub-Lessee shall maintain the Premises in the same condition as received (and all expenses of maintaining the Premises as such and for Sub-Lessee’s use shall be the responsibility of Sub-Lessee), and upon the expiration or earlier termination hereof, Sub-Lessee shall return the Premises in the same condition as received, ordinary wear and tear and damage by casualty or condemnation

excepted. Sub-Lessee shall be responsible for the conduct of guests using the Premises, and their property, during the hours and events during which Sub-Lessee uses the Premises.

4. Sub-Lessee acknowledges and agrees that the Premises is in the North Carolina Brownfields Program, and Sub-Lessee agrees not to undertake any land disturbing activities without first securing the approval of Sub-Lessor. Sub-Lessee agrees to comply with all applicable laws, rules and regulations governing the Premises and the use thereof.

5. Sub-Lessee shall at all times during the Term carry commercial general liability insurance (or shall self-insure) covering Sub-Lessee's activities on the Premises insuring against liability for personal injury, bodily injury, including death and property damage for a minimum of \$1,000,000.00 per occurrence. Sub-Lessee shall forward to Sub-Lessor a certificate evidencing such insurance (or self insurance) and such insurance shall not be cancelled or materially changed in the scope or amount of coverage unless fifteen (15) days' advance written notice has been given to Sub-Lessor. The certificate of insurance shall identify Sub-Lessor and Lessor as "additional insureds".

6. Except for damage or injury due to Sub-Lessor's negligence or wrongful conduct, Sub-Lessee hereby releases Sub-Lessor and holds Sub-Lessor harmless from any liability for damage to Sub-Lessee's property or injury to Sub-Lessee's licensees, agents, contractors, invitees, employees or any other person using the Premises with the express or implied permission of Sub-Lessee.

7. Any notice required by this Lease shall be sent by certified mail, return receipt requested, with sufficient postage attached or by a nationally recognized overnight courier to the following addresses:

Sub-Lessee:

Sub-Lessor: Town of Carrboro
Economic Development Department
301 W. Main Street
Carrboro, NC 27510

8. If any provision of this Agreement is invalid or unenforceable to any extent, then that provision shall become void and the remainder of this Lease shall continue in effect and be enforceable to the fullest extent permitted by law.

8. Sub-Lessor covenants that upon paying the rent and performing the covenants to be performed by Sub-Lessee, Sub-Lessee shall peaceably and quietly have, hold and enjoy the Premises for the Term, including any renewal or extension periods. Sub-Lessee shall at all times

comply with all applicable laws, regulations or other directive or decisions of any lawful authority, and with the reasonable rules and regulations that may be issued by Lessor or Sub-Lessor from time to time.

9. In consideration of the signing of this Agreement, the parties hereto for themselves, their agents, officials, employees and servants agree not to discriminate in any manner on the basis of race, color, creed, national origin, gender, age, handicap, or sexual orientation with reference to this subject matter of this contract, no matter how remote.

10. Sub-Lessor shall be responsible for all landscape and other maintenance of the Premises during the Term.

11. This Agreement shall be governed by the laws of the State of North Carolina, without regard for choice of law rules. Venue for any action associated with this Lease shall be in the Superior Court of Orange County, North Carolina.

IN WITNESS WHEREOF, the parties have caused the due execution of this lease on the date and year first above written.

SUB-LESSOR: TOWN OF CARRBORO

BY: _____
David Andrews
Town Manager

LESSEE: CAT'S CRADLE

BY: _____



Town of Carrboro

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

Agenda Item Abstract

File Number:21-244

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

CIP Ordinance Updates for Morgan Creek Greenway and South Greensboro Street Sidewalk

PURPOSE: The purpose of this agenda item is to amend the Capital Project Ordinances for the Morgan Creek Greenway and South Greensboro Street Sidewalk to reflect the reallocation of Orange County Transit funds and the allocation of STBGDA-CRRSAA funds

DEPARTMENT: Planning & Finance

CONTACT INFORMATION: Christina Moon - 919-918-7325, cmoon@townofcarrboro.org <<mailto:cmoon@townofcarrboro.org>>; Patricia McGuire - 919-918-7327, pmcguire@townofcarrboro.org <<mailto:pmcguire@townofcarrboro.org>>; Arche McAdoo, 919-918-7439, amacadoo@townofcarrboro.org; Cary McNallan, 919-918-7301, cmcnallan@townofcarrboro.org <<mailto:cmcnallan@townofcarrboro.org>>

INFORMATION: At the November 17, 2020 Town Council meeting, staff provided an update on the Morgan Creek Greenway (TIP # EL-4828A) regarding an option to pursue the original greenway alignment, and noted that a source for additional funds would be need to be identified ([Town of Carrboro - Meeting of Town Council on 11/17/2020 at 7:00 PM \(legistar.com\)](https://carrboro.legistar.com/MeetingDetail.aspx?ID=802057&GUID=EA26A3D2-8C54-4EBA-B51F-AD10522C5B55&Options=&Search=>) <<https://carrboro.legistar.com/MeetingDetail.aspx?ID=802057&GUID=EA26A3D2-8C54-4EBA-B51F-AD10522C5B55&Options=&Search=>>>). Staff subsequently submitted a request for additional Orange County Transit funds to cover the additional costs associated with the redesign. GoTriangle has been closely monitoring the transit tax revenues during the last year, and while revenues are beginning to pick up, GoTriangle staff and the Orange County Transit Plan Staff Working Group are not yet ready to recommend new expenditures. In an effort to allow for the Morgan Creek Greenway project to move forward, the Town has requested that \$175,000 of Orange County Transit funds earmarked for the South Greensboro Street Sidewalk project (TIP # C-5650) be reallocated to the Morgan Creek Greenway. This would cover the redesign costs and associated permitting so that the Town could prepared updated bid documents and advertise the greenway project for construction. The existing allocation of \$199,800 of transit funds intended to be used toward the local match for the construction of the Morgan Creek Greenway would not be affected.

The proposed reallocation was included in the Orange County Transit FY22 Workplan and approved by the Staff Working Group at its June 1, 2021 meeting. An excerpt from the meeting agenda showing the proposed FY22 Workplan is provided (*Attachment C*). The GoTriangle Board of Trustees is scheduled the FY22 budget and Workplan at its June 23rd meeting. The reallocation would be revenue neutral; the Town's total allocation of Orange County Transit funds would remain the same.

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

The Town has been allocated \$206,343 of Surface Transportation Block Grant - Direct Attributable (STBGDA) funds as a result of the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) through the Durham-Chapel Hill-Carrboro (DCHC) MPO (*Attachment D*). The \$206,343 CRRSAA funds would be applied to the South Greensboro Street sidewalk project to make up for the reallocated transit funds; no local match would be required. As transit tax revenues get back on track, staff will continue to seek opportunities for additional funding through the Orange County Transit Plan.

Amendments to the Capital Improvement Project Ordinances have been prepared for both projects to reflect the described changes: Morgan Creek Greenway (*Attachment A*), South Greensboro Street Sidewalk (*Attachment B*). There is no additional cost to the Town associated with either amendment.

FISCAL & STAFF IMPACT: \$175,000 of Orange County Transit funds would be reallocated from the South Greensboro Street sidewalk project to the Morgan Creek Greenway project, increasing the Morgan Creek Greenway project budget by \$175,000.

\$206,343 of CRRSAA funds would be applied toward the South Greensboro Street Sidewalk project. The South Greensboro Street sidewalk project budget would increase by \$31,343.

RECOMMENDATION: Staff recommends that the Town Council approve the amendments to the capital project ordinances: Morgan Creek Greenway Capital Project Ordinance (*Attachment A*) and the South Greensboro Street Sidewalk Capital Project Ordinance (*Attachment B*), contingent upon the GoTriangle Board of Trustee's adoption of the FY22 budget on June 23, 2021.

**AMENDMENT TO MORGAN CREEK GREENWAY CAPITAL PROJECT
ORDINANCE**

Ordinance No. _____

WHEREAS, the Town Council on June 21, 2011 adopted the Morgan Creek Greenway Capital Improvement Project Ordinance No. 22/2010-11 and subsequently amended it on June 16, 2015 (Ordinance No. 19/204-15); February 6, 2018 (Ordinance No. 13/2017-18); and December 4, 2018 (Ordinance No.8/2018-2019); and

WHEREAS, the Town has executed a Municipal Agreement with NCDOT to administer federal funding to design and construct the Morgan Creek Greenway; and,

WHEREAS, the Town was awarded \$199,837 of Orange County Transit Funds; and,

WHEREAS, additional funding is needed to prepare updated construction plans and bid documents for the project; and,

WHEREAS, the Orange County Staff Working Group has approved the reallocation of a portion of the Orange County Transit Funds earmarked for the South Greensboro Street Sidewalk Project to Phase I of the Morgan Creek Greenway;

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

Section 1: Revenues for the Morgan Creek Greenway Capital Improvement Project No. 8/2018-2019 is hereby amended as follows:

	<u>Current</u> <u>Appropriation</u>	<u>Increase</u> <u>(Decrease)</u>	<u>New</u> <u>Appropriation</u>
Federal Funds (STP-DA)	\$524,000.00	\$0.00	524,000.00
Federal Funds (TAP-DA)	\$730,000.00	\$0.00	\$730,000.00
Orange Co Transit Funds (GoTriangle)	199,837.00	\$175,000.00	\$374,837.00
Bond Funds	<u>\$113,663.00</u>	<u>\$0.00</u>	<u>\$113,663.00</u>
Total	\$1,567,500.00	\$175,000.00	\$1,742,500.00

Section 2: The expenses for the project have been amended and appropriated as follows:

	<u>Current</u> <u>Appropriation</u>	<u>Increase</u> <u>(Decrease)</u>	<u>New</u> <u>Appropriation</u>
Design and Engineering	\$ 379,231.00	\$175,000.00	\$ 554,231.00
Construction	\$ 958,394.00	\$ 0.00	\$ 958,394.00
Contingency	<u>\$ 229,875.00</u>	<u>\$ 0.00</u>	<u>\$ 229,875.00</u>
Total Appropriation	\$ 1,567,500.00	\$ 175,000.00	\$ 1,742,500.00

Section 3: Funds appropriated shall be available until all project activity is completed.

Section 4: The Town Manager is authorized to arrange for Sungate Design, the Town Engineer, to complete the additional engineering and design work to bid the project.

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

This the 22nd day of June, 2021.

AMENDMENT TO SOUTH GREENSBORO STREET SIDEWALK CAPITAL IMPROVEMENT PROJECT ORDINANCE

WHEREAS, the Town Council on June 27, 2017 adopted a Capital Improvement Project Ordinance for the South Greensboro Street Sidewalk design and construction; and,

WHEREAS, the Town was awarded \$552,340.00 of Orange County Transit Funds; and,

WHEREAS GoTriangle has authorized the reallocation of \$175,000 of Transit Funds from the South Greensboro Street project to the Morgan Creek Greenway project; and,

WHEREAS, the Town received \$206,343 of STBGDA Corona Virus Relief Funds through the DCHC MPO, which have been allocated to the South Greensboro Street project; and

WHEREAS, the Town Council has authorized the Town Manager to execute a Municipal Agreement with NCDOT to administer the federal funding appropriated to design and build the South Greensboro Street Sidewalk; and,

WHEREAS, it is necessary to amend the capital project ordinance to appropriate the additional funding.

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

1. The revenues for the South Greensboro Street Sidewalk are amended as follows:

	Current <u>Appropriations</u>	Increase (Decrease)	New <u>Appropriation</u>
STBGP-DA Funds	\$ 277,386.00		\$ 277,386.00
STP-DA FUNDS	\$ 437,240.00		\$ 437,240.00
CMAQ Funds	\$ 440,000.00		\$ 440,000.00
ORANGE COUNTY TRANSIT FUNDS -	\$ 552,340.00	(\$ 175,000.00)	\$ 377,340.00
STBGDA CORONAVIRUS RELIEF FUNDS		\$ 206,343.00	\$ 206,343.00
BOND PROCEEDS	<u>\$ 43,153.00</u>		<u>\$ 43,153.00</u>
TOTAL	\$ 1,750,119.00	\$ 31,343.00	\$ 1,781,462.00

2. The expenditures for the project are amended as follows:

	Current <u>Appropriations</u>	Increase (Decrease)	New <u>Appropriations</u>
Right of Way Acquisition	50,000.00		\$ 50,000.00
Design and Engineering	\$ 200,273.00	\$214,727.00	\$ 415,000.00
Construction	\$ 1,378,306.00	(\$214,727.00)	\$ 1,163,579.00
Contingency	<u>\$ 121,540.00</u>	<u>\$ 31,343.00</u>	<u>\$ 152,883.00</u>
TOTAL	\$ 1,750,119.00	\$ 31,343.00	\$ 1,781,462.00

- 3 This Capital Project Improvement Ordinance is hereby authorized until all project activity is completed.
4. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director and Planning Director.

Orange Transit Work Plan - FY22 Workplan Summary									
Orange Workplan - Capital		Prior Year Authorized Budget		[May2021]	Requested Appropriation		Transit Plan Forecast**		
Agency		FY 2021 Adopted*	FY 21 Estimated Carryover		FY 2022 Submission		FY21-FY40		Notes
DCHC MPO		\$0	\$0		\$0		\$0		
GoTriangle		\$2,195,215	\$0		\$923,000		\$4,369,715		
Orange County / OPT		\$1,482,531	\$0		\$0		\$1,482,531		
Chapel Hill / CHT		\$2,167,561	\$0		\$1,812,500		\$14,227,635		
TownofCarrboro		\$905,845	\$0		\$205,000		\$1,438,745		
TownofHillsborough		\$0	\$0		\$50,000		\$701,900		
Total Capital (Agency)		\$6,751,152	\$0		\$2,990,500		\$22,220,526		
Agency		FY 2021 Adopted*	FY 21 Estimated Carryover		FY 2022 Submission		FY21-FY40		Notes
Transit Infrastructure		\$2,930,505	\$0		\$275,000		\$5,765,579		
Vehicle Acquisition		\$903,000	\$0		\$903,000		\$1,806,000		
BRT		\$1,580,857	\$0		\$1,812,500		\$13,205,857		
LRT		\$253,140	\$0		\$0		\$253,140		
CRT		\$0	\$0		\$0		\$0		
Capital Planning		\$583,651	\$0		\$0		\$689,951		
Transit Plan Development		\$500,000	\$0		\$0		\$500,000		
Total Capital (Appropriation Category)		\$6,751,152	\$0		\$2,990,500		\$22,220,526		
Total Operating		\$4,820,029			\$4,977,300				
Total Capital		\$6,751,152			\$2,990,500				
TOTAL Orange Workplan		\$11,571,181			\$7,967,800				
Agency	Workplan Project ID	Project Description	Category	FY 2021 Adopted*	FY 21 Estimated Carryover	FY 2022 Submission	FY21-FY40	Notes	
GoTriangle	19GOTCO1	ERP System - Transit Plan	Capital Planning	221,828		-	221,828	Adopted Programming	
GoTriangle	20GOTCD2	Light Rail Transit	LRT	253,140		-	253,140	Adopted Programming	
GoTriangle	18GOTCD8	Hillsborough Park and Ride	Transit Infrastructure	76,385		-	76,385	Adopted Programming	
GoTriangle	18GOTCD9	Hillsborough Transfer Center	Transit Infrastructure	-		-	1,171,500	Adopted Programming	
GoTriangle	18GOTCD11	Mebane Bus Stop Improvement	Transit Infrastructure	10,630		-	10,630	Adopted Programming	
GoTriangle	18GOTCD12	Bus Stop Improvements (Orange County)	Transit Infrastructure	301,100		-	301,100	Adopted Programming	
GoTriangle	19GOTCD1	RTC Facility Feasibility Study - Orange	Transit Infrastructure	36,383		-	36,383	Adopted Programming	
GoTriangle	20GOTCD3	Mobile Ticket Validators - Orange share (includes Route 420)	Transit Infrastructure	74,000		-	74,000	Adopted Programming	
GoTriangle	21GOT_VP1	Vehicle acquisition and replacement	Vehicle Acquisition	903,000		903,000	1,806,000	Adopted Programming	
GoTriangle	21GOT_CO1	Origin Destination Survey	Capital Planning	250,000		-	250,000	Revised Programming	
GoTriangle	21GOT_CO2	GoTriangle Short Range Transit Plan	Capital Planning	31,250		-	31,250	Revised Programming	
GoTriangle	21GOT_CO3	Transit Facilities Study	Capital Planning	37,500		-	37,500	Adopted Programming	
GoTriangle	22GOTCD2	Priority Transit Access Improvements	Transit Infrastructure	-		20,000	100,000	Adopted Programming	
Orange County / OPT	19OPTCD1	OPT Bus Stop Improvements (five stops)	Transit Infrastructure	137,864		-	137,864	Adopted Programming	
Orange County / OPT	19OPTAD1	OPT AVL	Capital Planning	43,073		-	43,073	Adopted Programming	
Orange County / OPT	20OPTCD1	OPT Bus Stop Signs	Transit Infrastructure	1,594		-	1,594	Adopted Programming	
Orange County / OPT	20OPTCD2	Hillsborough Park and Ride	Transit Infrastructure	800,000		-	800,000	Adopted Programming	
Orange County / OPT	20OPT_AD2	Planning for new Transit Plan	Transit Plan Development	500,000		-	500,000	Adopted Programming	
Chapel Hill / CHT	19CHTCD1	North-South BRT	BRT	1,580,857		1,812,500	5,205,857	Adopted Programming	
Chapel Hill / CHT	20 CHTCD1	North-South BRT Supplemental	BRT	-		-	8,000,000	Adopted Programming	
Chapel Hill / CHT	19CHTCD2	CHT ADA Bus Stop Upgrades	Transit Infrastructure	448,815		-	448,815	Adopted Programming	
Chapel Hill / CHT	19CHTCD3	UNC Manning Drive Bus Station	Transit Infrastructure	-		-	328,774	Adopted Programming	
Chapel Hill / CHT	20CHTCD1	Lighting in Bus Shelters	Transit Infrastructure	53,148		-	53,148	Adopted Programming	
Chapel Hill / CHT	20CHTCD2	Bus Stop Sign and Design Replacement	Transit Infrastructure	84,741		-	84,741	Adopted Programming	
TownofCarrboro	18TOCCD1	Estes Drive Bike-Ped Improvements	Transit Infrastructure	47,373		205,000	252,373	Adopted Programming	
TownofCarrboro	18TOCCD2	Estes Drive Transit Access Corridor Study	Transit Infrastructure	106,296		-	106,296	Adopted Programming	
TownofCarrboro	18TOCCD4	Morgan Creek Greenway	Transit Infrastructure	374,837		-	374,837	Revised Programming	
TownofCarrboro	18TOCCD5	South Greensboro Street Sidewalk	Transit Infrastructure	377,340		-	377,340	Revised Programming	
TownofHillsborough	18TOHCD1	Hillsborough Train Station	Transit Infrastructure	-		50,000	668,000	Adopted Programming	
TownofHillsborough	20TOHCD1	Hillsborough Train Station Bus Stop Improvements	Transit Infrastructure	-		-	33,900	Adopted Programming	
Total Capital By Project		-	-	6,751,152	-	2,990,500	24,935,526		
				FY 2021 Adopted*	FY 21 Estimated Carryover	FY 2022 Submission			
				5,717,726	-	2,990,500		Adopted Programming	
				1,033,427	-	-		Revised Programming	
				6,751,152	-	2,990,500		Total	

* Note: FY21 Adopted budget includes prior year carryover

** Note: Does not include vehicle acquisitions renewals

***Note: Town of Carrboro budget reallocation of \$175,000 from South Gransboro Street Sidewalk (18TOCCD5) to Morgan Creek Greenway (18TOCCD4) as per memo dated April 26, 2021

DURHAM • CHAPEL HILL • CARRBORO
METROPOLITAN PLANNING ORGANIZATION

101 City Hall Plaza • Durham, NC 27701 • Phone (919) 560-4366 • dchcmo.org



February 4, 2021

TO: DCHC MPO Technical Committee
 FROM : Anne Phillips, DCHC MPO Lead Planning Agency
 SUBJECT: STBGDA COVID Relief Funds Call for Projects

STBGDA Coronavirus Relief Funds

The Durham-Chapel Hill-Carrboro (DCHC) MPO has received \$2,340,706 of Surface Transportation Block Grant – Direct Attributable (STBGDA) funds as a result of the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA).

STBGDA funds provide flexible funding that communities can use to improve or construct roadways, bridges, bicycle and pedestrian infrastructure, and to implement transit capital projects. Though STBGDA funds typically require a 20% local match, stipulations in the CRRSAA **do not require a 20% local match**. DCHC has chosen to offer these funds with no required local match.

Because the availability of these zero-match funds may affect local jurisdictions' applications for the STBGDA and STBG Any Area funds included in the January 26 call for projects, the MPO is extending the deadline for STBGDA, and STBG Any Area, and Regional Bicycle and Pedestrian applications to **March 31, 2021**. **Please note that the deadline for Congestion Mitigation and Air Quality Improvement (CMAQ) projects remains February 10, 2021.**

Funding distribution is guided by the attached Policy Framework for DCHC MPO Federal Funds.

A few things to keep in mind:

- The funds allocated through the CRRSAA must be obligated by September 30, 2024. Any amount that is not obligated will lapse.
- In addition to being used for STBG eligible costs, these funds can be used for costs related to preventive maintenance, routine maintenance, operations, personnel, including salaries of employees (including those employees who have been placed on administrative leave) or contractors, debt service payments, availability payments, and coverage for other revenue losses.
- While these funds may be flexed to transit, NCDOT is still trying to determine how this may affect the local match requirement. Please keep in mind that local transit agencies have already received CRRSAA funds.
- CRRSAA funds can be used to replace previously programmed STBG(DA) funds for Locally Administered Projects (LAP), and the requisite local match, as long as the originally programmed funds have not already been obligated.

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Funding Available:

<u>Jurisdiction</u>	<u>Funding</u>
City of Durham	\$ 1,442,230
Chapel Hill	\$ 429,255
Carrboro	\$ 206,343
Hillsborough	\$ 126,447
Durham County	\$ 57,908
Orange County	\$ 55,924
Chatham County	\$ 22,599
TOTAL	\$ 2,340,706

Application Procedure: STBGDA form (attached). The form has been updated so you can indicate the type of STBG funds you are requesting.

Application and Approval Schedule

February 4: STBGDA COVID Funds Call for Projects Issued

February 10: CMAQ Applications Due

February 17: Recommended CMAQ projects submitted to TC review

February 24: TC review of CMAQ projects and recommendation

March 10: MPO Board approval of CMAQ projects

March 31: STBGDA, STBG Any Area, STBG COVID Relief, and Regional Bike-Ped Applications Due

April 21: Recommended STBG and Regional Bike-Ped projects submitted to TC for review

April 28: TC review of STBG and Regional Bike-Ped projects and recommendation

May 12: MPO Board Approval



Town of Carrboro

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

Agenda Item Abstract

File Number:21-242

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Adoption of an Ordinance Limiting the Amount of Contributions to Candidates

PURPOSE: The purpose of this item is for the Council to adopt an ordinance limiting campaign contributions to any candidate for town office.

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Dorando

INFORMATION: Section 5-15 of the Town Code, set to expire 60 days prior to the filing for the 2021 regular town election, limits the amount of campaign donations to \$250.00. The ordinance provided as Attachment A to the Council will reenact the expiring limitation.

FISCAL & STAFF IMPACT: None

RECOMMENDATION: It is recommended that the Council adopt the attached ordinance.

AN ORDINANCE TO REENACT THE EXPIRING PROVISIONS OF SECTION 15-15 OF THE
CARRBORO TOWN CODE, WHICH LIMIT THE AMOUNT OF CONTRIBUTIONS THAT CAN
BE MADE TO CANDIDATES FOR TOWN OFFICES

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 5-15 of the Carrboro Town Code, which by its own terms expires automatically 60 days prior to the opening of filing for the 2021 regular town election, is reenacted and amended to read as follows:

Section 5-15 Limitation on Campaign Contributions for Town Offices

(a) No person, political committee, or other entity may contribute to any candidate for the office of mayor or any candidate for the office of alderman any money or in-kind contribution in any election (regular or special) in excess of \$250.00.

(b) The definitions in Article 22A of Chapter 163 of the General Statutes apply to the provisions of this section. In addition, as used herein, the word "candidate" also means a political committee authorized by the candidate for that candidate's election.

(c) The provisions of this section do not apply to contributions made by a candidate or a candidate's spouse, domestic partner registered with a government agency, parents, brothers, or sisters.

(d) The provisions of this section are authorized and shall be interpreted in accordance with Sections 2-8 and 2-9 of the Town Charter, as established by Chapter 97 of the 2008 Session Laws.

(e) The provisions of this section shall expire 60 days prior to the opening of filing for the 2023 regular town election, except that such expiration will not make lawful any contribution made before that date that is in violation of this section.

Section 2. This ordinance shall become effective upon adoption. The section it replaces is not immediately repealed but shall expire 60 days prior to the opening of filing for the 2021 regular town election. The Town Clerk shall replace the expiring version of Section 5-15 in the Town Code with the version set forth above.



Town of Carrboro

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

Agenda Item Abstract

File Number:21-250

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Authorization of the Town Manager to Execute a revised Memorandum of Agreement to accept a Transportation Demand Management grant funds

PURPOSE: The purpose of this agenda item is to provide Council an update on the status of the TDM grant and to consider authorizing the Town Manager to enter into a revised MOA.

DEPARTMENT: Planning

CONTACT INFORMATION: Zachary Hallock, 919-918-7329, zhallock@townofcarrboro.org; Trish McGuire, 919-918-7327, pmcguire@townofcarrboro.org

INFORMATION:

The Town Council authorized the Town Manager to execute the MOA for FY20-21 was previously approved on January 20, 2020. More information can be found at:

[Town of Carrboro - File #: 19-380 <https://carrboro.legistar.com/LegislationDetail.aspx?ID=4310394&GUID=7048078D-07E2-4B0D-945B-D602458407ED&Options=ID%7CText%7CAttachments%7COther%7C&Search=Transportation+Demand+Management&FullText=1>](https://carrboro.legistar.com/LegislationDetail.aspx?ID=4310394&GUID=7048078D-07E2-4B0D-945B-D602458407ED&Options=ID%7CText%7CAttachments%7COther%7C&Search=Transportation+Demand+Management&FullText=1)

Due to the impacts of the COVID-19 pandemic shutdown, the allocation of the grant had been reduced from a total value of \$5,500 (with a \$2,750 local match) to a total value of \$3,000 (with a \$1,500 local match).

FISCAL & STAFF IMPACT: The total value of the grant is \$1,500 and requires a local match of \$1,500, which is provided through in-kind, services (staff time). This staff time is a portion of the Transportation Planner's time that is spent on TDM activities, plus any documented expenses related to the annual Open Streets event.

RECOMMENDATION: Staff recommend Council consider the resolution (Attachment A) authorizing the Town Manager to execute the revised MOA.

A RESOLUTION AUTHORIZING THE MANAGER TO EXECUTE A
MEMORANDUM OF AGREEMENT WITH THE TOWN OF CHAPEL HILL FOR
CARRBORO'S PARTICIPATION IN THE REGIONAL TRANSPORTATION
DEMAND MANAGEMENT PROGRAM FOR FISCAL YEAR 2020-21

WHEREAS, the North Carolina Department of Transportation, Capital Area MPO, and Durham-Chapel Hill-Carrboro MPO have provided funding to the Triangle J Council of Governments to support Transportation Demand Management activities in the region; and

WHEREAS, the Triangle J Council of Governments has issued a call for Transportation Demand Management grant applications for FY2020-21; and

WHEREAS, the Town of Carrboro has partnered with the Town of Chapel Hill since 2010 on Transportation Demand Management program promotions; and

WHEREAS, Carrboro has developed a set of Transportation Demand Management activities as a sub-recipient of the Town of Chapel Hill's FY2020-21 Transportation Demand Management grant application;

WHEREAS, Carrboro will receive up to \$1,500 (a 50% reimbursement on up to \$3,000 in expenses) for Transportation Demand Management activities (such as Open Streets staffing and a portion of the Transportation Planner's salary);

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Town Council that the Council approves continued participation in an application for regional Transportation Demand Management funding in FY2020-21, and authorizes the Town Manager to execute a Memorandum of Agreement with the Town of Chapel Hill for that purpose.

Within five (5) days after this resolution is adopted, the Town Clerk shall file a copy of this resolution with the Town Manager and Finance Director.

This resolution shall be effective upon adoption by the Carrboro Town Council.



Town of Carrboro

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

Agenda Item Abstract

File Number:21-229

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Designation of Fund Balance for FY 2020-21 Budget Items Not Yet Spent or Encumbered

PURPOSE: The Town Council is requested to designate fund balance in the General Fund to carry over to next year for certain budget items where funds have not been spent or encumbered.

DEPARTMENT: Finance

CONTACT INFORMATION: Arche McAdoo 918-7439; Cary McNallan 918-7301

INFORMATION: The Town Manager has identified several activities/programs in the adopted FY 2020-21 general fund budget where funds appropriated have not been spent or encumbered. These funds total \$575,599 and will be needed when activities/programs are developed and a vendor identified for the service or item.

As part of the transition from one fiscal year to the next, Finance requests all departments to identify budgeted activities/programs that are not complete, so that the funding for these unspent budgeted items may be considered for carry over at year-end for use at a future date. This avoids possible interruption of the planning or implementation for these activities/programs. Designating fund balance for the use of these budgeted, but unspent or not encumbered funds, allows for a more accurate presentation of the undesignated fund balance portion of the General Fund in the annual audit report.

The resolution to designate fund balance (Attachment A) authorizes the carryover to next fiscal year of unexpended budget balance for specified item(s) contingent upon confirmation by the independent audit for the year ending June 30, 2021. The Town Manager is also authorized to transfer these funds to the appropriate department.

FISCAL & STAFF IMPACT: The budget items identified total \$575,599 to be carried over from FY 2020-21 to FY 2021-22. If not carried over, an appropriation in the FY 2021-22 budget may be necessary to continue these activities/programs.

RECOMMENDATION: The Town Council is requested to consider for adoption the attached resolution designating fund balance for the items identified.

**A RESOLUTION APPROVING DESIGNATION OF FUND BALANCE
FOR FY 2020-21 BUDGET FUNDS NOT YET SPENT OR ENCUMBERED**

WHEREAS, the Town Manager has described to the Town Council the desirability of adopting a resolution to designate fund balance for certain projects:

BE IT RESOLVED by the Town Council that fund balance in the General Fund is designated to fund the following items:

**Designated Fund Balance
FY 2020-21**

<u>Department</u>	<u>Description</u>	<u>Amount</u>
Public Works	OWASA Subsidy	\$ 30,070.00
Public Works	Traffic Calming Devices	21,572.00
Public Works	Powell Bill Funds	401,500.00
Planning	Bicycle Friendly Community	32,102.00
Planning	Traffic Counters	6,750.00
Climate Action	Grassroots Partnerships	48,221.00
Advisory Boards	Truth Plaque	9,411.00
Police	Seizure Funds - State	25,973.00
	Total	<u>\$ 575,599.00</u>

Summary of Designated Fund Balance Budget Items

OWASA Subsidy – The unspent portion of the OWASA sewer subsidy budget is reserved annually until spent entirely.

Traffic Calming Devices – The unspent portion will be use to fund traffic calming devices for next year.

Powell Bill Funds – The unspent portion of the Powell Bill Funds are required to be spent on Powell Bill eligible expenses and can be used on such future year expenditures.

Bicycle Friendly Community – These funds will be used to purchase bike loop detectors in order to expand the capacity to measure bicyclist traffic and pedestrians around town.

Traffic Counters – These funds will be used to purchase traffic counters in order to expand the capacity to measure vehicle traffic and speeds around town.

Grassroots Partnerships – These funds are used for grassroots outreach efforts related to various Town initiatives.

Truth Plaque – These funds are used to create historical markers throughout the Town.

Seizure Funds (State) – The Police Department uses these restricted revenues to supplement ongoing investigations. Unexpended funds in a given year are carried over to the next year.

BE IT FURTHER RESOLVED, that upon confirmation of the actual amount for the above projects by the independent audit for the year ending June 30, 2021, the Town Manager may transfer fund balance up to the amount confirmed by the independent audit to the appropriate department(s) without further action by the Town Council.



Town of Carrboro

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

Agenda Item Abstract

File Number:21-257

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Consideration of 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.

DEPARTMENT: Planning Department, Town Attorney's Office

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

INFORMATION: On June 15, 2021, the Town Council held a public hearing on text amendments prepared to bring the Land Use Ordinance into compliance with changes to state statutes following the adoption of N.C.G.S. Chapter 160D ([Town of Carrboro - Meeting of Town Council on 6/15/2021 at 7:00 PM \(legistar.com\)](https://carrboro.legistar.com/MeetingDetail.aspx?ID=823956&GUID=E260FC8E-FC74-4077-8645-2108ACA1F4E0&Options=&Search=>) <<https://carrboro.legistar.com/MeetingDetail.aspx?ID=823956&GUID=E260FC8E-FC74-4077-8645-2108ACA1F4E0&Options=&Search=>>>).

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; language has added to the LUO to outline the process for adopting and amending the comprehensive plan.
- The list of plans used for determining consistency has been updated.
- 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: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

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

Other modifications to the Land Use Ordinance include 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. A short staff report with a bulleted list of some of the key changes brought forth with the adoption of Chapter 160D was provided with the public hearing materials. A copy of table with information on the purpose of the change and specific section/provision(s) to be amended is provided (*Attachment C*).

Comments from Orange County and the Planning Board have also been provided. (*Attachment D*.)

Copies of the articles showing changes in tracking have been loaded to a ShareFile and may be accessed using the following link. A few minor typos were identified and corrected since the public hearing, with revised files added to the ShareFile: <https://townofcarrboro.sharefile.com/d-sf58592af81844b0d95de1eba72b0a500>.

Links to the previous meeting agendas are provided below.

--October 13, 2020 -

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

--January 26, 2021 - [Town of Carrboro - Meeting of Town Council on 1/26/2021 at 7:00 PM \(legistar.com\)](#)

<https://carrboro.legistar.com/MeetingDetail.aspx?ID=823936&GUID=D387AE20-BC4A-444C-A4C3-58F350776615&Options=&Search=>> (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 - [Town of Carrboro - Meeting of Town Council on 5/11/2021 at 7:00 PM \(legistar.com\)](#)

<https://carrboro.legistar.com/MeetingDetail.aspx?ID=823951&GUID=6129DF98-B509-4C9C-A6CF-6606843C3428&Options=&Search=>> (Request-to-Set a Public Hearing)

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 adopt the resolution for consistency

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

(Attachment A) and the draft ordinance *(Attachment B)* to meet the July 1, 2021 deadline required by state statute.

A RESOLUTION ADOPTING A STATEMENT EXPLAINING THE TOWN COUNCIL'S
REASONS FOR ADOPTING AN AMENDMENT TO THE TEXT OF THE CARRBORO
LAND USE ORDINANCE (N.C. Gen. Stat. 160A-383)

WHEREAS, an amendment to the text of the Carrboro Land Use Ordinance has been proposed, which amendment is described or identified as follows: AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO CONFORM WITH RECENT CHANGES IN STATE LEGISLATION RELATING TO THE ADOPTION OF CHAPTER 160D.

NOW, THEREFORE, the Town Council of the Town of Carrboro Resolves:

Section 1. The Council has reviewed the draft amendment to the text of the Land Use Ordinance and concludes that the proposed amendment is:

_____ *Consistent* with the provisions in Section 15-2 of the Land Use Ordinance which specify the authority granted to the Town through state enabling legislation.

_____ *Inconsistent* with current adopted plans. The proposed action is *inconsistent* with the comprehensive plan for the following reason(s):

_____ *Inconsistent* with the current adopted plans; however, because of the following changed circumstance(s), the Council's approval shall also be deemed an amendment to the existing adopted plan, _____, as described below.

Changed circumstance(s):

Amendment to current adopted plan:

Section 2. The Town Council's action is reasonable and in the public interest for the following reason(s):

The proposed text amendment is reasonable and in the public interest because the Town seeks to remain consistent with its adopted plans or policies.

Section 3. Therefore, the Carrboro Town Council has: approved / denied the proposed amendment to the text of the Carrboro Land Use Ordinance.

Section 4. This resolution becomes effective upon adoption.

Adopted by the Carrboro Town Council this 22nd day of June 2021.

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO CONFORM
WITH RECENT CHANGES IN STATE LEGISLATION RELATING TO THE ADOPTION OF
CHAPTER 160D

****DRAFT 06-17-2021****

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 of 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 by the Town Council (special use permit-A) or board of adjustment (special use permit-B) 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. All valid special use permits were automatically converted to special use permits-B on June 22, 2021. [See also conditional use permit.]

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 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 districts made by zoning text amendments where there are no changes in the boundaries of the 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 an application for a special use permit-A until the planning board, appearance commission, transportation 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 a 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:

Section 15-60 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 an application for a special use permit-A, 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 shall contain the following certificates in lieu of those required in Section 15-80:

(1) Certificate of Ownership

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) Certificate of Approval for Recording – Subdivision Plat

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 word ‘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 quasi-judicial 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 decision-making 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 decision-making board.

(e) Upon filing the petition, the petitioner shall present the petition and a proposed writ of 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:

- (1) 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 special use permit-A application increases the residential density or commercial floor area permissible on the property or decreases or alters the location of open space areas.
 - b. No special use permit-A for a village neighborhood mixed use development may be denied for reasons set forth in Subsection 15-54(c)(4) if the basis for such denial involves an element or effect of the development that has previously been specifically addressed and approved in the master plan approval process, unless (i) it can be demonstrated that the information presented to the Town Council at the master plan approval stage was

materially false or misleading, (ii) conditions have changed substantially in a manner that could not reasonably have been anticipated, or (iii) a basis for denial for reasons set forth in Subsection 15-54(c)(4) is demonstrated by clear and convincing evidence.

- (5) Subject to Subsection 15-141.2(g)(4)b, a master plan approved under this section as a condition of the conditional rezoning may only be amended in accordance with the provisions applicable to a rezoning of the property in question. Notwithstanding the foregoing, the Council may consider as a condition to the rezoning, parameters for future 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), (l), and (n), the uses permissible within a conditional zoning district authorized by this section, and the regulations applicable to property within such a district, shall be those uses that are permissible within and those regulations that are applicable to the conventional use zoning district to which the conditional district corresponds, except as those uses and regulations are limited by conditions imposed pursuant to subsection (f) of this section. For example, property that is rezoned to a B-2-CZ district may be developed in the same manner as property that is zoned B-2, subject to any conditions imposed pursuant to subsection (d). (AMENDED 10/23/18)

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

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

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

(i) All uses that are permissible in the conditional zoning district shall require the issuance of the same type of permit that such use in the corresponding 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.

Performance Measures

Site and Building Element Categories	Examples of Performance Measures
Stormwater management and Water conservation	1) Substantial stormwater retrofits 2) Reduction in nitrogen loading from the site by at least 8 percent from the existing condition, as determined by the Jordan Lake Accounting Tool
Substantial transportation improvement and Alternative	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

transportation enhancement	<p>4) Substantial improvement to public infrastructure, such as enhanced bicycle and pedestrian paths, or access to transit</p> <p>5) Construction of substantially improved site entrance, intersection</p>
On-site energy production and energy conservation	<p>6) Meets or exceeds standards for LEED Gold certification</p> <p>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</p> <p>8) Use of harvested rainwater for toilet flushing</p> <p>9) Use of devices that shade at least 30 percent of south-facing and west-facing building elevations</p> <p>10) Use of low emissivity (low-e²) windows along south-facing and west-facing building elevations</p> <p>11) Installation of attic insulation that exceeds the current building code R-value rating by 35 percent or greater</p> <p>12) Use of geothermal heat system to serve the entire complex</p> <p>13) Use of LED fixtures for parking and street lights</p> <p>14) Meets the Architecture 2030 goal of a 50 percent fossil fuel and greenhouse gas emission reduction standard, measured from the regional (or country) average for that building type or the US Conference of Mayors fossil fuel reduction standard for all new buildings to carbon neutral by 2030</p>
Creation of new and innovative light manufacturing operations	<p>15) The development of clean, innovative light manufacturing operation(s) that creates employment for a more than ten workers</p> <p>16) Incorporates technologies to reduce production waste by 50 percent or more</p>
The provision of public art and/or provision of outdoor amenities for public use	<p>17) Outdoor amenities such as major public art</p> <p>18) Amphitheatre or outdoor theater, outdoor congregating/gathering area</p> <p>19) Outdoor eating facilities</p> <p>20) Outdoor tables with game surfaces, etc.</p>

(3) In approving a special use permit-A for a development of infill property zoned M-3-CZ, the Council may allow deviations from the otherwise applicable standards relating to public streets as follows:

- a. The Council may approve a curb and gutter street having a right-of way of not less than 50 feet, travel lanes of not less than 11 feet, divided by a raised concrete median, with a two foot planting strip and a five foot sidewalk if

the development provides a separate ten-foot wide paved bike path or shared-use path that constitutes a satisfactory alternative to a bike lane with the street right-of-way if the applicant can demonstrate that the proposed road will provide the functional equivalent to the required street classification standard for all modes of travel from the point of origin to the terminus at the property boundaries.

- b. The Council may approve a street lighting system consisting of LED lights on 15 foot poles if satisfactory arrangements are made to ensure that all costs associated with the installation, operation, and maintenance of such poles and lights are borne by the developer or the developer's successor, and not the Town.
- c. The Council may approve a street tree planting plan that provides for the installation of fewer 6" caliper trees rather than the planting of more numerous 2" caliper trees required by Section 15-316.

Section 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-B must be obtained, as shown below.

TABLE OF PERMISSIBLE USES

Last Amended: 6/17/21

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	CT	C	W-R	B-5	WM-3	O	O/A
1.000 Residential																												
	1.100	Single Family Residences																										
		1.110	Single Family Detached One Dwelling Unit Per Lot																									
			1.111	Site Built/Modular			Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z		Z			Z	Z
			1.112	Class A Mobile Home					Z	Z	Z	Z	Z										Z					
			1.113	Class B Mobile Home																				Z				
		1.120	Single Family Detached More Than One Dwelling Unit Per Lot																									
			1.121	Site Built/Modular			*	*	*	*	*	*	*		*	*	*	*				*					*	*
			1.122	Class A Mobile Home					*	*	*	*	*															
			1.123	Class B Mobile Home																								
	1.200	Two-Family Residences																										
		1.210	Two-Family Conversion			*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
		1.220	Primary Residence with Accessory Apartment			*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
		1.230	Duplex			*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
		1.231	Maximum 20% units > 3 bedrms/du			*	*	*	*	*	*	*	*	*	*	*	*	*				*					*	*
		1.232	No bedroom limit			*	*																					
		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
		1.320	Multi-Family Townhomes			BA	BA	BA	BA	BA	BA		*	BA	BA	BA	BA	BA				BA					BA	BA
		1.321	Maximum 20% units > 3 bedrms/du																									
			> 3 bedrms/du			BA	BA	BA	BA	BA	BA			BA	BA	BA	BA	BA				BA					BA	BA
		1.322	No bedroom limit			BA	BA																					
		1.330	Multi-Family Apartments			BA	BA	BA	BA	BA	BA			BA	BA	BA	BA	BA				BA					BA	BA
		1.331	Maximum 20% units > 3 bedrms/du																									
			> 3 bedrms/du			BA	BA	BA	BA	BA	BA			BA	BA	BA	BA	BA				BA					BA	BA
		1.332	No bedroom limit			BA	BA																					
		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			A	A	A	A	A	C				A	A						A						
		1.420	Boarding Houses, Rooming Houses			B	B	B	B	B	B				A	B						A	A					
		1.430	Adult Care Home, Class A			Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z	Z				Z	Z
		1.440	Adult Care Home, Class B			B	B	B	B	B	B	B	B		Z	Z						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
		1.460	Child Care Home, Class B			B	B	B	B	B	B	B	B		Z	Z						Z	B					
		1.470	Maternity Home			Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z	Z				Z	Z
		1.480	Nursing Care Home			Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z				Z	Z				Z	Z
	1.500	Temporary Residences																										
		1.510	Tourist Homes and other Temporary Residences																									
			Renting Rooms for Relatively Short Periods of Time			B	B	B	B							B									A			
	1.600	Homes Emphasizing Services, Treatment or Supervision																										
		1.610	Temporary Homes for the Homeless				B	B			B			B		B	B	B										
		1.620	Overnight Shelters for Homeless													B	B	B										
		1.630	Senior Citizen Residential Complex						A	A																		
	1.700																											
	1.800																											
	1.900	Home Occupation			Z	Z	Z	Z	Z	Z	Z	Z	Z			B	B	B				B		Z			Z	Z
		1.910	Major Home Occupation										Z	Z														

TABLE OF PERMISSIBLE USES

Last Amended: 6/17/21

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	CT	C	W-R	B-5	WM-3	O	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										BA	BA		BA	BA	BA	BA	BA	A			A			BA
2.111 ABC Stores										BA	BA		A	A	A			A						
2.112 Specialty High Volume Retail												BA										A		
2.120 Low-Volume Traffic Generation										ZA	ZA	ZA	ZA	ZA	ZA	ZA	ZA	A			A	A		ZA
2.130 Wholesale Sales											ZA			ZA	ZA	ZA	ZA	A			A	A		ZA
2.140 Drive-In Windows													A	A	A									
2.150 Retail Sales with Subordinate Manufacturing and Processing										ZA												A		
2.200 Display of Goods Outside Fully Enclosed Building																								
2.210 High-Volume Traffic Generation										ZA	ZA					ZA	ZA	ZA			A	A		ZA
2.220 Low-Volume Traffic Generation										ZA	ZA					ZA	ZA	ZA			A	A		ZA
2.250 High Volume Retail with Outdoor Display and Curbside Pick-up and/or Drive Through Window (service directly to vehicle to pick-up pre-ordered grocery or pharmacy items for off-premises consumption)															A									
2.230 Wholesale Sales											A					ZA	ZA	ZA			A	A		ZA
2.240 Drive-In Windows													A	A										
2.300 Storage of goods outside fully enclosed building																								
2.310 High-volume traffic generation																ZA								
2.320 Low-volume traffic																ZA								
2.330 Wholesale Sales																ZA								
2.340 Drive-In Windows																								
3.000 Office, Clerical, Research and Services Not Primarily Related to Goods or Merchandise																								
3.100 All operations conducted entirely Within Fully Enclosed Building																								
3.110 Operations designed to attract and serve customers or clients on the premises, such as the office of attorneys, physicians, other professions, insurance and stock brokers, travel agents, government office buildings, etc.										ZA	ZA	ZA	ZA	B		ZA	ZA	ZA	A		A		ZA	ZA
3.120 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use										ZA	ZA	ZA	ZA	B		ZA	ZA	ZA	A		A	A	Z	ZA
3.130 Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area										ZA	ZA	ZA	ZA	B		ZA	ZA		ZA		A		ZA	ZA
3.131 Office or clinics of physicians or dentists with not more than 30,000 square feet of total building gross floor area																A								
3.140 Watershed research																			A					

TABLE OF PERMISSIBLE USES

Last Amended: 6/17/21

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	CT	C	W-R	B-5	WM-3	O	O/A
	3.150	Copy Centers/Printing Operations									ZA	ZA	ZA	ZA	B	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				A			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	A			A	A		ZA
	3.230	Banks with drive-in window													A	A	A									
	3.240	Watershed research																			A					
	3.250	Automatic Teller Machine, Freestanding										A	A		A		A			A					A	A
	3.260	Social Service Provider with Dining						Z	Z			A	Z													
4.000 Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment																										
	4.100	All operations conducted entirely within fully enclosed buildings									A		ZA					ZA	ZA	A				A		A
	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)	A	A	A	A	A	A	A	A	A	A	A				Z(1)				Z		A			
	5.120	Trade or vocational school										Z	ZA				A	ZA	A	A			A			
	5.130	Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc)							A			Z	ZA				A	A		A						
	5.200	Churches, synagogues and temples, and other places of worship and spiritual contemplation (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		A	A		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	B	B	B	B	B	B	B			ZA	Z	Z	Z	Z	B	ZA		ZA			A		Z	ZA
	5.320	Located within any permissible structures										ZA	ZA	ZA			B	ZA		ZA			A		A	ZA
	5.400	Social, fraternal clubs and lodges, union halls, and similar uses										ZA	ZA	ZA			B	B		ZA			A			
6.000 Recreation, Amusement, Entertainment																										
	6.100	Activity conducted entirely within building or substantial structure																								
	6.110	Bowling alley, skating rinks, indoor tennis and squash courts, billiards and pool halls, indoor athletic and exercise facilities and similar uses.										ZA	ZA		ZA	ZA	ZA	ZA		ZA			A			
	6.120	Movie Theaters																								
	6.121	Seating capacity of not more than 300										ZA	ZA				ZA	B		ZA						B

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Last Amended: 6/17/21

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	CT	C	W-R	B-5	WM-3	O	O/A
	6.122	Unlimited Seating Capacity										B	ZA				ZA	B		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										A	A				A	A		A						
	6.140	Community Center--a Town sponsored, non-profit indoor facility providing for one or several of various type of recreational uses. Facilities in a Community Center may include, but are not limited to gymnasias, swimming pools, indoor court areas, meeting/activity rooms, and other similar uses	Z	Z	Z	Z	Z	Z	Z			Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z		Z
	6.150	Electronic Gaming Operations															B									
	6.200	Activity conducted primarily outside enclosed buildings or structures.																								
	6.210	Outdoor recreational facilities developed on private lands, without Town sponsorship or investment, such as golf and country clubs, swimming or tennis clubs, etc. and not constructed pursuant to a permit authorizing the construction of a residential development.	B	B	B	B	B	B	B				A							A	A	A	A			
	6.220	Outdoor recreational facilities developed on public lands, or on private lands with swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school																								
	6.221	Town of Carboro 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 Carboro	A	A	A	A	A	A	A			A	A				A	A		A	A	A	A	A		
	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 constructed pursuant to permit authorizing residential development)							B									B			Z	A	A			
	6.250	Automobile and motorcycle racing tracks																	B							
	6.260	Drive-in Movie Theaters																								
7.000 Institutional Residence or Care of Confinement Facilities																										
	7.100	Hospitals, clinics, other medical (including mental health) treatment facilities in excess of 10,000 square feet of floor area											A							A						
	7.200	Nursing care institutions, intermediate care institutions, handicapped, aged or infirm institutions, child care institutions	A	A					A				A							A			A			
	7.300	Institutions (other than halfway houses) where mentally ill persons are confined											A							A						

TABLE OF PERMISSIBLE USES

Last Amended: 6/17/21

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	CT	C	W-R	B-5	WM-3	O	O/A
7.400	Penal and Correctional Facilities																									
8.000	Restaurants (including food delivery services), Bars, Night Clubs																									
8.100	Restaurant with none of the features listed in use classification below as its primary activity																									
8.200	Outside Service or Consumption											A	ZA	ZA(I)	A		Z						A			ZA
8.300	Drive-in (service to and consumption in vehicle on premises)												ZA	ZA(I)	A		B						A			ZA
8.400	Drive Through Windows (service directly to vehicles primarily for off-premises consumption)																A									
8.500	Carry Out Service (food picked up inside of off-premises consumption)												ZA	ZA(I)			Z						A			
8.600	Food Delivery												ZA	ZA(I)			Z						A			
8.700	Mobile prepared food vendors												Z	Z				Z								
8.800	Performing Arts Space												ZA	ZA												
9.000	Motor Vehicle-Related Sales and Service Operations																									
9.100	Motor vehicle sales or rental of sales and service												A					ZA	ZA							
9.200	Automobile service stations																B	A	Z							
9.300	Gas sales operations																B	A	Z							
9.400	Automobile repair shop or body shop												A				B	A	Z							
9.500	Car wash																	A	Z							
10.000	Storage and Parking																									
10.100	Independent automobile parking lots or garages												ZA	Z			Z	Z	Z	A						
10.200	Storage of goods not related to sale or uses of those goods on the same lot where they are stored																									
10.210	All storage within completely enclosed structures																	Z	Z							A
10.220	Storage inside or outside completely enclosed structures																	A	Z							ZA
10.300	Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot																			B	B					
11.000	Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards																		B							
12.000	Services and Enterprises Related to Animals																									
12.100	Veterinarian								B				ZA				B	B	B							
12.200	Kennel								B									B	B							
13.000	Emergency Services																									
13.100	Police Stations		Z	Z	Z	Z	Z	Z	Z				Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
13.200	Fire Stations		Z	Z	Z	Z	Z	Z	Z				Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
13.300	Rescue Squad, Ambulance Service		B	B	B	B	B	B	Z				B	B	B	B	B	B	Z	B	A	A	A	A	B	B
13.400	Civil Defense Operation		B	B	B	B	B	B	Z				B	B	B	B	B	B	Z	B	A	A	A	A	B	B
14.000	Agricultural, Silvicultural, Mining, Quarrying Operations																									
14.100	Agricultural operations, farming																									
14.110	Excluding livestock			Z	Z	Z	Z	Z	Z										Z		Z	Z	Z			
14.120	Including livestock																				Z	Z	Z			
14.200	Silvicultural operations			Z	Z	Z	Z	Z	Z										Z							
14.300	Mining or quarrying operations, including on-site sales of products																			B						
14.400	Reclamation landfill			Z	Z	Z	Z	Z	Z									Z	Z	Z						
15.000	Miscellaneous Public and Semi-Public Facilities																									
15.100	Post Office												A	A		A	A	A	A	A						
15.200	Airport								A				B				B	B								A
15.300	Sanitary landfill								A									A								

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Last Amended: 6/17/21

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	CT	C	W-R	B-5	WM-3	O	O/A
15.400	Military reserve, National Guard centers																	Z								
15.500	Recycling materials collection operations																									
15.510	Using collection facilities other than motor vehicles												Z				Z	Z	Z							
15.520	Aluminum recycling using motor vehicles												B				B	B	B							
15.600	Public utility service complex																						A			
15.700	Cable Television Signal Distribution Center											B	B	B	B		B	B	B	B					B	B
15.750	Data Service Provider Facility				ZB	ZB	ZB																			
15.800	Town-owned and/or Operated Facilities and Services																									
15.810	Town-owned and/or Operated Public Parking Lot											Z	Z	Z	Z	Z	Z	Z	Z	Z				Z		Z
15.820	All other town-owned and/or operated facilities and services		Z	Z	Z	Z	Z	Z	Z				Z		Z	Z		Z	Z	Z	Z	Z	Z	Z	Z	Z
16.000	Dry Cleaner, Laundromat																									
16.100	With drive-in windows															A	A	A								A
16.200	Without drive-in windows												Z		B	B	Z	B		Z			A			B
17.000	Utility Facilities																									
17.100	Neighborhood		B	B	B	B	B	B	B				B	B	B	B	B	B	B	B	A	A	A			B
17.200	Community or regional utility facilities					ZB												B	B		A		A			B
17.300	Cable Television Satellite Station								B							B	B	B	B	B					B	B
17.400	Underground Utility Lines																									
17.410	Electric Power Lines & Gas Lines		B	B	B	B	B	B	B			B	B	B	B	B	B	B	B	B	A	A	B	A	B	B
17.420	Other Underground Lines		Z	Z	Z	Z	Z	Z	Z			Z	Z	Z	Z	Z	Z	Z	Z	Z	A	A	Z	A	Z	Z
17.500	Solar Array																									
17.501	Solar Array Facility, Level 1					Z	Z	Z	Z			Z	Z	Z	Z	Z	Z	Z	Z	Z	S	S	Z	S	Z	Z
17.502	Solar Array Facility, Level 2								B			B	B	B	B	B	B	B	B	B	A	A	B	A	B	B
17.503	Solar Array Facility, Level 3								A			A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
18.000	Towers and Wireless Support Structures																									
18.100	Towers and antennas 50 feet tall or less		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z	Z	Z	A	Z			Z
18.200	Towers and antennas that exceed 50 feet in height; substantial modifications, that are not regarded as accessory to residential uses under 15-150(c)(5)								A	A					A	A	A	A	A	A			A	A	A	A
18.300	Antennas exceeding 50 feet in height attached to wireless support structures other than towers; substantial modifications (other than accessory uses under 15-150(c)(5))		B	B	B	B	B	B	B			B	B	B	B	B	B	B	B	B	B	B	B	B	B	B
18.400	Publicly-owned towers, wireless support structures and antennas of all sizes that are used in the provision of public safety services												ZA													
18.500	Small and Micro Wireless Facilities; with or without associated Utility Poles or Wireless Support Structures		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
19.000	Open Air Markets and Horticultural Sales																									
19.100	Open air markets (farm and craft markets, flea markets, produce markets)											ZA	ZA	ZA	B	B		B		B					B	B
19.200	Horticultural sales with outdoor display												ZA	ZA	B	B		B		B					B	B
19.300	Seasonal Christmas or pumpkin sales											Z	Z	Z	Z	Z	Z	Z	Z						Z	Z
20.000	Funeral Homes																	Z	Z							
21.000	Cemetery and Crematorium																									
21.100	Town-owned cemetery		Z	Z	Z	Z	Z	Z	Z			Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
21.200	All other cemeteries								B									Z	Z		A	A	A			
21.300	Crematorium																	Z	Z							
22.000	Day Care																									
22.100	Child Day Care Home		Z	Z	Z	Z	Z	Z	Z	Z	Z	B	B	Z	B	B				Z	Z				B	B
22.200	Child Day Care Facility		B	B	B	B	B	B	B	B	B	Z	Z	Z	Z	Z	Z	Z	Z	Z		A	A		Z	Z
22.300	Senior Citizens Day Care, Class A		B	B	B	B	B	B	B	B	B		Z	Z	Z	Z	Z	Z	Z			A	A		Z	Z
22.400	Senior Citizens Day Care, Class B		B	B	B	B	B	B	B	B	B	Z	Z	B	Z	Z	B	Z		B					Z	Z
23.000	Temporary structure or parking lots used in																									

TABLE OF PERMISSIBLE USES

Last Amended: 6/17/21

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	CT	C	W-R	B-5	WM-3	O	O/A	
	connection with the construction of a permanent building or for some non-recurring purpose																											
	23.100 Temporary structures located on same lot as activity generating need for structure																											
	23.200 Temporary parking facilities located on or off-site of activity generating need for parking			Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	A	A	A	A	Z	Z	
	23.300 Temporary Construction Parking												Z(1)	Z(1)	Z(1)													
24.000	Bus Station													ZA				B	B		B							
25.000	Commercial Greenhouse Operations																											
	25.100 No on-premises sales							B	B										Z									
	25.200 On-premises sales permitted								B										Z									
26.000	Subdivisions																											
	26.100 Major			BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	A	A	A	A	BA	VA	
	26.200 Minor			Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	C	A	A	A	Z	Z	
27.000	Combination Uses			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	A	*	*	*	*	*
				Permissible only in Planned Unit Development Districts (See Section 15-139) pursuant to a special use permit-A).																								
28.000	Planned Unit Developments																											
29.000	Special Events			A	A	A	A	A	A	A	A	A	ZA	ZA	ZA	A	A	A	A	A	A	A	A	A		A	A	
				Permissible only in Planned Industrial Development Districts [See Subsection 15-137(c)]																								
30.000	Planned Industrial Development			pursuant to a special use permit-A																								
31.000	Off-Premises Signs																			Z								
				Permissible only in Village Mixed Use Districts (See Section 15-141.2 pursuant to a special use permit-A).																								
32.000	Village Mixed Use Development																											
33.000	(Repealed)																											
34.000	Temporary Lodging																											
	34.100 Hotels and Motels			A									A	A				A			A						A	
	34.200 Bed and Breakfast			B	B	B	B	B	B	B	B	B			B						B		A	B				

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-of-way 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:

63. 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:

(c) With respect to all map amendments, the planning staff shall mail, by first class mail, written notice of the public hearing to the record owners of all properties whose zoning classification is changed by the proposed amendment as well as the owners of all properties any portion of which is abutting the property rezoned by the amendment, including property separated by a street right of way, railroad or other transportation corridor and any other property that is within 1000 feet of the property rezoned by the amendment. For purposes of this section the term "owners" shall mean the persons shown as owners on Orange County's computerized land records system. The planning staff shall also make reasonable efforts to mail a similar written notice to the non-owner occupants of residential rental property located within 1,000 feet of the lot that is the subject of the rezoning. The notices required by this subsection shall be deposited in the mail at least 10 but not more than 25 days prior to the date of the public hearing. If the rezoning map amendment is being proposed in conjunction with an expansion of municipal extraterritorial planning and development regulation jurisdiction under G.S. 160D-202, a single hearing on the zoning map amendment and the boundary amendment may be held. In this instance, the initial notice of the zoning map amendment hearing may be combined with the boundary hearing notice and the combined hearing notice mailed at least 30 days prior to the hearing. The staff member mailing such notices shall certify to the council that the notices have been mailed, and such certificate shall be deemed conclusive in the absence of fraud. **(AMENDED 10/12/82; 1/22/85; 10/1/85; 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-of-way at least 10 but not more than 25 days prior to the date of the public hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required, but the planning staff shall post sufficient notices to provide reasonable notice to interested persons.

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 quasi-judicial 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.

Chapt 160D Subject/Topic	Status	Purpose	Recommended Action	LUO Article or Town Code Chapter	Specific Citation(s)
Terminology & Citations	Required	<u>Chapter 160D Requirement.</u> 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)
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article I	15-6(b)
Comprehensive Plan	Required	<u>Chapter 160D Requirement.</u> Must reasonably maintain a plan. (G.S. 160D-501(a).)	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	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	<u>Chapter 160D Requirement.</u> 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; multi-phased 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	Conditional Use Permit in two places
Boards	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	Required	<u>Chapter 160D Requirement.</u> 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	15-21(a1); 15-29(a1); 15-42(a) & 15-42(a1);
Boards	Required	<u>Chapter 160D Requirement.</u> 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	15-42(d1)
Boards	Required	<u>Chapter 160D Requirement.</u> 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 beginning 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	Part VII
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	15-37 15-37(a); (b)
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	15-22(b)

		Town administrative update.	Change references for the Board of Aldermen to the Town Council in Article III, Administration Mechanisms.	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); Part VIII
		Town administrative update.	Use gender neutral language. Remove references for chairman and vice chairman and replace with chair and vice chair.	Article III	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
Terminology & Citations Substance of Zoning Ordinance		Chapter 160D Requirement. Must delete use of the terms conditional use permit, conditional use district zoning and special use district zoning. G.S. 160D-102.	Amend LUO Section 15-22 to change CUP and SUP to SUP-A and SUP-B	Article III	15-22(e); 15-25(a)(1), (a)(2), (a)(3); 15-27(h)(1) 15-40(a); 15-40(c)
		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	15-25(a)(4)
		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	15-26(a)
Land Use Administration General		<u>Chapter 160D Requirement.</u> Resolution of Objection. (G.S. 160D-109(e)).	Amendment needed, Subsection 15-32(f) is rewritten.	Article III	15-32

Terminology & Citations	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article IV	15-52(f); 15-77(a), 15-77(b)
Substance of Zoning Ordinance & Land Use Administration General	Required	<u>Chapter 160D Requirement.</u> Must maintain current and prior zoning maps for public inspection (local government clerk or other office may be the responsible office); may adopt and maintain in paper or digital format. (G.S. 160D-105.)	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.	Article IX Article I	15-143(b) 15-3(c)
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 Districts--to 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 IV Article IX	15-46(a1) 15-141.3
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 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	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
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	15-46(a1) in two places; 15-88.1(b)
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	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	15-251.2(b)(1)
Substance of Zoning Ordinance	Optional	<u>Chapter 160D Option.</u> 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 guarantees for zoning permits (15-53) and SUPs (15-60(s), and subdivisions (15-60(b)) to the standards in 160D-804.	Article IV	15-53 (zoning permits) 15-60(a) (special use permits)
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	15-60(b) subdivisions
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	15-78.1
Terminology & Citations	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article IV	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	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
		Town Adminstrative Update	Changes for gender neutral language.	Article IV	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
Substance of Other Development Ordinances	Required	<u>Chapter 160D Requirement.</u> Must exempt farm use on bona fide farm in ETJ from city zoning to the same extent it would be exempt from county zoning; Chapter 160D clarifies that other municipal development regulations may still apply. (G.S. 160D-903(c).)	Amendments needed. Bona fide farm definition added to Section 15-15. New provision 15-46(f) added with language clarifying exemption.	Article IV Article I	15-46(f) 15-15
Terminology & Citations	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article V	15-91
		Town Adminstrative Update	Change references for the Board of Aldermen to the Town Council	Article V	15-97(a), 15-97(d), 15-97(f) in two places, 15-97(g) in two places
Terminology & Citations	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article VI	15-106(a)
		Town Adminstrative Update	Change references for the Board of Aldermen to the Town Council	Article VI	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)
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 VI	15-101(a) in six places;
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 VII	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	15-111; 15-113
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 VIII	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,
		Town Adminstrative Update	Change references for the Board of Aldermen to the Town Council	Article IX	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)
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 IX	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)
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	Change references for the Board of Aldermen to the Town Council	Article X	15-147(a), 15-147(j)
		Town Adminstrative Update	Changes for gender neutral language.	Article XI	15-176.2(f)(6)(b)

		Town Administrative Update	Change references for the Board of Aldermen to the Town Council	Article XI	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)
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 XI	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(h)(2) in two places.
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	15-176.2(a)(1)
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	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);
		Town Administrative Update	Changes for gender neutral language.	Article XII	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
		Town Administrative Update	Change references for the Board of Aldermen to the Town Council	Article XII	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)
		Town Administrative Update	Changes for gender neutral language.	Article XIII	15-199(a) change 'his' to 'the developer's'; 15-206 change 'his' to 'the developer's '
		Town Administrative Update	Change references for the Board of Aldermen to the Town Council	Article XIII	15-196(d); 15-197(a); 15-198(a); 15-202(a) in two places; 15-204(a)
		Town Administrative Update	Changes for gender neutral language.	Article XIV	15-216(e) change he to the applicant 15-217(c) change 'his' to 'the developer's'
		Town Administrative Update	Change references for the Board of Aldermen to the Town Council	Article XIV	
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 XIV	15-216(d1), 15-216.1(a) in two places
Terminology & Citations	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article XIV	15-220(f)
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 XIV	15-216(d1)
		Town Administrative Update	Amendments needed. Fiber optic infrastructure needs to be added to Article XVI.	Article XV	15-102(2) in six places, 15-102(3);

		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 Administrative 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.	Article II Article X	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 administrative decisions and certificates of appropriateness added for clarity.	Article VI; Article IV; Article V; Article XXI	15-101(a)
Quasi-Judicial Decisions Procedures	Required	<u>Chapter 160D Requirement.</u> Must hold an evidentiary hearing to gather competent, material, and substantial evidence to establish the facts of the case; the evidentiary hearing must have testimony under oath; must establish written findings of fact and conclusions of law. (G.S. 160D-406.)	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.	Article VI	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	15-103(b)(1) & 15-103(b)(2) 15-104, 15-107.
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	15-101(d) 15-101(e)
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	15-102.1
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/CUP--revised as Class B Special Use Permits in 15-56 (Board of Adjustment) and Class A Special Use Permits in 15-57 (Town Council).	Article IV	15-56(c); 15-57
Quasi-Judicial Decisions Procedures	Be Aware	<u>Additional Information.</u> 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	15-103
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	15-59(b)(1)
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	15-59(b)(2)

Quasi-Judicial Decisions Certain Quasi-Judicial Decisions	Required	Must set a thirty-day period to file an appeal of any 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).)	No change needed. Subsection 15-91 seems to cover all decisions. 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.	Article V	15-91(d) 15-101(a)
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	15-46(a1)
Land Use Administration General	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article VI	15-106(a)
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 decisions--zoning permits as well.	Article IV Article VI	15-46(b) 15-106
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	15-48
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	15-63
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	15-115(b)
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	15-115(b); 15-115(c)
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	15-91(e)
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 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 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).)	No change needed. Existing language under Section 15-91 sufficient.	Article V	15-91(d)
Administrative Decisions Appeals of Administrative Decisions	Required	Must require the official who made the decision (or his or her successor if the official is no longer employed) to appear as a witness in the appeal. (G.S. 160D-406.)	No change needed. Existing language in 15-91(i) states that the administrator shall be present at the hearing as a witness.	Article V	15-91(i)
Enforcement		Compliance with 160D-1405	New statutes of limitation lanugage added as 15-118.	Article VII	15-118
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 accrual. Subsection 15-114 to be rewritten to align with the new language is 160D and S.L. 2020-25.	Article VII	15-114(b)(3)
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	15-91(c)
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	15-62(a) and 15-62(c)
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	15-128.2
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	15-61; 15-128.2
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	15-128.2
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. 2020-25.	Article IV	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. 2020-25.	Article IV	15-49.1
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	15-128.2
Land Use Administration General	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article XIV	15-220(f)
Land Use Administration General	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article XIX	15-321.1
Land Use Administration General	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article XX	15-323
Land Use Administration General	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article XXI	15-399
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 amended--the 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	15-10 or 15-6 15-320
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	15-10 or 15-6
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	15-321(a)

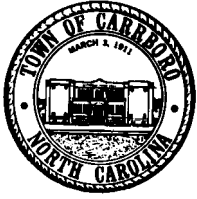
Boards	Required	Chapter 160D Requirement. Must adopt broadened conflict-of-interest standards for governing and advisory boards. (G.S. 160D-109.)	Amend LUO Section 15-322(d), to expand the conflict of interest provisions for advisory board review of legislative decisions (text & map amendments) to include 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 amendments) to include close familial, business or other associational relationship.	Article XX	15-322(d) 15-324(e)
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.)	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.	Article XX	15-323(c)
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	15-323(e)
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

Legislative Decisions Planning Board Comment	Required	<u>Chapter 160D Requirement.</u> Must have planning board consider any plan adopted according to G.S. 160D-501 when making a comment on plan consistency. (G.S. 160D-604(d).)	No change needed. 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.	Article XX	15-322(b).
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 a.-c. This section will need to be rewritten again to go back to the earlier version--a statement of consistency with adopted plans for text and map amendments, and an additional statement of reasonableness for map amendments.	Article XX	15-324(d)(1) thru 15-324(3)
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	15-324(d)
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	15-324
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	15-324
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	15-324
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	15-324
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	15-324
Legislative Decisions Planning Consistency	Required	<u>Chapter 160D Requirement.</u> Must note on the applicable future land use map when a zoning map amendment is approved that is not consistent with the map; 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.)	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	15-324 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	15-324
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	15-323(d)
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	15-141.4
Legislative Decisions Certain Legislative Decisions	Required	<u>Chapter 160D Requirement.</u> 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	14-141-3(e)
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.	Article IX	14-141-3(e)
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	141.3
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	15-336; 15-339(d)
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	15-338(b) in two places; 15-338(c); 15-338(d); 15-338(f)
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	15-339(g)

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	15-339(g) 15-91(d)
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	15-339(g) 15-91(d)
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XVI	15-264(c); 15-266(a)
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	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
		Town administrative update.	Amendments needed for gender neutral language.	Article XVI	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
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	15-271(b) in three places; 15-271(d), 15-271(d)(1) in three places; 15-273(a) in two places
		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 provision to clarify that existing CUPs will automatically be converted to SUPs.	Article XVII	15-271(d); 15-271(d)(1) in three places;
		Town administrative update.	Amendments needed for gender neutral language.	Article XVII	15-273(a)(5) replace man-made with human-made; 15-271(c)(2)(a) replace his with the lot owner's
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XVII	15-271(d); 15-271(d)(1); 15-271(d)(2) in two places; 15-271(d)(3); 15-272(4)
		Town administrative update.	Amendments needed for gender neutral language.	Article XVIII	15-273(a)(5) replace man-made with human-made; 15-271(c)(2)(a) replace his with the lot owner's
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XVIII	15-291(f) in two places; 15-292(a), 15-292(a1); 15-292.1(b)
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 XVIII	15-291(f) in two places; 15-296(h) in two places
Terminology & Citations	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article XIX	15-321.1(a)

		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XIX	15-305 title, 15-305; 15-309(a); 15-314 title, 15-314(a), 15-314(b); 15-315(4)vii
		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	15-311 in two places; 15-319(a) in two places; 15-321.1(c) in two places
Terminology & Citations	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article XX	15-323(b), 15-323(d)
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XX	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
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	15-325(1); 15-326
Terminology & Citations	Required	<u>Chapter 160D Requirement.</u> Update citations.	Amendments needed to reflect new citations.	Article XXI	15-399
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 XXI	15-331(a)(8); 15-332(a) in three places, 15-332(d)
		Town administrative update.	Change references for the Board of Aldermen to the Town Council.	Article XXI	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);
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.	Appendix A	A-1(a) in two places; A-2 in two places; A-3 in two places; A-4(b) in two places;



TOWN OF CARRBORO

Planning Board

301 West Main Street, Carrboro, North Carolina 27510

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

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, Tooloe

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.

VOTE:

AYES: (8) Foushee, Fray, Mangum, Baker, Gaylord-Miles, Clinton, Amina, Tooloe

NOES: (0)

ABSTENTIONS: (0)

ABSENT/EXCUSED: (3) Poulton, Sinclair, Posada

Catherine Fray

(Chair)




06 / 09 / 2021

(Date)

Signature Certificate

Document Ref.: 5HSPW-8QXFZ-8UT6M-SSNCI

Document signed by:

	<p>Catherine Fray</p> <p>Verified E-mail: cadamson@alumni.unc.edu</p> <p>IP: 136.56.102.233 Date: 09 Jun 2021 18:47:23 UTC</p>	 
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Document completed by all parties on:
09 Jun 2021 18:47:23 UTC

Page 1 of 1



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ORANGE COUNTY PLANNING & INSPECTIONS DEPARTMENT

Craig N. Benedict, AICP, Director

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



131 W. Margaret Lane
P O Box 8181
Hillsborough,
North Carolina, 27278



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,

A handwritten signature in cursive script that reads "Perdita Holtz".

Perdita Holtz, AICP
Planning Systems Coordinator



Town of Carrboro

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

Agenda Item Abstract

File Number:21-209

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Consideration of Town Code Amendments Relating to Roundabouts

PURPOSE: The purpose of this agenda item is for Council to consider Town Code amendments relating to the operation of roundabouts.

DEPARTMENT: Planning

CONTACT INFORMATION: Zachary Hallock, 919-918-7329, zhallock@townofcarrboro.org; Trish McGuire, 919-917-7327, pmcguire@townofcarrboro.org

INFORMATION:

The construction of the roundabout at North Greensboro Street and Estes Drive Extension is nearing completion. The improvements associated with it necessitate Town Code amendments to allow for the regulation of movements through the roundabout, and other roundabouts in Town. A summary of the proposed amendments is below.

Section 6-2, Stoplights Required at Certain Intersections and Locations, is amended to add the new Pedestrian Hybrid Beacons near Williams Street and Oak Ave while removing the Stoplight at Estes Drive Extension and North Greensboro Street.

Section 6-7, Yield Right-of-Way Signs at Certain Intersections, is amended to add all approaches to the Estes Drive Ext/N Greensboro Street roundabout (including the Frances Shetley Bikeway) as the yield street, and the roundabout as the through street. All approaches to the South Green roundabout, Smith Level Road/Rock Haven Road roundabout, and Morris Grove entrance to the Eubanks Road roundabout are also added as the yield street with the roundabout as the through street (these had not been previously amended).

Section 6-10, Crosswalks and Safety Zones, is amended to add all crosswalks on all four roundabouts mentioned (Estes/N Greensboro, South Green, Smith Level/Rock Haven, and Eubanks/Morris Grove).

FISCAL & STAFF IMPACT: There is minor staff time associated with any potential enforcement efforts, if/when deemed necessary.

RECOMMENDATION: Staff recommend that Council consider adopting the draft ordinance

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

(Attachment A).

AN ORDINANCE TO AMEND THE CARRBORO TOWN CODE RELATED TO
ROUNABOUTS AND CROSSWALKS

DRAFT 06-17-2021

BE IT ORDAINED BY THE CARRBORO TOWN COUNCIL THE FOLLOWING:

Section 1. Section 6-2, Stoplights Required at Certain Intersections and Locations is amended by adding two new locations:

North Greensboro Street* approximately 80' west of Williams Street

North Greensboro Street* approximately 130' east of Oak Avenue

Section 2. Section 6-2, Stoplights Required at Certain Intersections and Locations is amended by removing the following location:

Estes Drive Extension* at North Greensboro Street*

Section 3. Section 6-7, Yield Right-of-Way Signs at Certain Intersections is amended by adding the following locations:

Yield Street	Through Street
S Greensboro St north and south of Two Hills Drive	S Greensboro/Two Hills Drive Roundabout
Old Pittsboro St	S Greensboro/Two Hills Drive Roundabout
Two Hills Drive	S Greensboro/Two Hills Drive Roundabout
Estes Drive Ext	Estes/N Greensboro Roundabout
Frances Shetley Bikeway	Estes/N Greensboro Roundabout
N Greensboro St east and west of Estes Drive Ext	Estes/N Greensboro Roundabout
Lake Hogan Farms Rd	Eubanks Rd/Morris Grove Roundabout
Smith Level Rd north and south of Rock Haven Rd	Smith Level/Rock Haven Roundabout
Rock Haven Rd	Smith Level/Rock Haven Roundabout

Section 4. Section 6-10, Crosswalks and Safety Zones is amended to include the following locations:

Crosswalks:

N Greensboro Street* approximately 80' east of its intersection with Williams St
 N Greensboro Street* approximately 130' west of its intersection with Oak Avenue*
 Estes Drive Extension* approximately 70' north of the center of the roundabout with N Greensboro Street*
 N Greensboro Street* approximately 70' east of the center of the roundabout with Estes Drive Extension*
 N Greensboro Street* approximately 70' west of the center of the roundabout with Estes Drive Extension*
 Frances Shetley Bikeway approximately 50' south of the center of the roundabout with N Greensboro Street*
 S Greensboro Street* approximately 70' south of the center of the roundabout with Two Hills Drive
 Two Hills Drive approximately 70' east of the center of the roundabout with S Greensboro Street*
 Smith Level Road* approximately 90' south of the center of the roundabout with Rock Haven Road
 Smith Level Road* approximately 90' north of the center of the roundabout with Rock Haven Road
 Rock Haven Road approximately 90' west of the center of the roundabout with Smith Level Road*
 Lake Hogan Farms Road approximately 90' south of the center of the roundabout with Eubanks Road*
 Lake Hogan Farms Road approximately 20' west of its intersection with the Morris Grove Elementary driveway

Section 5. All provisions of any Town ordinance or resolution in conflict with this ordinance are repealed, and this ordinance is effective upon adoption.



Town of Carrboro

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

Agenda Item Abstract

File Number:21-243

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Short-term American Rescue Plan Act Funding Plan Authorization

PURPOSE: To authorize staff to implement a short-term program for distributing up to \$2,359,525 of American Rescue Plan Act (ARPA) Funds immediately while developing a long-term plan.

DEPARTMENT: Economic Development, Finance, and Housing & Community Services

CONTACT INFORMATION: Jon Hartman-Brown, 919-391-7846,

JHartman-Brown@TownofCarrboro.org <<mailto:JHartman-Brown@TownofCarrboro.org>> - Rebecca Buzzard, 919-918-7438, rbuzzard@townofcarrboro.org <<mailto:rbuzzard@townofcarrboro.org>> - Arche McAdoo, 919-918-7439, AMcAdoo@TownofCarrboro.org

INFORMATION: Economic Development Related: The Town anticipates receiving American Rescue Plan Act (ARPA) Funds from the state by early July and staff believe getting these funds to our local business community as soon as possible will help them recover and adapt to a post-COVID-19 environment more quickly. To this end, ED Staff are requesting that up to \$300,000 of the ARPA Funds be approved for a grant program to be developed by staff during the summer break. We expect the framework of the grant to be as follows:

Minimum criteria for applying: must have been in business before July 1, 2020 and business license address must be in Carrboro Town limits.

Priorities (based on points): Tourism based business (restaurants, bars, breweries, entertainment venues), BIPOC Business, businesses within 500 feet of the 203 Project, businesses matching these grant funds, businesses in Carrboro for more than 5 years, businesses with 2 locations or less, and certified living wage employers.

Eligible grant fund uses: Marketing and advertising; training new under- or un-skilled employees; back rent and utilities; COVID-19 loan repayment; capital expenditures to adapt business to a post-COVID-19 environment.

Human Services Related: The intent of the American Rescue Plan Act Funds (ARPA) is to mitigate the effects of COVID in communities. Many of our community nonprofits have worked tirelessly throughout the pandemic to support individuals and families impacted by COVID-19, even when they themselves have been adversely affected. The Town Council has directed that some of the ARPA funds be allocated to nonprofit agencies serving Carrboro residents. Since nonprofits will receive FY22 Human Services funding from the

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Town in July/August, staff proposes using the summer weeks to determine the appropriate funding level, to develop an equitable process for allocating ARPA funds, informed by conversations with nonprofits about what they need for pandemic recovery, and to explore a collaborative funding process with our jurisdictional partners. Staff anticipates providing funding recommendations for consideration to the Town Council in September.

Finance Related: The attached ordinance allocates \$2,359,525.00 to grants for small businesses, essential employee pay for activities related to the COVID-19 pandemic response, and revenues replacement for revenue losses to the Town due to COVID-19.

FISCAL & STAFF IMPACT: This will add \$6,200,000 with \$3,840,475 unrestricted to the Town's funds. Staff impact will include time allocation for administration and disbursement of funds for the grant program.

RECOMMENDATION: Staff recommend approval of the ordinance.

**AMENDMENT TO AMERICAN RESCUE PLAN ACT GRANT PROJECT
ORDINANCE No. 18/2020-21**

WHEREAS, the Town Council adopted Project Ordinance No. 18/2020-21 on May 4, 2021 to establish a Special Revenue Fund for funds under the American Rescue Plan Act (ARPA); and,

WHEREAS, the Town of Carrboro is expected to receive \$6.2 million from the ARPA; and,

WHEREAS, these funds may be used for a) revenue replacement for the provision of government services to the extent the reduction in revenue is due the COVID-19 public health emergency; b) premium pay to essential employees; c) assistance to small businesses, nonprofits, household and hard-hit industries, and economic recovery; and d) investments in water, sewer and broadband infrastructure; and,

WHEREAS, the COVID-19 pandemic has had a negative impact on Carrboro residents, businesses, nonprofits, households and the local economy; and,

WHEREAS, the Town Council deems it appropriate and in the best interest of the Town to make available revenues from the ARPA to aid in the Town's pandemic rescue and recovery efforts.

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

1. The following appropriations are made for the following purposes:

ARPA Revenue	<u>\$ 6,200,000.00</u>
Expenses	
Grants to Small Businesses	\$ 300,000.00
Essential Employee Pay	\$ 224,795.00
Town Revenue Replacement	<u>\$ 1,834,730.00</u>
	<u>\$ 2,359,525.00</u>
Unallocated Funds	<u>\$ 3,840,475.00</u>

2. Grants to small businesses shall be made to viable businesses still in operation and have been in operation before July 1, 2020 and to business where the business license address must be in Carrboro Town limits and shall not exceed \$20,000.
3. All applications requesting funding shall describe the negative economic impact of the pandemic on their operations and how the grant assistance will aid in the business's recovery and may be used for expenses related to marketing and advertising; training new under- or un-skilled employees; back rent and utilities;

COVID loan repayment; and capital expenditures to adapt business to a post-COVID environment.

4. All funds shall be used in compliance with provisions of the ARPA and other directives issued by the US Treasury Department or other federal rules and regulations.
5. The Town Manager is authorized to enter into a grant agreement with small businesses to govern the use of grant funds.
6. Within five (5) days after adoption of this ordinance, the Town Clerk shall file a copy of this grant funding project ordinance with the Finance Director.
7. This Ordinance is effective upon adoption by the Carrboro Town Council.

DRAFT



Town of Carrboro

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

Agenda Item Abstract

File Number:21-246

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Pre-Audit Certification for Electronic Payments

PURPOSE: The purpose of this agenda item is to request authorization from the Town Council to engage in electronic payments in accordance with North Carolina Administrative Code 20 NCAC 03.0409.

DEPARTMENT: Town Manager and Finance

CONTACT INFORMATION: David Andrews; Arche McAdoo, 918-7439

INFORMATION: The Local Government Budget and Fiscal Control Act (LGBFCA) requires the Finance Officer to affix a Pre-Audit Certification on all obligations and disbursements. For obligations, the pre-audit must:

- a. Ensure that there is an appropriate budget ordinance or project/grant ordinance appropriation authorizing the obligation;
- b. Ensure that sufficient monies remain within the appropriation to cover the amount that is expected to be paid out during the current fiscal year if accounted for in the budget ordinance, or to cover the entire amount if accounted for in a project or grant ordinance; and,
- c. Record the amount of the transaction in the encumbrance system.

For disbursements, the pre-audit must:

- a. Ensure that the amount claimed is payable;
- b. Ensure that there is a budget ordinance or project/grant ordinance;
- c. Ensure that sufficient monies remain within the appropriation to cover the amount that is due to be paid out; and,
- d. Ensure that the local government has sufficient cash to cover the payment.

Currently these pre-audit certifications are done manually on paper documents. However, on electronic transactions it is not practical to affix a pre-audit certification. In recognition of the increasing volume of electronic transactions, the Local Government Commission adopted rules to exempt a local governments from affixing the pre-audit certification to electronic transactions. (Note: This does not mean that a local government is exempt from performing the pre-audit.)

The Town has on occasion received requests from vendors to be paid by ACH. While Automated Clearinghouse (ACH) payment is a common method of vendor payment across all types of industries and organizations, local governments have not been able to fully take advantage of this process until now. The

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

Finance Team has started to explore the feasibility of paying vendors by ACH rather than check. This will not only increase staff productivity and reduce costs, but also improve security of the payment process, especially since check payments attract fraudulent behavior.

In order for the Town to be exempt from affixing a pre-audit certification on electronic transactions, the LGC requires the governing body to 1) adopt a resolution authorizing the use of electronic payments; and, 2) adopt written policies and procedures for pre-auditing obligations that will be subject to electronic payment. The governing body may develop these policies and procedures or delegate this task to the Finance Officer. The attached resolution, Section 2, delegates this to the Finance Officer; however this can be modified to have Council perform this task if so desired. Upon adoption of the resolution, the LGC requires the Finance Officer to provide da budget to actual statement by fund at least quarterly that includes: budgeted accounts, actual payments made, amounts encumbered(including electronic obligations), and the amount of budget unobligated.

FISCAL & STAFF IMPACT: There is no fiscal impact to adoption of the attached resolution.

RECOMMENDATION: That the Town Council adopt the attached resolution authorizing the Town to engage in electronic payments.

**Resolution authorizing Town of Carrboro
To engage in electronic payments as defined by G.S. 159-28 or
G.S. 115C-441**

WHEREAS, it is the desire of the Town Council that the Town of Carrboro is authorized to engage in electronic payments as defined by G.S. 159-28 or G.S.115C-441; and,

WHEREAS, it is the responsibility of the Finance Officer, who is appointed by and serves at the pleasure of the Town Manager, to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by NC Administrative Code 20 NCAC 03 .0409; and,

WHEREAS, it is the responsibility of the Finance Officer, who is appointed by and serves at the pleasure of the Town Manager, to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by NC Administrative Code 20 NCAC 03 .0410;

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

Section 1. Authorizes the Town of Carrboro to engage in electronic payments as defined by G.S. 159-28 or G.S. 115C-441;

Section 2. Authorizes the Finance Officer to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by NC Administrative Code 20 NCAC 03 .0409;

Section 3. Authorizes the Finance Officer to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by NC Administrative Code 20 NCAC 03 .0410; and

Section 4. This resolution shall take effect immediately upon its passage.
Upon motion of _____, and seconded by _____, the foregoing

Resolution was passed by the following vote:

Ayes:

Nays: None

Abstentions: None*****

I, _____, Clerk of the Town Council of the Town of Carrboro, do hereby certify that the foregoing resolution is a true and exact copy of the “**Resolution authorizing the Town of Carrboro to engage in electronic payments as defined by G.S. 159-28 or G.S. 115C-441**” duly adopted by the Town Council of the Town of Carrboro at the regular meeting thereof duly called and held on June 22, 2021, a quorum being present.

WITNESS my hand at _____, N.C., this _____ day of _____, 21 .

_____, Clerk



Town of Carrboro

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

Agenda Item Abstract

File Number:21-245

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Orange County Recovery and Transformation Plan Update

PURPOSE: To receive an update on the Orange County Recovery and Transformation Plan.

DEPARTMENT: Town Manager's Office

CONTACT INFORMATION: David Andrews, Town Manager, dandrews@townofcarrboro.org
<<mailto:dandrews@townofcarrboro.org>>; Rebecca Buzzard, Special Projects Manager,
rbuzzard@townofcarrboro.org

INFORMATION: The town has been participating in a countywide recovery planning effort jointly funded by Orange County, Chapel Hill, Hillsborough, and Carrboro through CARES funds. On [May 4, 2021](#) <<https://carrboro.legistar.com/LegislationDetail.aspx?ID=4930155&GUID=33ED24A5-1EB6-458E-9CA0-5AE89C4D0CE5&Options=ID|Text|&Search=recovery>> the Town Council received a presentation on the draft plan, provided feedback on the overall plan, and commented on specific goals, strategies and initiatives. All of the feedback from the elected bodies in the region has been compiled, and summarized/synthesized by the Project Management Team and will be incorporated into an appendix of the document. The Project Management Team wrote a memo response (Attachment A) to the elected bodies. Specific questions that were asked during the meetings will be addressed in a forthcoming frequently asked questions document (FAQ). The team will work during the summer to bring the feedback and FAQ document to the Recovery Support Functions for review and recommendation.

Background: In May 2020, the Town Council received a [report](#) by Travis Myren, Orange County Deputy County Manager, outlining the recovery planning process. In the [November 10, 2020 agenda](#) <<https://carrboro.legistar.com/LegislationDetail.aspx?ID=4688915&GUID=B6969C1F-DBBC-4180-94F9-3A0B02499116&Options=ID|Text|&Search=recovery>>, a progress report was provided to the Town Council that outlined the project development, presented draft goals, and clarified the next steps in the process.

The goal of the recovery planning effort is to reduce weaknesses in the County's critical physical, social, and institutional systems - while creating a brighter future for all residents. The effort began with community input received from surveys, workshops, and focus groups that helped to describe and quantify the impacts of COVID-19. A diverse stakeholder group was formed to help design goals and initiatives addressing these impacts. As part of this effort, a training was also held for community partners on cost recovery, specifically focused on funding programs available to promote community resilience.

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

More information on the process and the plan itself can be found at
[<https://www.orangencforward.org/resources/>](https://www.orangencforward.org/resources/)

The plan's five goals are:

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

The Plan looks at these goals from the following perspectives: Economic, Housing, Human Services, Health, Natural and Cultural Resources, Community Planning and Capacity Building, and Intergovernmental Affairs and Public Information.

The Plan was created with significant efforts to reach communities of color and underserved populations and takes into consideration the impacts of the pandemic with a racial equity focus. This Plan directly relates to the GARE planning effort currently underway.

FISCAL & STAFF IMPACT: The plan identifies potential funding sources for implementation. Some of the efforts are ongoing and have dedicated funding; other strategies require additional funding. The plan will help guide the use of American Rescue Plan Act funding.

RECOMMENDATION: Staff recommends that the Town Council accept this update. The intent is for each jurisdiction to formally endorse the plan in the fall after the Recovery Support Functions have all had a chance to review the elected official's comments.

MEMO

To: Chair Price and Orange County Commissioners
Mayor Lavelle and Carrboro Town Council
Mayor Hemminger and Chapel Hill Town Council
Mayor Weaver and Hillsborough Board of Commissioners

From: Recovery Plan Project Management Team

Date: June 22, 2021

RE: Long-Term Recovery and Transformation Plan Update

Using CARES funds, the County and municipalities embarked on a planning process to assist with countywide recovery following the unprecedented Corona Virus 19 pandemic.

The contract with the consultant has concluded and the draft plan is now ours to embrace and implement. Response to the pandemic was more time intensive than imaged at the beginning of this process, so a detailed implementation plan has not yet been developed. The Project Management Team intends to work on this over the coming summer break within each Recovery Support Function. Much of the implementation will also have resource needs, both in staff time and funding. As local governments decide how to allocate the American Rescue Plan resources, and examine other existing and new funding sources, this plan can serve as a guide to identify needs and solutions where the impact will be significant.

The comments and questions received during May 2021 from the Councils and Commissions have been documented and, where possible, will be specifically addressed in a forthcoming ‘frequently asked questions’ (FAQ) document. A summary of the elected officials’ comments and the FAQ information will also appear in a new appendix of the plan. In addition to developing an implementation plan, staff will also bring the elected officials’ comments to the seven Recovery Support Functions for their review over the summer. The Project Management Team believes this approach is consistent with the Government Alliance on Race and Equity’s (GARE) racial equity tool methodology, which informed the process used to create the plan and, to the greatest extent possible, draws directly from and prioritizes the input of those residents most impacted by the pandemic.

The Project Management Team asks the Councils and Commissions to receive this update in preparation for possible endorsement in the fall. This process will allow us to work together on common interests and work independently on topics of local concern. The updated plan will serve as the base for on-going discussion and work to ensure Orange County recovers from the impacts of the pandemic, but also transforms into a more equitable and inclusive community.

The Project Management Team members look forward to reporting back to the Councils and Commissions in the fall of 2021, potentially in a joint session, to discuss possible endorsement based on our progress, implementation, and resource requests.



Town of Carrboro

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

Agenda Item Abstract

File Number:21-251

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Public Hearing for South Greensboro Street Sidewalk (TIP# C-5650) 65-Percent Design

PURPOSE: The purpose of this agenda item is to provide an update on the status of the South Greensboro Street Sidewalk project at 65-percent design and to receive comments from the Council and members of the public.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Christina Moon - 919-918-7325, cmoon@townofcarrboro.org <<mailto:cmoon@townofcarrboro.org>>; Patricia McGuire - 919-918-7327, pmcguire@townofcarrboro.org <<mailto:pmcguire@townofcarrboro.org>>; Zachary Hallock, 919-918-7329, zhallock@townofcarrboro.org <<mailto:zhallock@townofcarrboro.org>>; Kayla Poulos, Ramey Kemp Associates, 919-872-3949, kpoulos@rameykemp.com <<mailto:kpoulos@rameykemp.com>>

INFORMATION: This item provides the Town Council with an update on the South Greensboro Street sidewalk project, now at 65-percent design, and an opportunity to receive public input. The project includes the design and construction of a sidewalk along the west side of South Greensboro Street from the north end of Old Pittsboro Road to Public Works Drive. Crosswalks at the north end of the corridor and the south end, by the roundabout, are proposed as well as improvements to the bus stop by the Rocky Brook Mobile Home Park. A capacity analysis of the southern segment of the corridor from the south side of the roundabout at South Green to the Smith Level Road bridge is also underway to determine the feasibility of lane width reductions to allow for the installation of bike lanes. Staff is working closely with the consultant team and NCDOT to address the interface of existing driveways with the new sidewalk and the preservation of existing trees and/or planting of new trees to the extent allowed by NCDOT.

Two public meetings were held virtually in January for input and comments at approximately 30-percent design, and an informal drop-in session was held on June 22nd at 5:00 pm to review the design a 65-percent. Property owners and residents living along the corridor have received mailed notice of the public meetings with contact information for providing direct comments to staff. Two project updates have been provided to the Town Council: the first on January 21, 2020 and the second on November 17 2021.

A project map and current plan set have been provided (Attachment B and Attachment C). Information relating to the anticipated schedule for completion will be provided at the hearing. Transportation projects typically include check-in points at key intervals in the design process-usually 30 percent and 60/65 percent

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

completion. At 65 percent completion, the consultants begin to shift their focus to preparing for permit approvals from appropriate state and federal agencies.

FISCAL & STAFF IMPACT: There are no fiscal impacts are associated with receiving the update, but costs will be associated with the selection of a preferred alignment the project.

RECOMMENDATION: Staff recommends that the Council receive the presentation from Ramey Kemp Associates, offer feedback and receive public comment to help inform the design for the South Greensboro Street Sidewalk.

A RESOLUTION RECEIVING PUBLIC COMMENT ON THE SOUTH GREENSBORO STREET
SIDEWALK PROJECT AT 65-PERCENT DESIGN

WHEREAS, the Town Council has made it a policy to hold public hearings on Town projects;
and

WHEREAS, the Town Council has received updates on the South Greensboro Street Sidewalk
project (TIP# C-5650) on January 21, 2020 and November 17, 2020; and

WHEREAS, the Town held public input meetings on the project at approximately 30-percent design
on January 28th and January 30th, 2020; and

WHEREAS, the Town held a public drop-in session at June 22, 2021 for a more informal opportunity
to discuss the design with the consultants; and

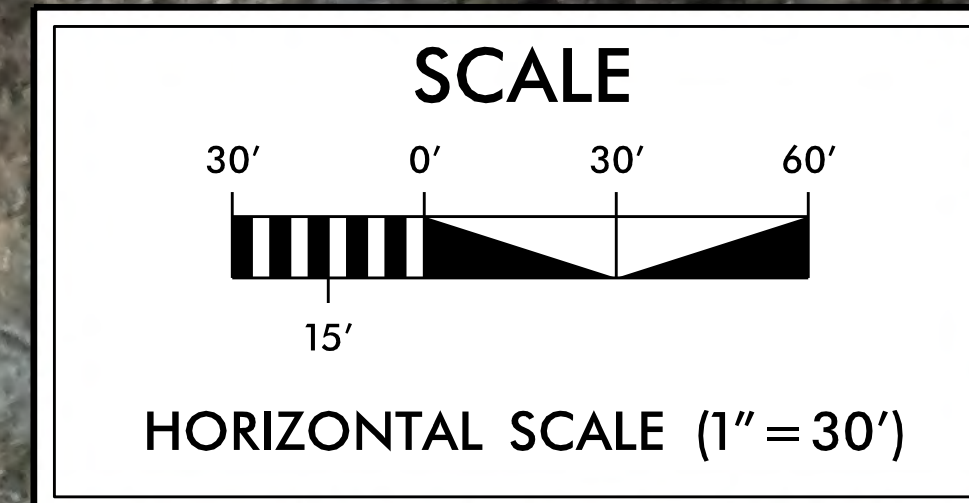
WHEREAS, the Town Council has held a public hearing to receive citizen comment on the South
Greensboro Street Sidewalk project at this milestone.

NOW, THEREFORE, BE IT RESOLVED by the Carrboro Town Council makes the following
comments:

This the 22nd day of June 2021.



PUBLIC MEETING MAP
ORANGE COUNTY
PROJECT C-5650
SR 1919 (S. GREENSBORO STREET),
FROM PUBLIC WORKS DRIVE
TO CARR STREET IN CARRBORO



DRIVEWAY NOTE

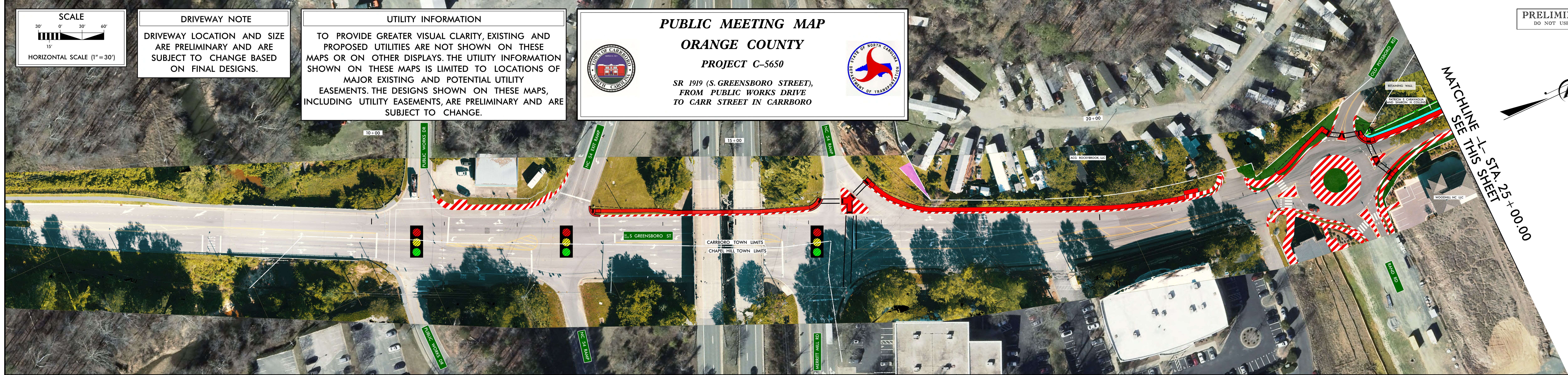
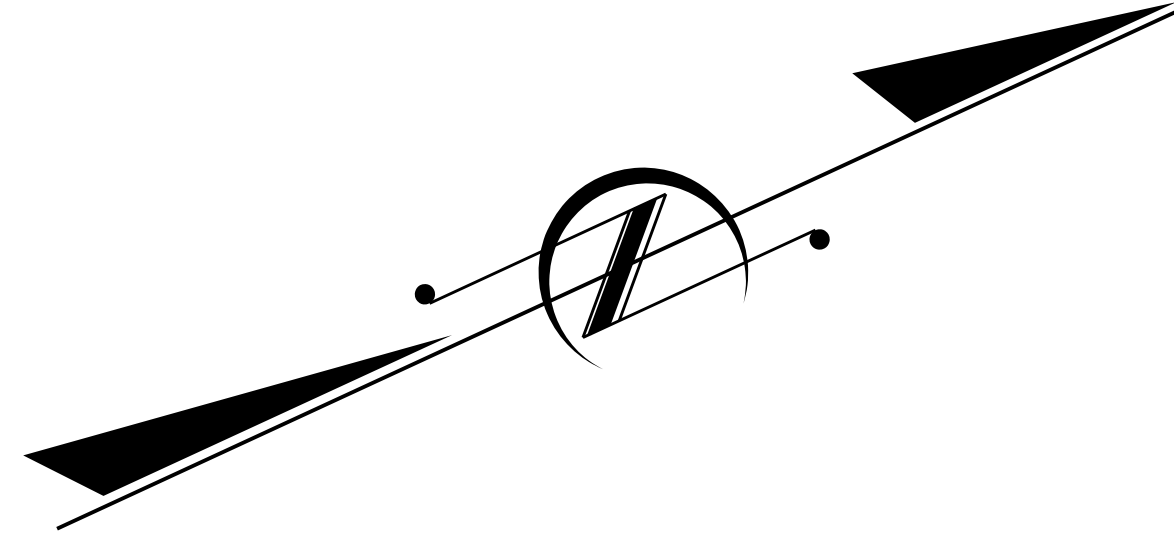
DRIVEWAY LOCATION AND SIZE ARE PRELIMINARY AND ARE SUBJECT TO CHANGE BASED ON FINAL DESIGNS.

UTILITY INFORMATION

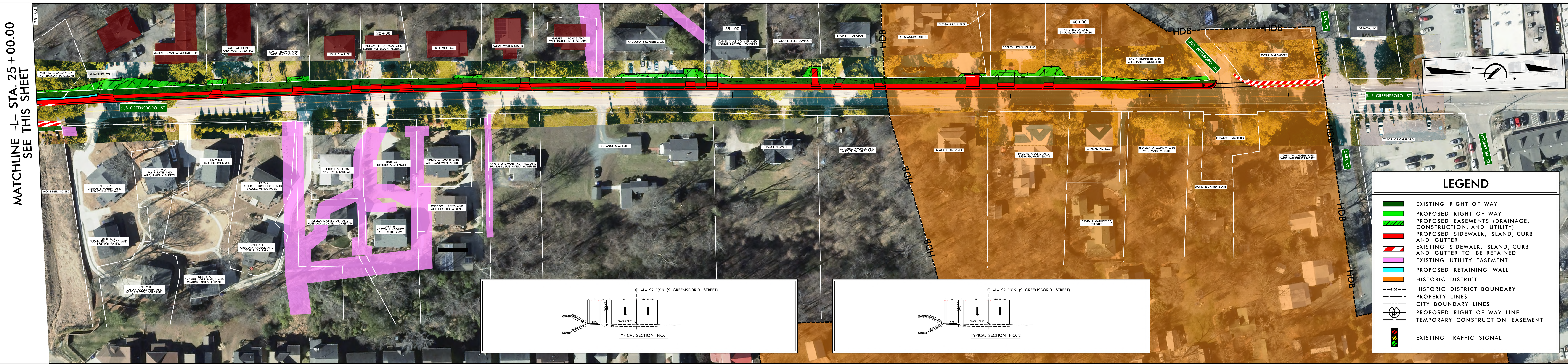
TO PROVIDE GREATER VISUAL CLARITY, EXISTING AND PROPOSED UTILITIES ARE NOT SHOWN ON THESE MAPS OR ON OTHER DISPLAYS. THE UTILITY INFORMATION SHOWN ON THESE MAPS IS LIMITED TO LOCATIONS OF MAJOR EXISTING AND POTENTIAL UTILITY EASEMENTS. THE DESIGNS SHOWN ON THESE MAPS, INCLUDING UTILITY EASEMENTS, ARE PRELIMINARY AND ARE SUBJECT TO CHANGE.

PUBLIC MEETING MAP
ORANGE COUNTY
PROJECT C-5650
SR 1919 (S. GREENSBORO STREET),
FROM PUBLIC WORKS DRIVE
TO CARR STREET IN CARRBORO

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION



MATCHLINE SEE THIS SHEET
L-STA. 25+00.00

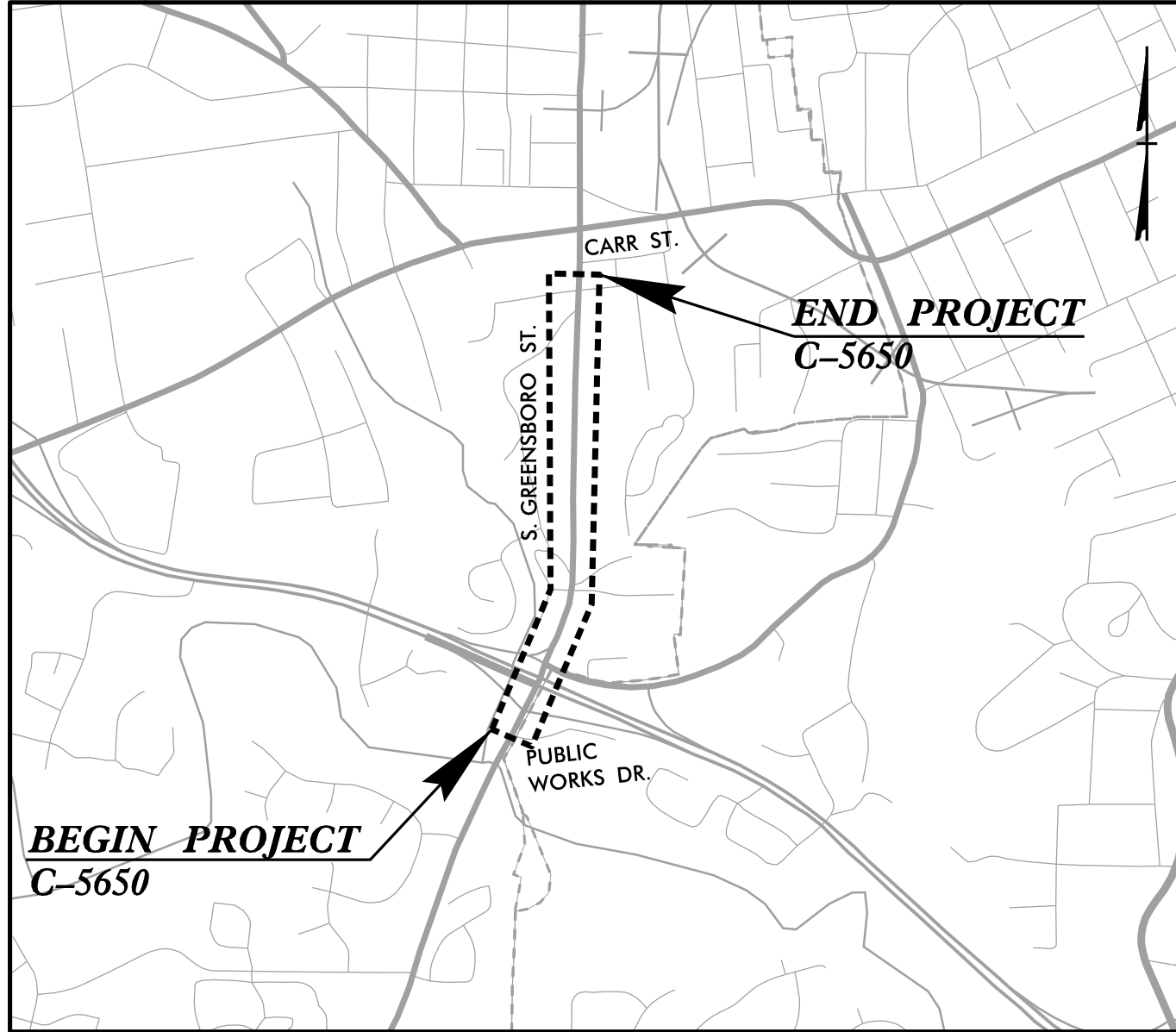


PUBLIC MEETING MAP
ORANGE COUNTY
PROJECT C-5650
SR 1919 (S. GREENSBORO STREET),
FROM PUBLIC WORKS DRIVE
TO CARR STREET IN CARRBORO



09/08/2019

See Sheet 1A For Index of Sheets
See Sheet 1B For Conventional Symbols



VICINITY MAP NTS

Town of Carrboro

S. GREENSBORO STREET SIDEWALK

LOCATION: SR 1919 (S. GREENSBORO STREET)
FROM PUBLIC WORKS DRIVE TO CARR STREET
IN CARRBORO, NORTH CAROLINA

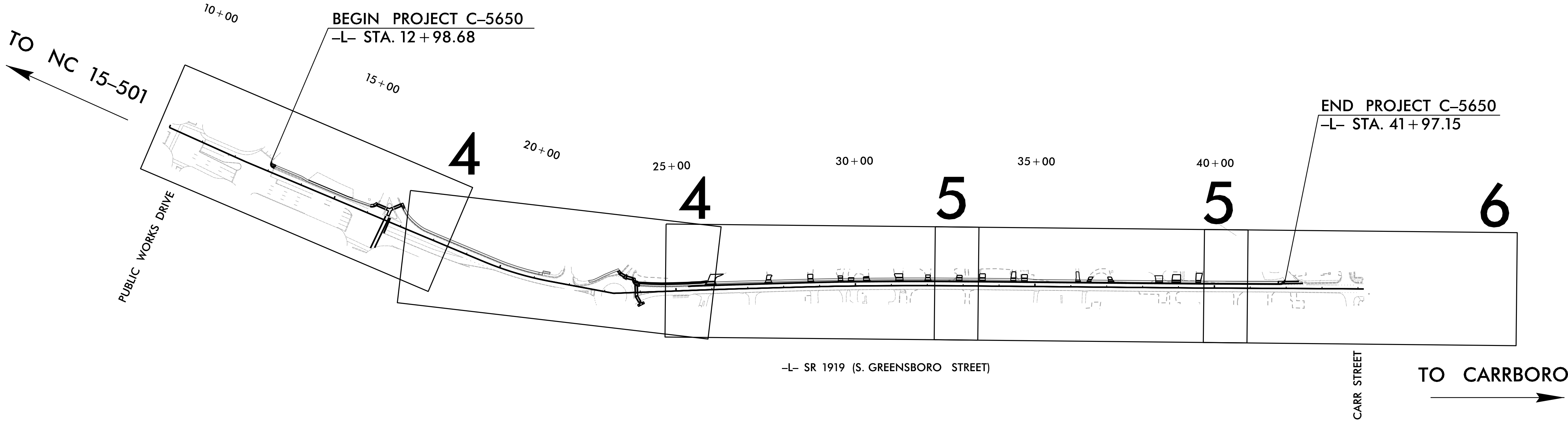
TYPE OF WORK: *GRADING, SIDEWALK, & DRAINAGE IMPROVEMENTS*

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	C-5650	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	

DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED

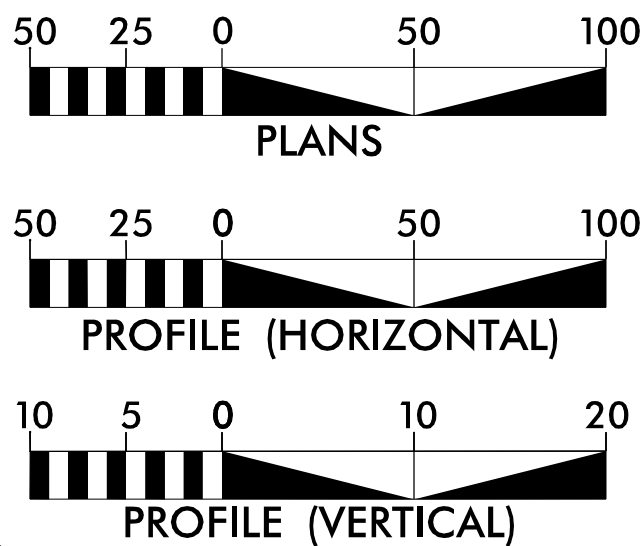


PROJECT: C-5650



CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD II

GRAPHIC SCALES



DESIGN DATA

ADT 2019 = 12,500
V = 40 MPH

PROJECT LENGTH

LENGTH ROADWAY PROJECT C-5650 = 0.549 MILES

Prepared In the Office of:

RKA

RAMEY KEMP ASSOCIATES

5808 Faringdon Place Raleigh, North Carolina 27609
Phone: 919-872-5115 | www.rameykemp.com | NC License No. C-0910

2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
LETTING DATE:

KAYLA M. POULOS, PE
PROJECT ENGINEER

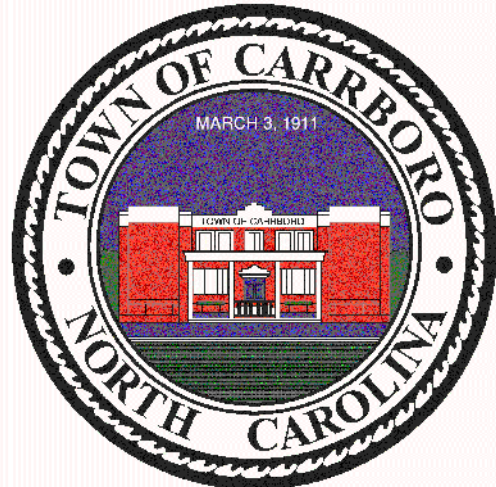
ALEXANDER P. KITCHING, EI
PROJECT DESIGNER

HYDRAULICS ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

SIGNATURE:
ROADWAY DESIGN ENGINEER

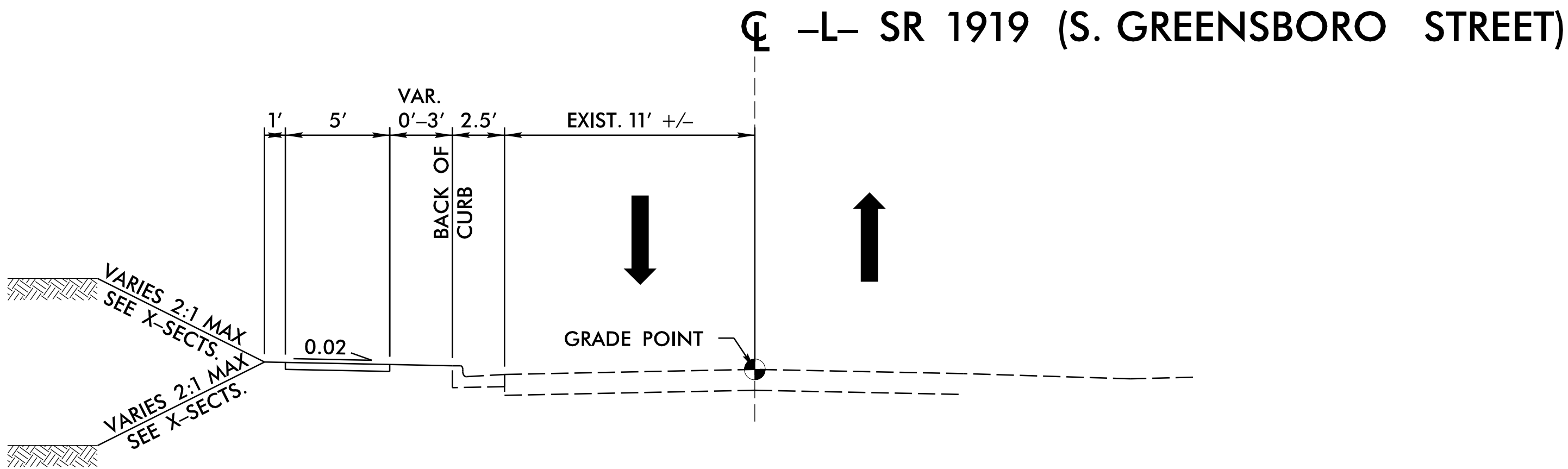
SIGNATURE:



6/16/2021
\\Roadway\Proj\C5650_Rdy_tsh.dgn
User: DPedersen

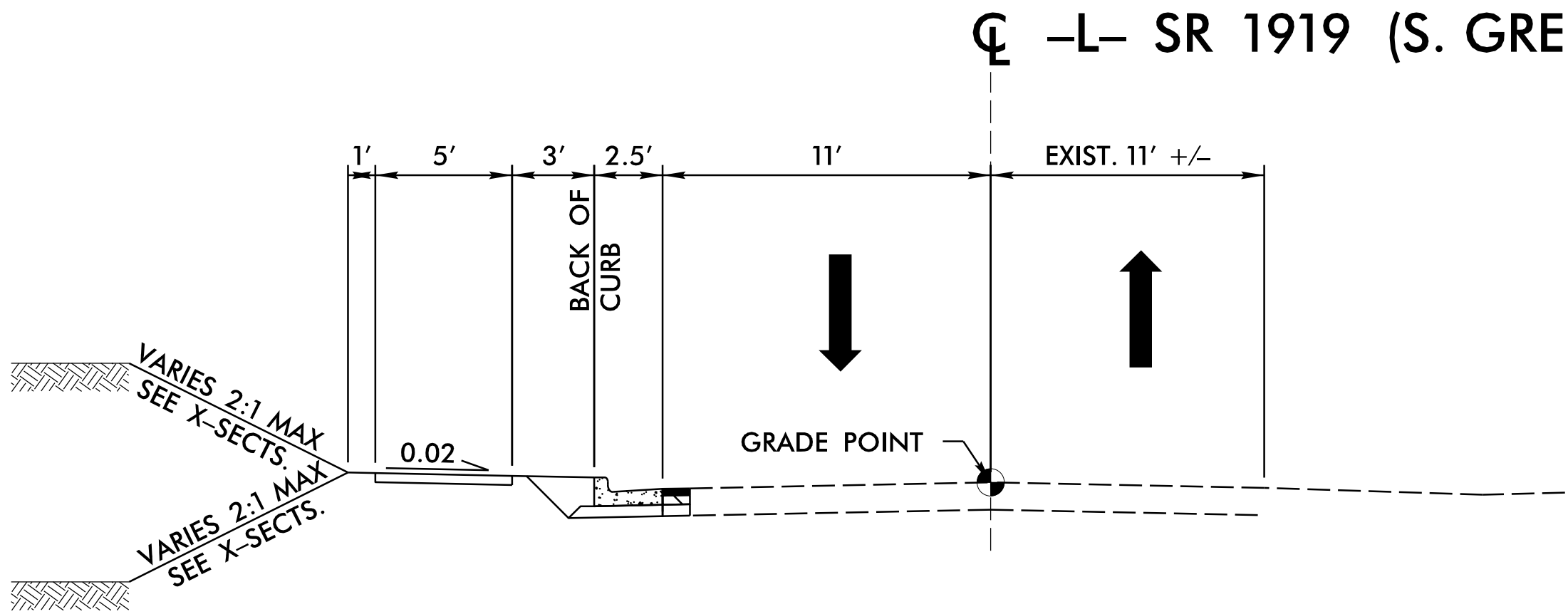
PAVEMENT SCHEDULE	
C1	PROP. APPROX. 3" ASPHALT CONCRETE SURFACE COURSE, TYPE S9.5C, AT AN AVERAGE RATE OF 168 LBS PER SQ. YD. IN EACH OF TWO LAYERS
D1	PROP. APPROX. 4" ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE I19.0C, AT AN AVERAGE RATE OF 456 LBS PER SQ. YD.
E1	PROP. APPROX. 5" ASPHALT CONCRETE BASE COURSE, TYPE B25.0C, AT AN AVERAGE RATE OF 570 LBS PER SQ. YD.
R1	2'-6" CURB & GUTTER (NCDOT 846.01)
S	4" CONCRETE SIDEWALK (6" SIDEWALK AT DRIVEWAYS)
T	COMPACTED EARTH MATERIAL
U	EXISTING PAVEMENT

NOTE: 1. ALL PAVEMENT EDGE SLOPES ARE 1:1 UNLESS OTHERWISE SPECIFIED.
2. SEE PLANS FOR LOCATION OF ALL TAPERS, SIDEWALKS, HANDRAIL, GUARDRAIL, AND RETAINING WALL LOCATIONS.
3. CONTRACTOR TO SUBMIT PROPOSAL FOR BOTH PRECAST GRAVITY WALL & SOLDIER PILE WALL FOR RW-1 (SEE DETAILS ON 2G-1.1 & 2G-1.2). SOLDIER PILE WALL WILL BE CONSIDERED AN ALTERNATIVE DESIGN.



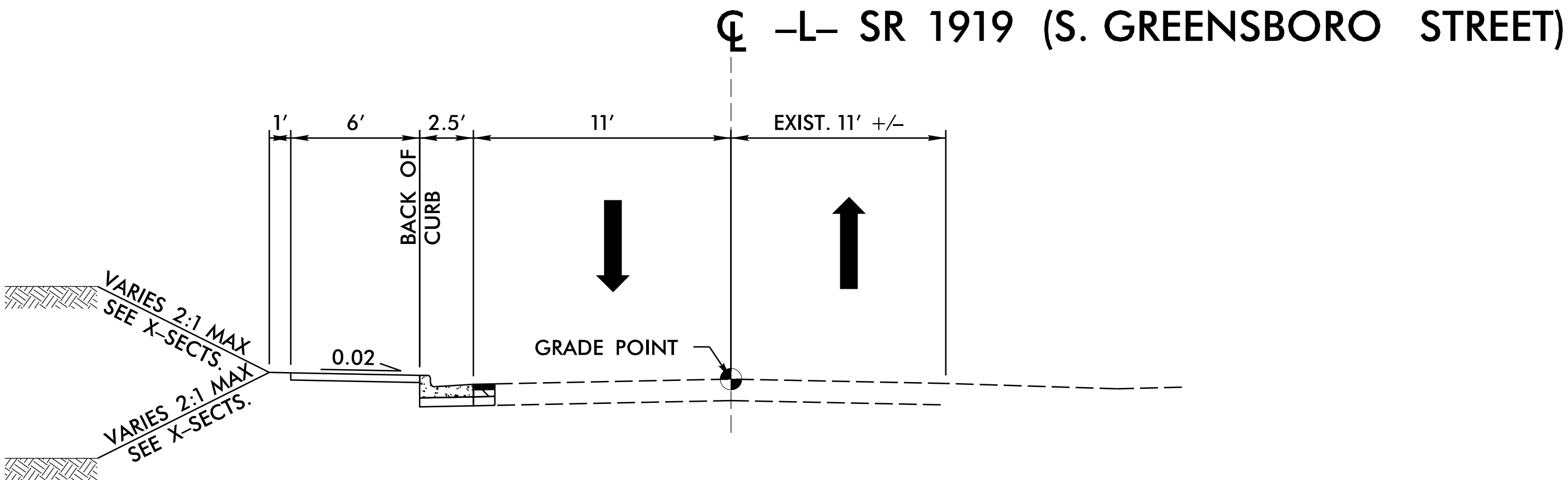
TYPICAL SECTION NO. 1

-L- STA. 12+98.68 TO -L- STA. 14+13.83
-L- STA. 22+50.88 TO -L- STA. 23+51.09



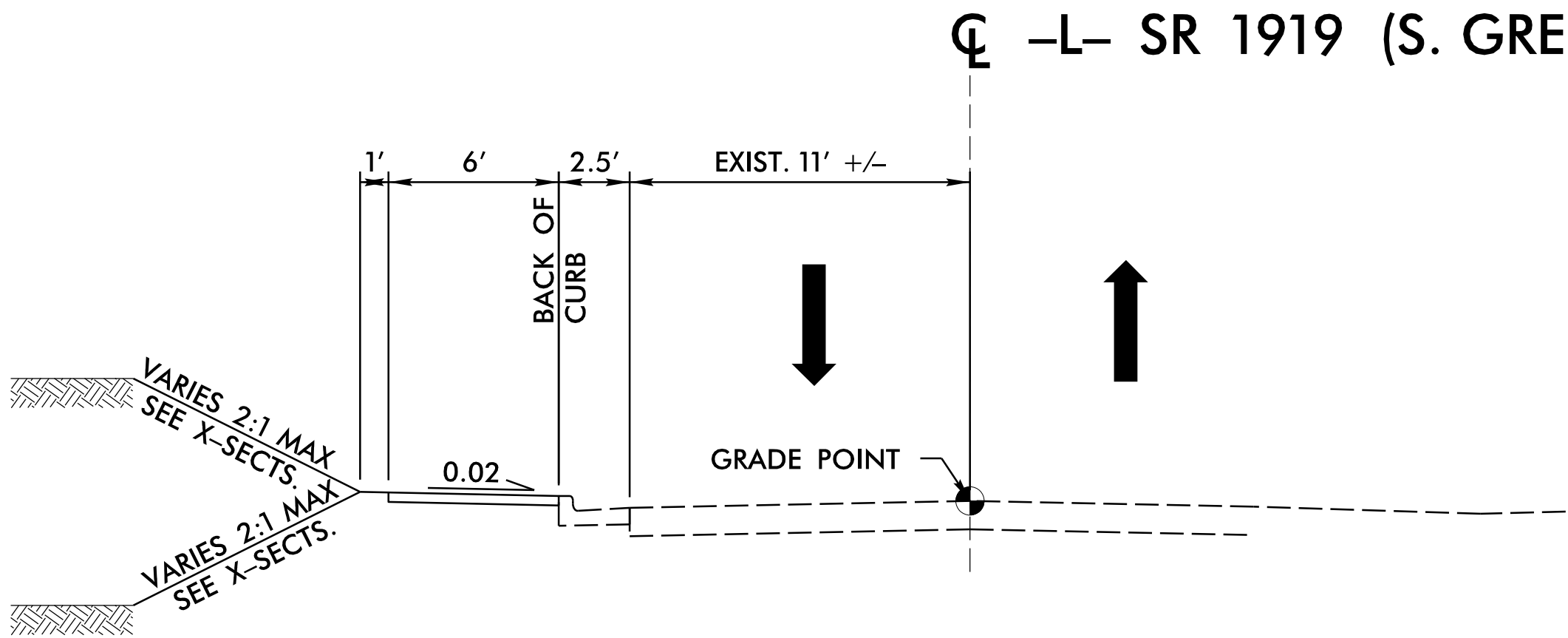
TYPICAL SECTION NO. 2

-L- STA. 26+11.74 TO -L- STA. 34+81.77



TYPICAL SECTION NO. 3

-L- STA. 25+34.52 TO -L- STA. 26+11.74
-L- STA. 34+81.77 TO -L- STA. 41+97.15



TYPICAL SECTION NO. 4

-L- STA. 14+13.83 TO -L- STA. 21+20.90
-L- STA. 23+51.09 TO -L- STA. 25+34.52



PROJECT REFERENCE NO.		SHEET NO.	
C-5650		2A-1	
ROADWAY DESIGN ENGINEER		PAVEMENT DESIGN ENGINEER	
<div>INCOMPLETE PLANS</div> <div>DO NOT USE FOR R/W ACQUISITION</div>			
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			



TOWN OF CARRBORO
PUBLIC WORKS DEPARTMENT

S. GREENSBORO STREET SIDEWALK

PLAN SHEET

ROADWAY DESIGN
ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

HYDRAULICS ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

REVISIONS

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SIGNATURES COMPLETED

SCALES

H-SCALE - 1"=30'

V-SCALE - 1"=30'

DATE: 6/23/2020

DESIGNED BY: APK

CHECKED BY: KMP



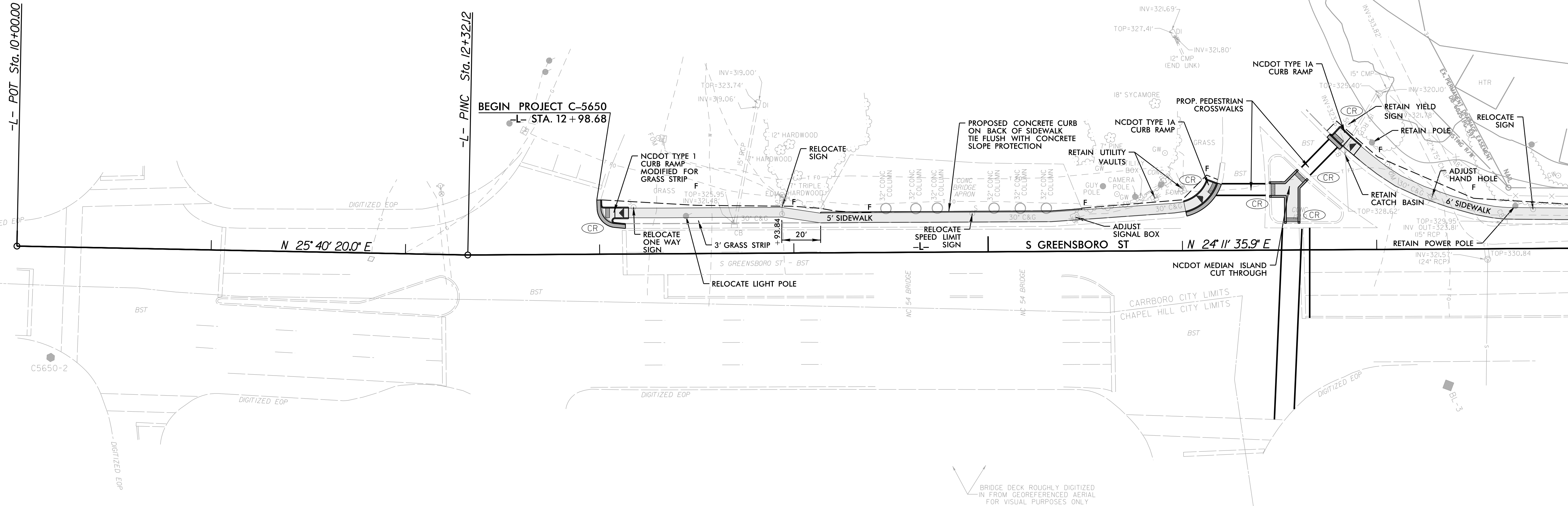
5808 Farington Place
Raleigh, North Carolina 27609
Phone: 919-872-5115
NC License No. C-0810
www.rameykemp.com

10+00

-L- POT Sta. 10+00.00

15+00

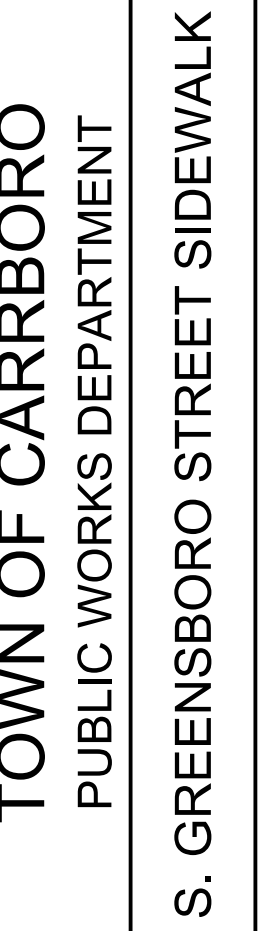
MATCHLINE -L- STA. 18+00
SEE SHEET 4 VIEW B



MATCHLINE -L- STA. 18+00
SEE SHEET 4 VIEW A

MATCHLINE -L- STA. 25+00
SEE SHEET 5 VIEW A

-L-
PI Sta 20+47.52
Δ = 12° 04' 41.2" (LT)
D = 6° 11' 38.9"
L = 194.99'
T = 97.86'
R = 925.00'
D.S. = 40 MPH



PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

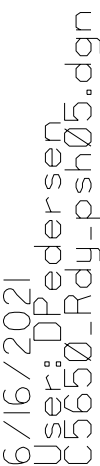
PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

REVISIONS				
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED				

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6



TOWN OF CARBORO

PUBLIC WORKS DEPARTMENT

S. GREENSBORO STREET SIDEWALK

PLAN SHEET

ROADWAY DESIGN
ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

HYDRAULICS ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

REVISIONS

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

SCALES

H-SCALE - 1"=30'

V-SCALE - 1"=30'

DATE: 6/23/2020

DESIGNED BY: APK

CHECKED BY: KMP

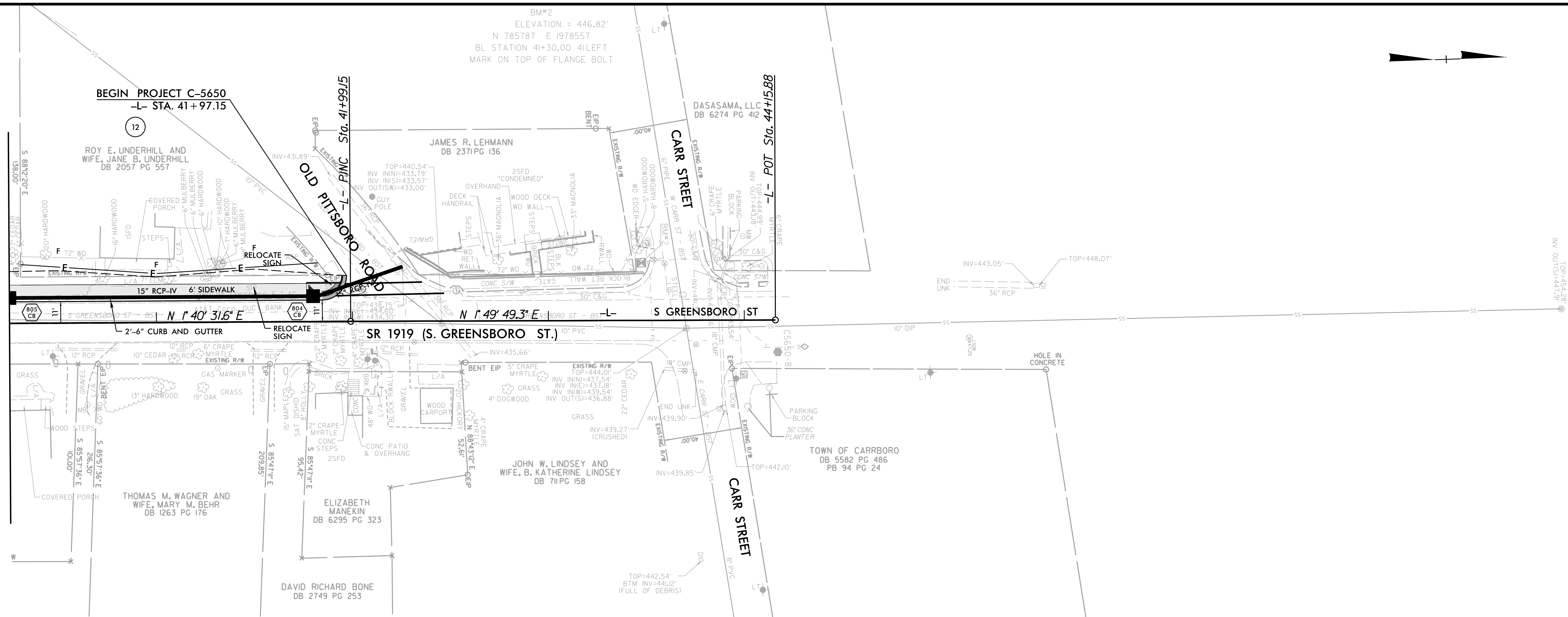
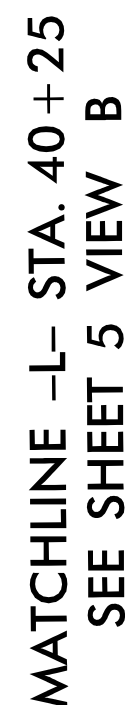


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www.tammykemp.com



6/16/2021
User: DPedersen
C5650_Rdy_psh06.dgn



PUBLIC WORKS DEPARTMENT

S. GREENSBORO STREET SIDEWALK

COLOR UTILITY MAP

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

HYDRAULICS ENGINEER

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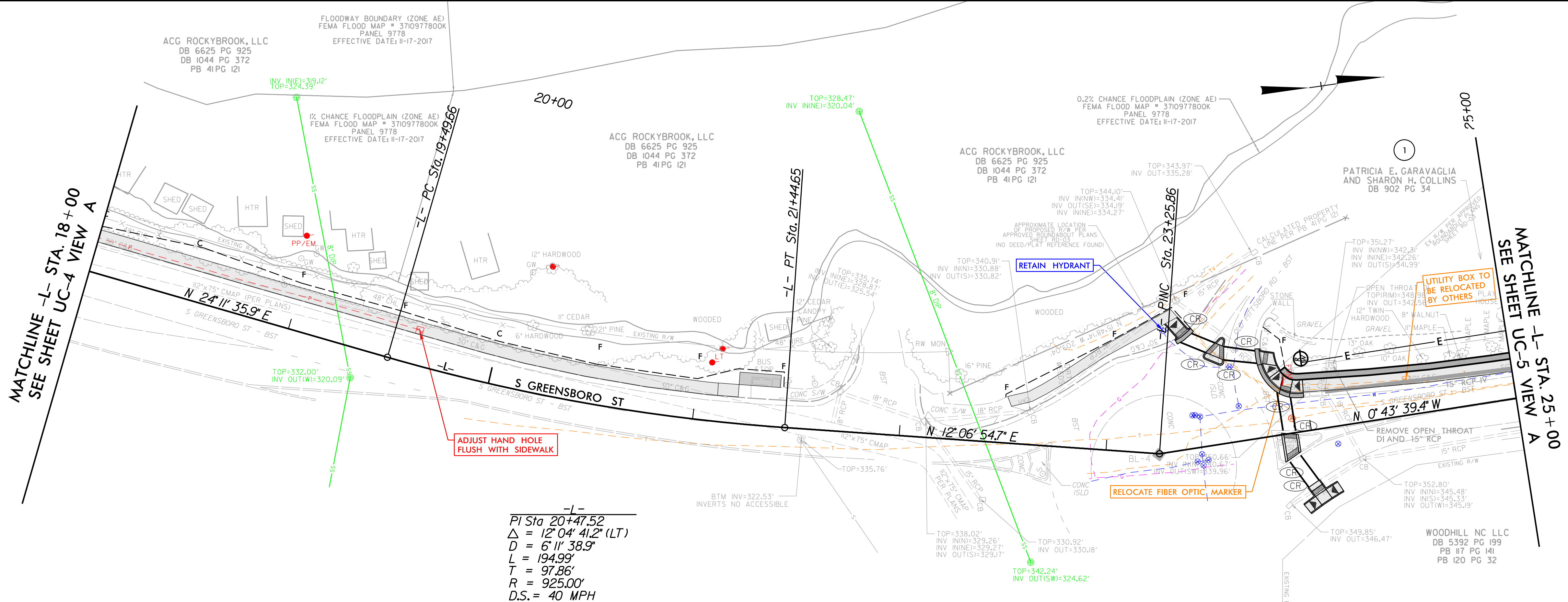
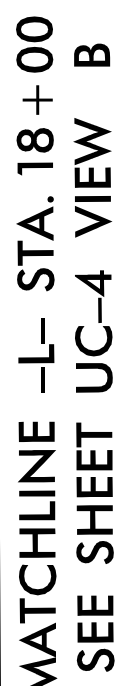
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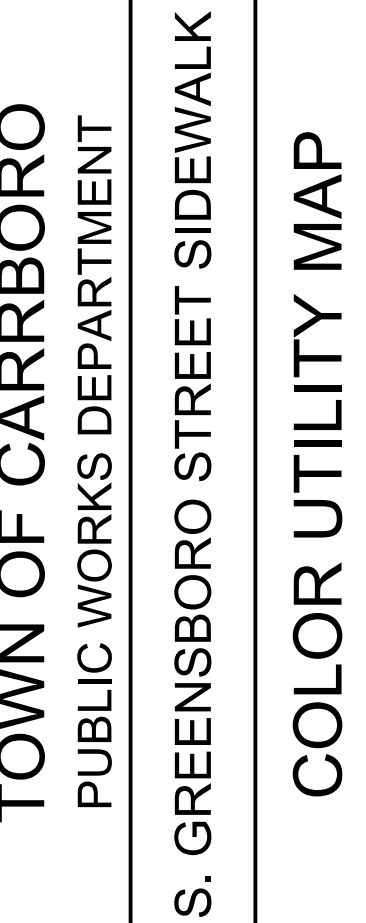
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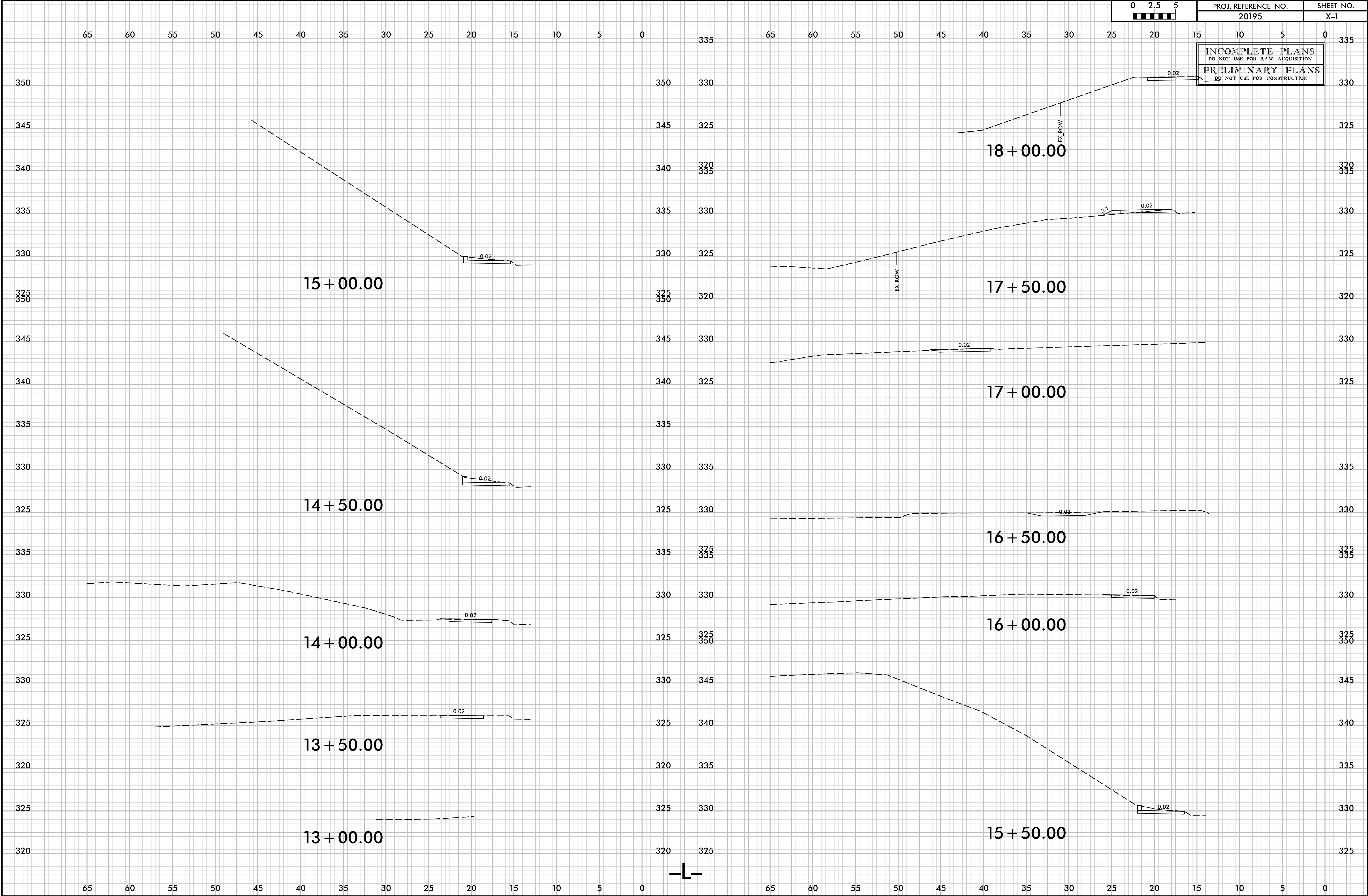
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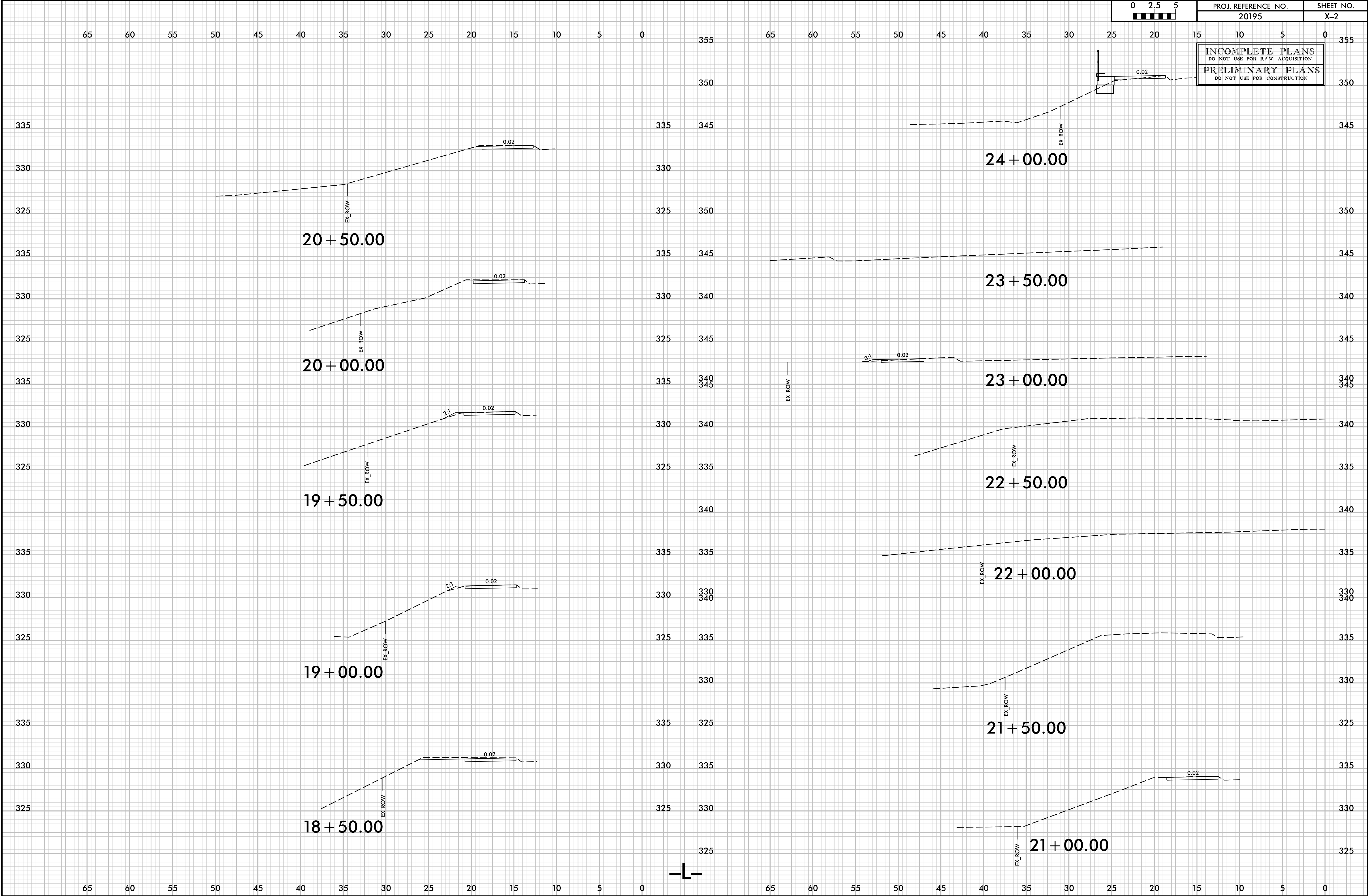
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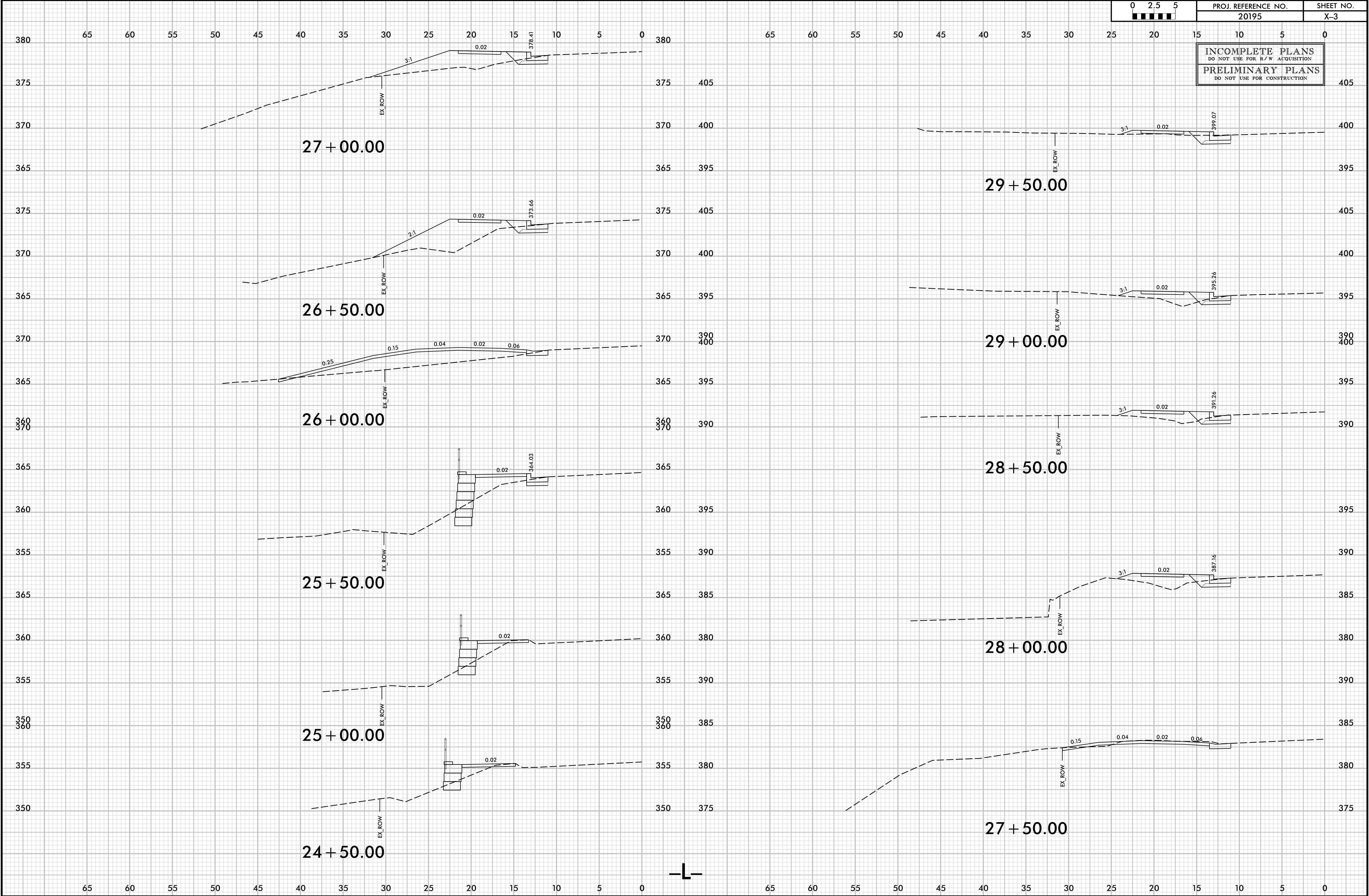
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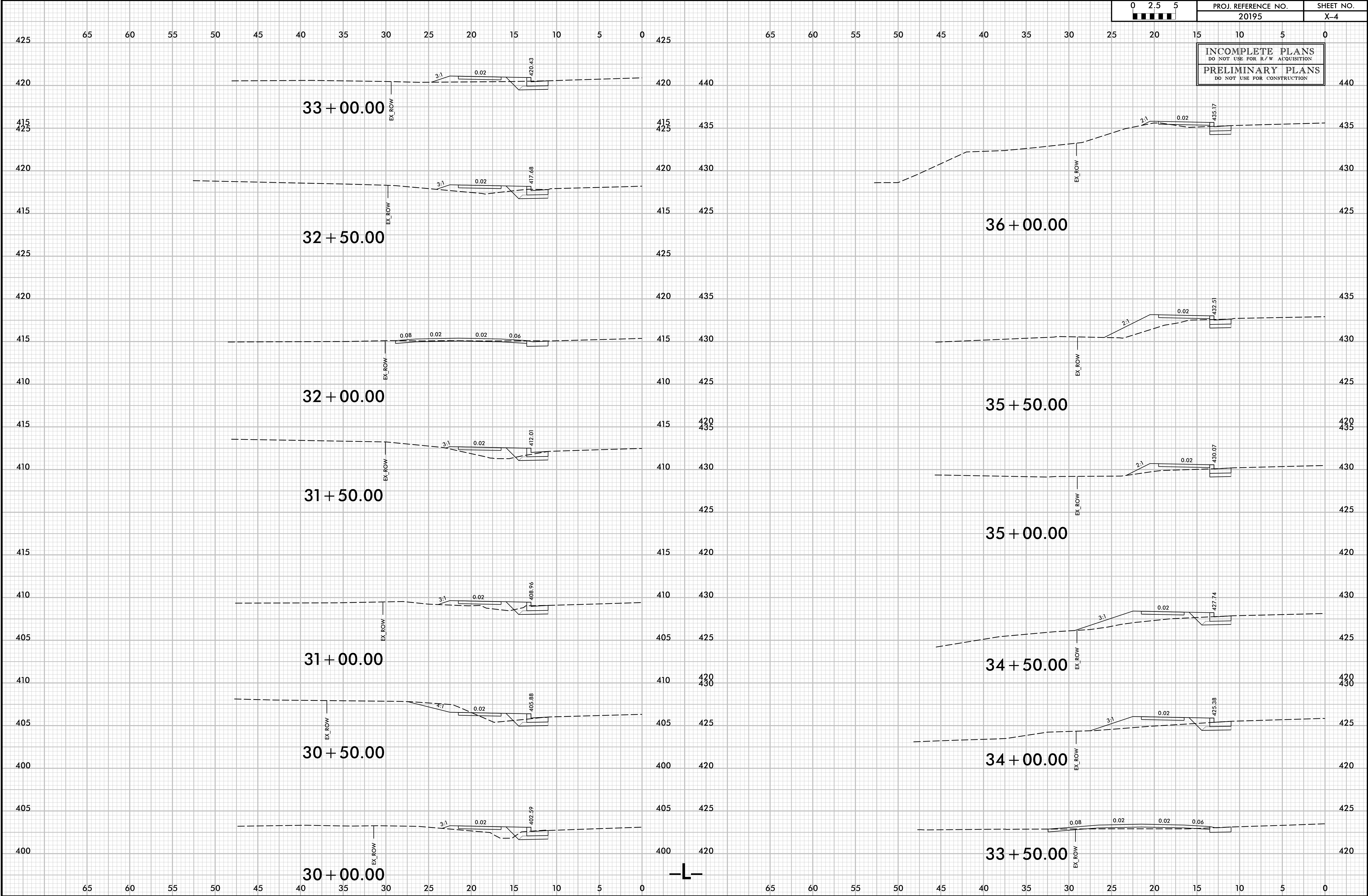
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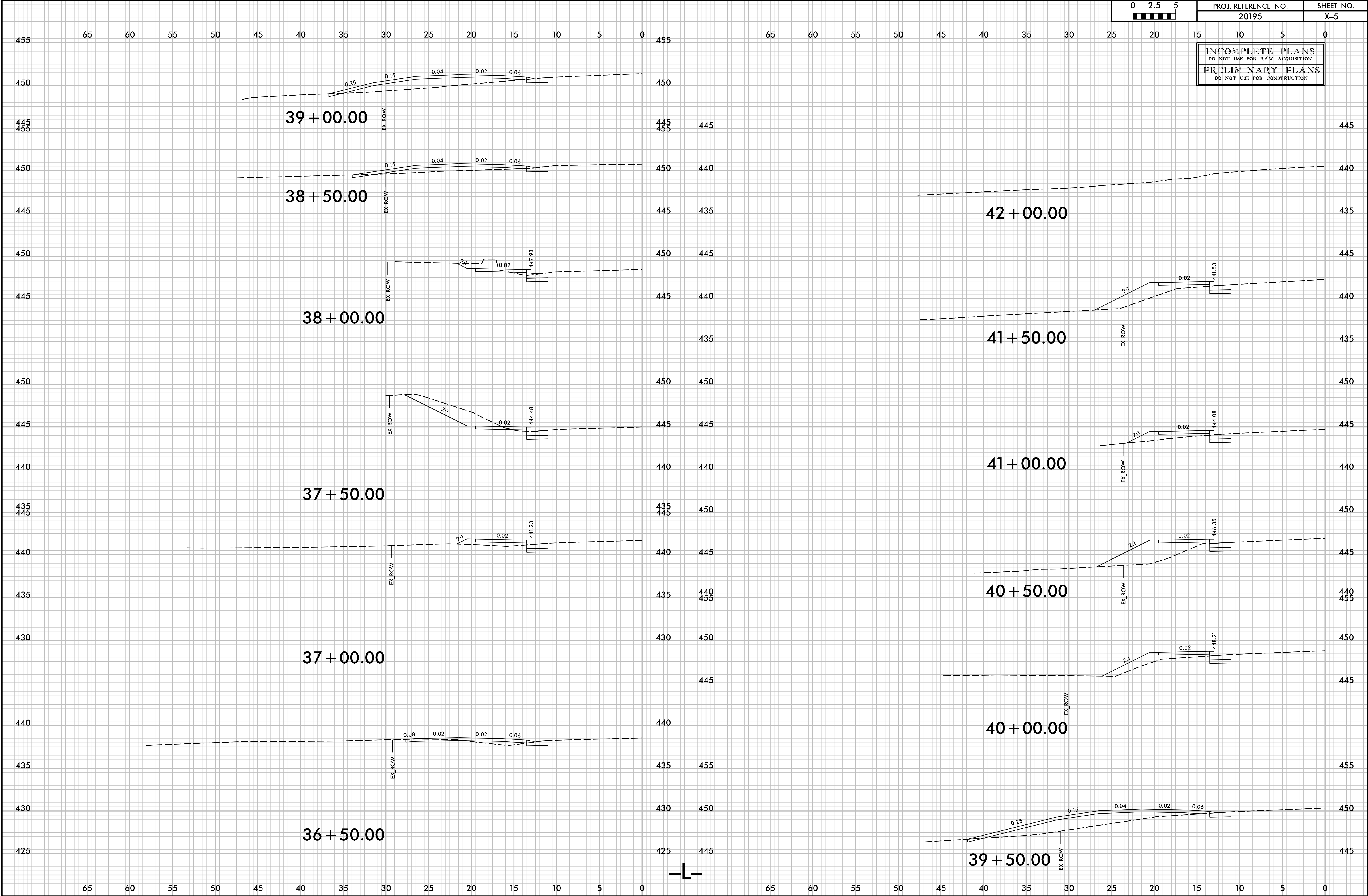








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Town of Carrboro

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

Agenda Item Abstract

File Number:21-230

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Adoption of FY 2021-22 Annual Budget

PURPOSE: The purpose of this agenda item is for the Town Council to complete budget discussions and adopt the annual budget for fiscal year 2021-22.

DEPARTMENT: Town Manager

CONTACT INFORMATION: David Andrews, 918-7315; Arche McAdoo, 918-7439; Cary McNallan, 918-7301

INFORMATION: The North Carolina Local Government Budget and Fiscal Control Act (LGBFCA) requires that the Town Manager submit a recommended budget and budget message to the Mayor and Councilmembers no later than June 1st; that the Town Council hold a public hearing on the budget; and that the Town Council adopt an annual budget ordinance each year by July 1st. The budget must be balanced which is defined by LGBFCA as “the sum of estimated net revenues and appropriated fund balance in each fund shall be equal to appropriations in that fund”.

On February 2, 2021 the Town Council held a public hearing to receive community input prior to beginning the budget process for FY 2021-22. On May 25, 2021 the Town Manager presented to the Town Council a recommended budget for FY 2021-22 totaling \$71.8 million, and the budget document was filed with the Town Clerk. It has remained available on the Town’s website, and in the Town Clerk’s Office for public inspection; notice of its availability was published in the local media. On June 8, 2021, a public hearing was held on the Manager’s recommended budget.

Based on Town Council discussions and changes noted at the June 8, 2021 public hearing on the FY22 budget, the final budget presented for adoption is as follows:

General Fund	\$ 25,247,801
Special Revenue Fund	9,567,341
Capital Projects Fund	41,985,403
<i>Total Governmental Funds</i>	<i>\$ 76,800,545</i>
Stormwater Utility Enterprise Fund	\$ 971,254
Parking Enterprise Fund	290,500
<i>Total Enterprise Funds</i>	<i>\$ 1,261,754</i>
Grand Total Budget	<i>\$ 78,062,299</i>

The General Fund is the Town's operating fund. The total budget increased slightly from the current year. As noted in Attachment B, there are a number of personnel changes, however, the net increase in authorized positions is only one. Personnel costs include decreases due to the change in the Town's health insurance plan, and increases due to salary adjustments and mandatory benefit changes. Other minor adjustments have been made in operating expenses to several other functions based on updated information. The Final General Fund Budget presented for adoption is \$25,247,801 which is \$70,642 more than the Recommended Budget.

The Capital Projects Fund includes construction, renovation or other improvements to the Town's capital assets. Major projects include park parking lot paving, vehicle and equipment purchases, street resurfacing, greenways and multi-paths, and the 203 S. Greensboro Street facility to house the Town administrative offices and Orange County Southern Branch Library.

The Affordable Housing Fund in the Special Revenue Fund is a major goal of the Town Council. In order to provide a steady and reliable revenue source for affordable housing activities, a property tax increase of ½ cents was implemented in each of FY 2018-19 and FY 2019-20. In FY 2021-22, the tax rate will be increased an additional ½ cents, for a total of 1.5 cents, which will be dedicated to affordable housing. This meets the funding goal set by Town Council for affordable housing activities equal to 1.5 cents of the total property tax rate.

Along with the Budget Ordinance, the Town Council needs to adopt a number of other resolutions. These include: Position Classification and Pay Plan, across-the-board salary adjustment, resolution for Town Attorney contract, Miscellaneous Fees and Charges Schedule, and use of unassigned fund balance appropriation for capital projects.

Annual Budget Ordinance - Attachment A

The attached Annual Budget Ordinance includes General Fund appropriation of \$25,247,801 by function for operation of the Town beginning July 1, 2021. The Annual Budget Ordinance also includes the estimated revenues from major sources that are expected to be available during the fiscal year.

The property tax rate shall increase from 59.94 cents, to 60.44 cents, for each \$100 valuation of taxable property with 1.50 cents of that amount dedicated for Affordable Housing Fund.

Position Classification and Pay Plan - Attachment B

The Annual Budget for FY 2021-22 includes changes to be incorporated into the Position Classification and Pay Plan. These changes, which will increase the Town's total authorized FTE's from 168.5 to 169.5, are listed in the resolution titled Attachment B.

The pay ranges for all positions established in the Position Classification and Pay Plan will increase 1.5%, effective July 1, 2021.

There will be no merit or performance pay provided to Town employees in FY 2021-22.

Minimum Salary and Hourly Rates Adjustment - Attachment C

A 3.3% across-the-board salary increase effective July 1, 2021 is included for all current permanent full-time, permanent part-time, appointed employees, and elected officials. Also included in this resolution is a provision to pay all part-time employees an hourly wage that is equal to the Orange County Living Wage of \$15.40 per hour, effective July 1, 2021.

Town Attorney - Attachment D

This resolution is to contract for legal services.

Use of Fund Balance for Capital Projects - Attachment E

If the Town's annual audit at June 30, 2021 confirms that the unassigned fund balance exceeds 35%, the amount above 35% may be assigned by the Town Manager for future capital needs.

Capital Project Ordinance for FY21-22 Vehicle Purchases - Attachment F

The ordinance authorizes a capital project to be established for the purpose of purchasing the FY21-22 vehicles approved in the adopted budget.

Fee Schedule - Attachment G

The resolution establishes various Miscellaneous Fees and Charges Schedule beginning July 1, 2021. New fees added include: Recreation, Parks, Cultural Resources: Concessionaire Vendor Fees of \$150 per year for use of Town Commons. Fees eliminated include: Public Works: Fees for bulk items for disposal collection. Other rate changes are noted below:

Changes in Town's Misc Fees and Charges Schedule

<u>Facility/Program</u>	<u>Description</u>	<u>FY21 Rate</u>	<u>FY22 Rate</u>
Town Commons	Police Officer fee for events	\$ 30.00	\$ 35.00
Rec and Park	Out-of-County Fee - Per Activity	26.00	27.00
Rec and Park	Out-of-County Fee - Annual maximum	77.00	81.00
General Programs	Program Souvenirs price range minimum	3.00	0.25
Admission Fees	Drop In Program participation fee minimum	3.00	-
Admission Fees	Performance/Concert Tickets maximum	50.00	100.00
Public Works	Roll Out Containers	48.25	50.00
Public Works	Yard Waste Containers	48.25	50.00
Public Works	Driveway Permit Fee	110.00	120.00

Medical Insurance Plan - Attachment H

The resolution authorizes the Town Manager to enter into a contract with the Town's medical insurance providers.

FISCAL & STAFF IMPACT: The total 2021-22 General Fund Budget presented for adoption is \$25,247,801. The grand total budget including all funds is \$78,062,299.

RECOMMENDATION: The Town Council is requested to adopt the following:

- A. Annual Budget Ordinance for FY 2021-22;
- B. Resolution Adopting Changes to Position Classification and Pay Plan;
- C. Resolution Approving minimum salary and hourly rates for employees;
- D. Resolution for Town Attorney Contract;
- E. Resolution to authorize use of unassigned fund balance for capital projects;
- F. Capital Project Ordinance for FY21-22 Vehicle Purchases; and Attachment F-1 - Reimbursement Resolution Equip & Vehicles;
- G. Resolution Approving Miscellaneous Fees and Charges Schedule (Attachment G-

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

- 1);
- H. Resolution to authorize contracts for the Town's Medical Insurance Plan.

**ANNUAL BUDGET ORDINANCE FY 2021-22
Town of Carrboro, North Carolina**

WHEREAS, the recommended budget for FY 2021-22 was submitted to the Town Council on May 25, 2021 by the Town Manager pursuant to G.S. 159-11 and filed with the Town Clerk pursuant to G.S. 159-12;

WHEREAS, on June 8, 2021, the Town Council held a public hearing on the budget pursuant to G.S. 159-12;

WHEREAS, on June 22, 2021, the Town Council adopted a budget ordinance making appropriations and levying taxes in such sums as the Town Council considers sufficient and proper in accordance with G.S. 159-13;

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO, NORTH CAROLINA:

ARTICLE I – GENERAL FUND

Section 1. General Fund Appropriations

The General Fund is the Town of Carrboro’s operating account. The following amounts are hereby appropriated by function for the operation of the Town and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022:

GENERAL GOVERNMENT	\$ 6,046,823
Mayor and Town Council	\$ 441,282
Advisory Boards	53,950
Town Manager	292,690
Economic Development	132,127
Climate Action	308,249
Communication & Engagement	177,288
Housing & Community Services	588,904
Town Clerk	154,450
Finance	1,255,625
Human Resources	724,265
Information Technology	1,917,993
PUBLIC SAFETY	7,207,887
Police	4,006,374
Fire	3,201,513
PLANNING	1,668,342
TRANSPORTATION	2,011,768
PUBLIC WORKS	4,026,756
RECREATION, PARKS, & CULTURAL RESOURCES	1,908,568
NONDEPARTMENTAL	1,500,867
DEBT SERVICE	876,790
TOTAL GENERAL FUND	<u>\$ 25,247,801</u>

Section 2. General Fund Revenues

It is estimated that revenues from the following major sources will be available during the fiscal year beginning July 1, 2021 and ending June 30, 2022 to meet the general fund expenditures:

Ad Valorem Tax	\$ 14,063,175
Local Sales Tax	4,895,670
Other Taxes/Licenses	1,457,589
Intergovernmental	2,038,398
Fees and Permits	1,239,160
Sales and Services	171,819
Investment Earnings	40,000
Other Revenues	252,270
Other Financing Sources	1,089,720
Total General Fund	<u>\$ 25,247,801</u>

ARTICLE II – AFFORDABLE HOUSING FUND

Section 1. Affordable Housing Fund Appropriation

The Affordable Housing Fund is a special revenue fund created by the Town to increase the stock of affordable, safe and decent housing within the Town and its' planning jurisdiction. The following amounts are hereby appropriated for Affordable Housing Fund activities:

Community Home Trust	\$ 70,582
Home Consortium Match	12,488
Partnership to End Homelessness	35,202
AHSRF Deferred Loan Program	10,000
Affordable Hsg Advisory Board	500
Critical Home Repair	65,000
Rental Deposits Program	33,258
Acquisition and Development	100,000
Unexpended Reserves	11,495
Total Appropriation	<u>\$ 338,525</u>

Section 2. Affordable Housing Fund Revenues

There is hereby levied a tax rate of \$.0150 (1.5 cent) on each one hundred dollars (\$100) valuation of taxable property as listed for taxes on January 1, 2021 that shall be devoted solely to the affordable housing activities noted above.

ARTICLE III – CAPITAL PROJECTS

Pursuant to GS 159-13.2, the Town Council may authorize and budget for capital projects and special revenue funds in its annual budget or project ordinance. The project ordinance

appropriates revenues and expenditures for however long it takes to complete the project rather than for a single fiscal year.

ARTICLE IV – STORMWATER UTILITY ENTERPRISE FUND

Section 1. Stormwater Utility Enterprise Fund

The purpose of the Stormwater Utility Enterprise Fund is to comprehensively address stormwater management and flooding issues throughout the Town, including making sure the Town stays in compliance with state and federal rules and regulations. A total of \$971,254 is appropriated for stormwater activities.

Section 2. Revenues for Stormwater Utility Enterprise Fund

Revenues to support stormwater activities are generated through the fee structure established in the Town Code, Chapter 18, Article II, Section 18-6. Unexpended funds from fiscal year 2020-21 may be carried forward to fiscal year 2021-22.

ARTICLE V – PARKING ENTERPRISE FUND

Section 1. Parking Enterprise Fund

The purpose of the Parking Enterprise Fund is to manage parking facilities and services within the Town and monitor related expenses. A total of \$290,500 is appropriated for parking activities.

Section 2. Revenues for Parking Enterprise Fund

Revenues to support the Parking Enterprise Fund include a transfer of funds in the amount of \$290,500 from the General Fund to the Parking Enterprise Funds. Unexpended funds from fiscal year 2020-21 may be carried forward to fiscal year 2021-22.

ARTICLE VI – MISCELLANEOUS FEES AND CHARGES

Charges for services and fees by Town Departments are levied in the amounts set forth in the Miscellaneous Fees and Charges Schedule as adopted by the Town Council.

ARTICLE VII – GENERAL AUTHORITIES

Section 1. The following authorities shall apply:

- a. The Town Manager may transfer funds between departments and functions within the General Fund for pay adjustments; service level benefits; law enforcement separation allowance; unemployment insurance; retiree, dependent, health insurance benefits; and, for any other purpose deemed necessary by the Town Manager without further action by the Town Council.
- b. The Town Manager may transfer funds within departments and functions.
- c. When unassigned fund balance exceeds 35% in the General Fund, the Town Manager, in accordance with the Town's Fund Balance Policy, may set aside an

- amount in assigned fund balance for transfer to the Capital Projects Fund for future projects.
- d. All funds encumbered or designated within fund balance for expenditures as confirmed in the annual audit for the year ending June 30, 2021 shall be re-appropriated to the Fiscal Year 2021-22 Adopted Budget without further action by the Town Council.
 - e. The Finance Officer may approve transfer requests between programs or organizational units within the adopted general fund budget.
 - f. Transfers between Funds may be authorized only by the Town Council.
 - g. The Orange County Tax Collector, is authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Orange County Tax Assessor, and in the tax receipts herewith delivered to the Tax Collector, in the amounts and from the taxpayers likewise set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Orange. This section of the ordinance shall be a full and sufficient authority to direct, require, and enable the Orange County Tax Collector to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.
 - h. Pursuant to NCGS 160A-314.1 and 160A-317 the Town of Carrboro authorizes Orange County to provide recycling collection services within the Town and to impose and administer a basic annual services fee per household for recycling services and a solid waste convenience center fee for residents within the Town.
 - i. Under GS143-64.32, architectural, engineering, and surveying services with fees less than thirty thousand dollars (\$30,000) may be exempt from the RFQ (Request for Qualification) process if approved by the Town Manager.

Section 2. There is hereby levied the following rates of tax on each one hundred dollars (\$100) valuation of taxable property as listed for taxes as of January 1, 2021 for the purpose of raising the revenue constituting the general property taxes as set forth in the foregoing estimates of revenue (Article I, Section 2), to finance the foregoing General Fund appropriations (Article I, Section 1). One and one half cents of the total tax rate shall be devoted exclusively to the Affordable Housing Fund.

General Fund	\$.5894
Affordable Housing Fund.....	<u>\$.0150</u>
Total Tax Rate	\$.6044

Section 3. The Finance Officer shall distribute property tax collections to the appropriate fund(s) at least monthly as levied in Article VII, Section 2 above.

Section 4. In accordance with G.S. 159-13, a copy of this ordinance shall be filed with the Town Manager, the Finance Officer, and the Town Clerk.

The foregoing ordinance, having been submitted to a vote of the Town Council, received the following vote and was duly adopted this 22nd day of June 2021:

Ayes:

Noes:

Absent or Excused:

ATTACHMENT B

RESOLUTION ADOPTING CHANGES TO TOWN OF CARRBORO POSITION CLASSIFICATION AND PAY PLAN

WHEREAS, the Town Council has adopted a comprehensive Position Classification and Pay Plan for the Town of Carrboro;

WHEREAS, the Town Manager has submitted a budget for FY 2021-22 with proposed changes to the Position Classification and Pay Plan;

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

Section 1. The Position Classification and Pay Plan is hereby modified as follows:

- a. Rename the Communications Manager to Communication & Engagement Director, and reclassify the position from Salary Grade 17 to 21.
- b. Establish a half time (.5 FTE) Communication & Engagement Specialist position, Salary Grade 10.
- c. Establish an IT Support Engineer I position, Salary Grade 15
- d. Establish a Police Trainee position, Salary Grade 6
- e. Add an Environmental Planner position, Salary Grade 15
- f. Reclassify the Groundskeeper I position, Salary Grade 2, to Maintenance/Construction Worker I position, Salary Grade 4
- g. Reclassify the Groundskeeper II position, Salary Grade 3, to Maintenance/Construction Worker II, Salary Grade 6
- h. Reclassify the Building Maintenance Worker position, Salary Grade 4, to Building Maintenance Specialist, Salary Grade 8
- i. Reclassify one Grounds Crew Leader position, Salary Grade 7, to Horticulturalist, Salary Grade 10
- j. Reclassify the Landscape/Grounds Supervisor, Salary Grade 14, to Maintenance/Construction Crew Leader, Salary Grade 9
- k. Reclassify GIS Technician position from part-time (.5 FTE) to full-time (1.0 FTE), Salary Grade 10
- l. Reclassify Code Enforcement Officer III from Salary Grade 12 to 13.
- m. Reclassify the Budget Analyst to Deputy Finance Director, Grade 18
- n. Rename the Assistant to the Finance Director position to Accounting and Grants Supervisor, Grade 16
- o. Rename the IT Support Engineer position to IT Support Engineer II, Grade 17
- p. Rename the Street Crew Leader to Maintenance/Construction Crew Leader, Grade 9
- q. Rename the Streets Supervisor to Maintenance/Construction Supervisor, Grade 14

Section 2. Effective July 1, 2021, the salary ranges for all positions established in the Position Classification and Pay Plan shall be increased by 1.5% to remain competitive with the local labor market.

Section 3. There will be no Merit or Performance Pay provided to Town employees in FY 2021-22.

Section 4. All other provisions of the Position Classification and Pay Plan remain unchanged.

Section 5. The Human Resources Director shall revise the Position Classification and Pay Plan to reflect the changes in Section 1 through Section 2.

Section 6. This resolution shall become effective July 1, 2021.

ATTACHMENT C

**A RESOLUTION APPROVING ACROSS THE BOARD SALARY AND WAGE
ADJUSTMENT FOR EMPLOYEES**

BE IT RESOLVED that the Town of Carrboro Town Council hereby authorizes the following as a part of the Annual Budget for FY 2021-22:

Section 1: All Town permanent full-time, permanent part-time, appointed employees and elected officials shall receive an across the board salary increase of 3.3% effective July 1, 2021.

Section 2: Permanent full-time Town employees shall be paid a minimum annual salary that is at least equal to the Minimum Housing Wage of \$31,158.

Section 3: The Town Manager shall increase the salary of any permanent full-time Town employees earning less than \$31,158 to the annual Minimum Housing Wage.

Section 4: Effective July 1, 2021, the Town of Carrboro will pay all part-time employees an hourly wage that is equal to the Orange County Living Wage, which is currently \$15.40 per hour.

Section 5: This resolution shall become effective July 1, 2021.

ATTACHMENT D

**A RESOLUTION APPROVING THE
CONTRACT FOR TOWN ATTORNEY**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO:

Section 1: The Town Council hereby approves a contract for legal services with the Brough Law Firm for FY 2021-22 beginning July 1, 2021 and ending June 30, 2022.

Section 2: This resolution shall become effective July 1, 2021.

**CAPITAL PROJECT ORDINANCE AUTHORIZING THE USE OF FUND BALANCE
FOR DESIGNATED PROJECTS**

WHEREAS, the Town Council for the Town of Carrboro has adopted a Fund Balance Policy;
and,

WHEREAS, the adopted Fund Balance Policy provides that when the unassigned fund balance exceeds 35%, the Town Manager may set aside or assign an amount for transfer to the Capital Projects Fund for future projects; and,

WHEREAS, the adopted Fund Balance Policy requires formal action by the Town Council to commit the use of fund balance for projects or purposes in any current year or future year's budget; and,

WHEREAS, if the Town's annual audit at June 30, 2021 confirms that the unassigned fund balance exceeds 35%, the amount above 35% may be assigned by the Town Manager for capital projects;

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

Section 1: The following projects are authorized to be undertaken until all project activity is completed:

A. Jones Ferry Road Retaining Wall	\$ 100,000
B. Park Parking Lot Paving	\$ 120,000
C. 108 Bim Street Renovations	\$ 50,000
D. South Greensboro Street Conduit	\$ 25,000
(Increase funding from \$95K to \$120K)	

TOTAL APPROPRIATION	<u>\$ 295,000</u>
----------------------------	--------------------------

Section 2: Funds are appropriated from fund balance in the General Fund for transfer to the Capital Projects Fund for design, engineering, and/or construction expenses to carry out the project(s) identified in Section 1.

Section 3: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

Section 4: This capital project ordinance shall be effective July 1, 2021.

**CAPITAL PROJECT ORDINANCE
FOR FY2021-22 VEHICLE PURCHASES**

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO, UNDER GS 159-13.2, THAT:

Section 1: The 2022 Vehicle Purchases Capital Project is authorized to be undertaken for the purchases of the following vehicles:

Department	Vehicles/Equipment	Cost Estimate
Police	6 Vehicles @ \$56,000	\$ 336,000
Fire	Fire Engine	650,000
IT	Ford F-150	32,000
Public Works	Cat Mini-Excavator	72,000
Public Works	Cat 420 Backhoe Loader	155,000
	Total	\$ 1,245,000

Section 2. The amount appropriated in the Capital Fund for the ten vehicles listed in Section 1 shall not exceed \$1,245,000 with the understanding that the Town will seek installment financing for the estimated vehicle costs.

Section 3: Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director.

Section 4: This capital project ordinance shall be effective July 1, 2021.

ATTACHMENT F-1

REIMBURSEMENT RESOLUTION FOR EQUIPMENT AND VEHICLES

WHEREAS, the Town Manager, has described to the Town Council the desirability of adopting a resolution, as provided under federal tax law, to facilitate the Town's use of financing proceeds to restore its funds when the Town makes capital expenditures prior to closing on a lease-purchase installment financing.

BE IT RESOLVED by the Town of Carrboro Town Council that:

Section 1. The equipment and vehicles budgeted for purchase in FY 2021-22 include the following:

Department	Vehicles/Equipment	Cost Estimate
Police	6 Vehicles @ \$56,000	\$ 336,000
Fire	Fire Engine	650,000
IT	Ford F-150	32,000
Public Works	Cat Mini-Excavator	72,000
Public Works	Cat 420 Backhoe Loader	155,000
Total		\$ 1,245,000

Section 2. The expected type of financing (which may be subject to change) for the above equipment and vehicles is installment purchase financing as allowed in North Carolina General Statutes Section 160A-20.

Section 3. Funds that have been advanced, or may be advanced, from the General Fund for the aforementioned items are intended to be reimbursed from the financing proceeds up to an amount of \$1,245,000.00.

Section 4. The adoption of this resolution is intended as a declaration of the Town Council's official intent to reimburse project expenditures from financing proceeds.

Section 5. This resolution shall become effective upon adoption.

ATTACHMENT G

**A RESOLUTION APPROVING THE
MISCELLANEOUS FEES AND CHARGES SCHEDULE**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CARRBORO:

Section 1: The Town Council hereby approves the attached Miscellaneous Fees and Charges Schedule (Attachment G-1) for FY 2021-22.

Section 2: This resolution shall become effective on July 1, 2021.

TOWN OF CARRBORO
MISCELLANEOUS FEES AND CHARGES SCHEDULE
EFFECTIVE JULY 1, 2021

ATTACHMENT G-1

ITEM	CURRENT FEE
Motor Vehicle Tax	\$30.00 (Comprised of: General Municipal Vehicle Tax - \$25.00; Municipal Vehicle Tax for Public Transportation - \$5.00)
Alcohol/Beer & Wine Sales G.S. 105-113.77	
Beer (consumed on premises)	\$15.00
Beer (sold to be taken off premises)	\$5.00
Wine (consumed on premises)	\$15.00
Wine (sold to be taken off premises)	\$10.00
Fingerprinting	\$20.00 for each fingerprinting
Commercial Solicitation – Permit Application Fee	\$10.00
Commercial Solicitation – Permit Renewal Fee	\$5.00
Commercial Solicitation – Deposit Fee for Permit Card – Fee Returned Upon Receipt of Permit Cards	\$10.00
Animal Fees	
Dogs (unsterilized)	\$20.00
(sterilized)	\$3.00
Cats (unsterilized)	\$10.00
(sterilized)	\$3.00
Cemetery Fees	
Resident or Property Owner	\$ 750.00 per space
Non-Resident	\$1,500.00 per space
Plot Staking	\$25.00
Monument/Marker Staking	\$15.00

Command vehicle/pick up - \$25.50/hr
 Engine pumper truck - \$91.00/hr
 Aerial truck - \$140.81/hr
 Tent Permit (20' x 20' and larger) - \$50.00
 Open Flame Permit - \$50.00
 Assembly Permit - \$50.00
 Public Works employee - \$30.00 per hour
 Vehicle Usage - \$30/hr.
 Street Closings plus cost of advertising public hearing & mailings - \$85.00

Concessionaires

Long-Term

Seasonal Fees: Deposit \$150 (Seasonal is the length of program concessionaire is servicing).

For- Profit Organization

Non-Profit Organization

Ex: Food trucks or trailers
 \$500 (Spring baseball/softball,
 Fall softball/baseball)

Ex: Food trucks or trailers
 \$300 (Spring baseball/softball
 Fall softball/baseball)

One-two item vendor/carts \$250

One-two item vendor/carts \$150

Special Event

Flat Fee to be determined by the nature and projected attendance of the event. Fee paid in advance upon acceptance of application.

Event Booths (Nonprofit Groups, etc.)

Fee dependent upon the nature of the event \$15.00 - \$45.00 per booth.

Short-Term

Deposit \$50. Covers sporting, special events or community/neighborhood parks.

DAYS

For-Profit Organization

Non-Profit Organization

1-2

\$25/day

\$12/day

3-5

\$20/day

\$10/day

6-plus

\$15/day

\$ 8/day

Vendor Fees

\$150 per year for use of the Town Commons no more than once per week
 Except when events are scheduled

Field and Court Rentals (which includes ball and multi-purpose fields, tennis and basketball courts) Team/Group/Instructor Rates (1-hour time block per field) <ul style="list-style-type: none"> (1) Use without lights (2) Use with lights (3) Field Preparation (baseball, softball, football, soccer and lacrosse) 	\$20 for 60 minutes \$40 for 60 minutes \$22/time - 1st field, \$18 each additional field if prepared at same time \$45/time – 1st field, \$40 each additional field if prepared at the same time
Multipurpose field #2 at Anderson Park (near tennis courts) allows set up of temporary tents, awnings, or similar structures. All tents must be removed at the end of the rental period.	

Anderson Park Disc Golf Course (Tournament Rental)	One Round Tournament: \$35/day Two Round Tournament: \$45/day
Soccer Field (1-hour time block per field) <ul style="list-style-type: none"> (1) Use without lights (2) Use with lights 	\$20 for 60 minutes \$40 for 60 minutes
Tournament Rates (per ball field or multipurpose) <ul style="list-style-type: none"> (1) Use without lights (2) Use with lights (3) Field Preparation (4) Maintenance Fee and Damage Deposit (5) Weekend tournament use will require a charge of \$40.00 for each day to reimburse the town for costs incurred in specific maintenance duties related to impact from the tournament rental. Tournament renters will still be required to perform all maintenance duties such as cleaning their fields and adjoining areas, parking lot(s), etc. in order to receive a return on the maintenance and damage deposit. (6) Police security will be required for all tournaments. Renter may retain sworn law officer(s) by submitting a written request, including names of officer(s) and times scheduled. Prior approval of Police and Recreation 	\$50 \$25/60 minutes, \$37.50/90 minutes \$22.00/time - 1st field, \$18.00 each additional field (if prepared at same time) \$300.00 (may be increased by Recreation and Parks Director if circumstances warrant) \$40.00 per day Cost of assigned officer is \$30/hr.

and Parks Departments are required. (Using any portion of minimum rate above constitutes the full charge.) (7) Organizations that book two or more tournaments in a calendar year may opt to be invoiced for rental balance due. Process follows current guidelines for Century Center rentals.	
Equipment Rental Fee (non-perishable)	\$10.00/activity

Out-of-County Fee *No Out-of-County Fee is assessed to programs that recover 100% or more of direct cost.	Annual Out-of-County Fee, Fiscal Year 2021-22: \$81.00 <u>Per Activity Fees:</u> PROGRAMS (leagues, classes, camps, workshops)= Annual Out-of-County Fee divided by three. Fiscal Year 2021-22: \$27.00 When out of county fees apply, participants should provide documentation of county residency.
General Programs Special Events and Workshops of a Specific Interest Nature (Road Run, Tennis Clinics, Special Interest Workshops) Program Souvenirs Special Activity Trips Leisure Classes Day Camp Program Special Populations (activities, workshops, events, sports activities, etc.)	Recover 100% of direct costs Fees or charges to be determined by the nature of the program and type of product produced. Price determined by nature of event, direct cost to produce and anticipated demand. Price range \$0.25 to \$50. To include but not limited to CD's, books and publications. 100% of direct costs 100% of direct costs 100% of direct costs Payment is due at the time of registration or \$40 camp deposit per camp registration. Balance is due by designated date. 15%-50% of direct costs in overall program

Refunds or cancellations will be based on your discounted rate and the refund timeframe. Memberships can be suspended if participants don't show up for activities. Staff will follow up via phone or email for the first "no-show". A formal letter will be sent out for the second "no-show". On the third "no-show", the membership will be suspended for the remainder of the fiscal year unless written documentation is provided and accepted.

<p>Special Fee Waiver(s)</p>	<p>Youth Athletic Head Coach Waiver - The registration fee for one child of a youth athletic league head coach shall be waived. The volunteer needs to be recognized as the "head" coach and the parent, guardian, or grandparent of the youth participant.</p> <p>Town Employees and Family Waiver - Town employees and their family in their household will receive a 25% discount off all preregistered classes.</p>
<p>Volunteer Credit Certificate</p>	<p>Volunteers providing the following number of hours serving Carrboro Recreation and Parks sponsored programs during the year will be awarded the following:</p> <ul style="list-style-type: none"> • 1 or more service hours = invitation to the volunteer recognition social. • 15 service hours = \$10 credit certificate to be applied toward a preregistered Carrboro Recreation and Parks Department sponsored program. <p><u>Restrictions</u> Each Credit Certificate may be used once. Must be used within twelve months, immediately following volunteer service. Credit Certificates may not be applied toward co-sponsored programs where revenue sharing is used. No refunds, exchanges, or redemptions toward cash. Credit Certificates may only be applied toward a family account.</p> <p>Credit Certificates will expire one year from the date of issue.</p> <p>Accumulative maximum of \$65 credit.</p>

Co-Sponsored Programs

Fees for programs co-sponsored with other agencies and organizations will be set at the most reasonable rate as mutually determined by all co-sponsors.

Promotional Display Ad (for web pages)- Fee or charges to be determined by the nature of the event coordinator, size of promotional ad, and length of time the promotion is posted on-line. Priced from \$1.00 per day to \$20.00 per week.

Special Event Requests

When a Community Event Pre-application form or a Special Event Request form is submitted, the date(s) and time(s) requested on the forms will be reserved during the time needed for the Special Event Committee to review the request. All forms are due, at a minimum of, 20 days prior to the requested day of the event. All information is needed, and fees received, within seven days of notification of the Special Events Committee's decision. If waiving of fees is requested, there is a maximum of two waived events for each group, per year

Block party trailer usage is also available through the Special Events Committee approval process. An application needs to be completed and submitted. The trailer must be used for events within the Town limits of the Town of Carrboro. See website for a list of trailer inventory.

Trailer Fees:

Deposit - \$100 (Returned unless items are missing or damaged. Damaged or missing items in excess of \$100 will be billed at cost of replacement.)

Rental - \$200

Potential fees for special events:

Police Officer - \$30.00 per hour, \$10.00 per vehicle

Fire Fighter - \$30.00 per hour

Command vehicle/pick up \$25.50/hr

Engine pumper truck \$91.00/hr

Aerial truck \$140.81/hr

Tent Permit (20' x 20' and larger) - \$50.00

(800 square feet and bigger if it is enclosed and has side walls)

(1800 square feet and bigger if open on sides)

Open Flame Permit - \$50.00

Assembly Permit - \$50.00

Public Works employee - \$30.00 per hour

	Vehicle Usage - \$30/hr. Street Closings plus cost of advertising public hearing and mailings - \$85.00
Equipment Bag Rental	<p>Each bag rents for \$10.00 plus a separate deposit for the value of the equipment. Bags are rented for one night or weekend. All equipment needs to be returned by noon on the following business day.</p> <ol style="list-style-type: none"> 1. Basic Adult Bags 1 & 2-(1) volleyball net (1) volleyball (3) softball bats (1 set) horseshoes (1) Frisbee (1) basketball Deposit: \$263.00 2. Basic Child Bags 3 & 4-(1) volleyball net (1) volleyball (1) playground ball (1) plastic bat (1) whiffle ball (1) Frisbee (1) basketball Deposit: \$87.00 3. Croquet Bag 5-(1) Croquet Set Deposit: \$90.00 4. Basic Volleyball Bag 6-(1) volleyball net (1) volleyball Deposit: \$52.00 Customized Bags-Must have staff approval; Volleyball Net: \$39.00 Volleyball: \$13.00 Softball Bat: \$40.00 Softball: \$4.00 Horseshoe Set:\$60.00 Frisbee: \$9.00 Basketball: \$10.00 Playground Ball: \$5.00 Wiffle Ball Bat: \$8.00 Wiffle Ball: \$2.00 Croquet Set: \$90.00 5. Wilson Park Gate Key-check will be deposited if key is lost or not returned Deposit: \$300.00

CARRBORO CENTURY CENTER

ITEM	CURRENT FEES		
	STANDARD FEE	SPECIAL EVENT FEE	OTHER FEES
Rooms Hours of operation 9:00 a.m. to 11:00 p.m.	Covers: receptions, parties, dances, meetings, or any other private gathering	Covers: All events that are free and open to the public.	Rental requests outside of normal operating hours are subject to additional fees.
Century Hall (3 hr. minimum usage) (Each additional half hour pro-rated at the set charge)			Nonrefundable prepayment Fee (all rooms and Hall – 10% of contract total) required to confirm rental.

Weekday Use: (for Three Hours)	\$165.00	\$87.00	Use of Hall prior to or after normal operating hours – \$92 per hour
Weekend Use: (for Three Hours)	\$276.00	\$138.00	For Hall use on weekends; before or after normal operating hours – \$138 per hour
Activity Rooms 1 – 4 (2 hr. min.) Rooms 2 and 3 charged at single use rate	\$47.00	\$29.00	Use of Activity Rooms prior to or after normal operating hours – \$35 per hour
Kitchen (1 hr. minimum usage)	\$32.00	\$19.00	Room Reset Fee (changes occurring the day of the event): Activity Rooms - \$15.00; Century Hall - \$25.00. Room Rental Cancellation Fees: Cancellations three weeks or more prior to event receive refund of rental payment minus 10% nonrefundable prepayment fee; Century Hall, kitchen and Activity Rooms 1-4 <u>not cancelled</u> three weeks (21 days) in advance forfeit all rental fees.
Century Center Equipment Fees AV equipment (example: TV, DVD, Laptop computer, portable screen) LCD Projector Large Sound Board	\$10.00 per use \$20.00 per use \$40.00 per use		
Patrons who maintain Century Hall rentals 10 times or more per calendar year may pay a flat rate deposit of \$50 per calendar year for their events instead of 10% of the contract total. These patrons may make one reservation per month per 12 month calendar year applying this flat rate deposit. . Patrons who receive the flat rate but cancel two or more booked rentals thereafter during the calendar year will be required to pay the 10% booking fee minus \$50 after two or more cancellations. Any additional bookings are subject to 10% of the contract. All bookings for the calendar year must be completed on one contract.			

For the purpose of clarification:

1. Reservations are first come, first serve subject to availability of space.
2. The 2-hour and 3-hour time blocks are the minimum that each room area may be rented. Less time than the minimum will result in the full charge as listed above. Times over the minimum block will be charged at half hour intervals pro-rated from the hourly rate in each category of use. Early arrivals or late departures charged at half hour intervals.
3. Groups renting the Century Hall for a single Standard Event with a rental length of 6 or more hours may schedule a rehearsal in the Century Hall on any date prior to their event if space is available. In the case of rehearsals the Town will charge a prorated hourly rate instead of the full 3 hour minimum.
4. Approved Chapel Hill-Carrboro School System rentals will be charged at \$16 per hour per space.
5. Rental payments not received 21 days prior to event will be assessed a \$25.00 late fee. Rentals will be cancelled if full balance of rental is not received seven (7) days prior to the event.

6. Fee waived events, Town Sponsored Events, Orange County local government boards and school boards' use and meetings of same are free. The Town manager or designee shall determine whether any event has rental fees waived or is a town sponsored event, considering all relevant factors related to the town's participation in or control over the event. However, the presence of one or more of the following factors shall generally lead to a determination that an event has rental fees waived or is town sponsored:
 - a. The town expends town funds for the planning and/or staging of the event, or
 - b. The town anticipates receiving revenue from the staging of the event, or
 - c. The town makes a substantial in-kind contribution toward the planning and/or staging of the event, or
 - d. The town exercises substantial managerial control over the planning and/or staging of the event. The event substantially advances the Town's policies or goals of Vision 2020. Waiving fees for a maximum of two events per year, per individual, group, or organization.
7. Community Art Groups may rent Century Hall on the First Sunday of the month from 2:00 p.m. to 5:00 p.m. for artistic events such as musicals, literary works, visual arts, including paintings, sculpture, etc: \$80. Each group is limited to one discounted rental per year. All other Century Center rental requirements apply. (If the hall is being used for a departmental event during a first Sunday request, staff will try to accommodate the request on another Sunday during that month).
8. Town of Carrboro retains all rights to sales and concessions taking place in the building. Event sponsors may sell only items that are associated with their activity with prior department approval. Event sponsors can sell items only within the room in which the activity is taking place.
9. Equipment fees are listed above.
10. Building supervisor costs are included in above fee.
11. Event sponsors must book dates and space needed for ongoing events.
12. Space will not be held for ongoing events/programs until a contract has been signed, deposit received and the reservation has been confirmed.
13. Changes to weekend rentals that may result in additional fees to the cost of the existing rental agreement must be paid at the time of the request via check or cash.
14. Fee waivers for sound equipment may be requested by certified non-profit 501c3 organizations.

Catering/M meal Services	Fees
Fee for all refreshments and/or food service activity	5% of the room rental
(Century Hall Only)	
Clean-up Fee	\$300
A refundable clean-up/damage deposit may be required for any event where food and/or beverages are present.	

<p>Event organizers are responsible for ensuring that the Century Hall is clean and that all litter is removed immediately following the event. Failure to do so will forfeit the clean-up/damage deposit. If town property is destroyed or damaged by reason of event sponsor's use, event, or activity, and the damage or destruction is directly attributable to the event sponsor, the event sponsor will be required to reimburse the town for the actual replacement or repair cost of the destroyed or damaged property.</p>	
<p>Century Center Services</p>	<p>Rate</p>
<p>Overnight storage (only available when no events are scheduled after the event that requires storage)</p>	<p>\$50.00 per night – Century Hall</p>
<p>Pre-Program overnight storage (example for wedding receptions deliveries)</p>	<p>\$25.00 per night – Activity Rooms, first floor</p>
<p>Piano Tuning beyond routine tuning (2x/yr)</p>	<p>\$100.00 per day Activity Rooms, first floor</p>
<p>Booth Rental at Century Center</p>	<p>\$175.00 per day – Century Hall</p>
<p>Events</p>	<p>At cost</p>
<p>100th Birthday party or 50th Wedding Anniversary</p>	<p>\$25/no electricity or \$35/with electricity</p>
<p>(Carrboro Residents only)</p>	<p>50% discount</p>

<p>Refunds</p>	<ol style="list-style-type: none"> 1. All refunds/withdrawals from programs should be requested in writing and sent to the Administrative Assistant of the Recreation and Parks department. 2. In the event there is a change in the nature of the program, activity or reservation or cancellation, participants will be contacted and a transfer, full credit or refund will be given. 3. Injury or illness of a participant. Doctor's documentation is needed. (If the program is underway, the refund will be prorated). <p><u>PROGRAMS/ACTIVITIES</u></p> <ol style="list-style-type: none"> 1. When program/activity refund requests are received more than three (3) business days prior to the start of a recreation program, a refund less a \$5.00 administrative fee, or full credit or transfer will be given. Athletics program requests should be received three business days prior to the first practice/game. 2. \$40 for a withdrawal per summer camp that is made after the designated date and prior to the start of the camp. 3. After the camp has started, the \$40 administration fee is applied, along with the balance prorated (in accordance to how many days the camp has been
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held).

4. When a request is received in three business days or less a pro-rated credit will be placed on your account minus administrative fee. If a program is more than 50% complete it is left to discretion of the program coordinator.

Note: It is the discretion of the program supervisor whether a refund will be given on commodity (supplies, tickets, apparel, etc.) that has already been purchased by the participant.

FACILITIES

1. Century Center Room Rental Cancellation Fees: Cancellations three weeks or more prior to the event receive refund of rental payment minus 10% prepayment fee. Events not cancelled three weeks (21 days) in advance forfeit all rental fees. The Department may cancel a reservation in the case of severe weather conditions, a Town emergency, and if all of the contract stipulations are not followed. All reservation fees will be returned in full if a situation occurs which is beyond facility or event sponsor control.
2. Park Facility Cancellations: Cancellations made three days or more prior to the event receive refund minus \$5.00 administration fee. Any rental over \$20 not cancelled three business days prior to the rental will receive a refund of 75% of the rental fee minus the \$5.00 administrative fee. Any rental less than \$20 will be refunded less the \$5.00 administrative fee.

PUBLIC WORKS FEES

Roll Out Containers	\$50.00 per container
Yard Waste Containers	\$50.00 per container
Extra Roll Out Container Service	\$2.00/container
Extra Dumpster Collection for Multi-Family Dwellings	\$22.00 8 cubic yard \$17.00 6 cubic yard \$12.00 4 cubic yard \$ 7.00 2 cubic yard
Non-Residential Dumpster Fees	Cost Per Quarter (13 weeks service)
Dumpster Size (Cubic Yards)	Per Pickup (each time)
2	\$13.69
4	\$16.46
6	\$19.23
8	\$21.92
Large amount of yard waste/brush	First 10 minutes free of charge. For collections requiring longer than 10 minutes, a fee will be determined by the Public Works Dept. based on the nature, amount and time required to remove items. The fee must be paid in advance.

Driveway Pipe	100% of cost of materials (if available in inventory)
Street Cut Repairs	\$95.00 per sq. yd
Street Signs	Actual cost of materials and cost of labor, if installation required. Payment required in advance.
Driveway Permit Fee & Encroachment Permit	\$120.00
Building Structure Moving Permit Fee	\$125.00
Encroachment Permit	\$100.00
Street Closings	\$85.00 plus the cost of advertising the public hearing, including mailings.
Processing Fee for Permanent Right-of-Way Closing	\$85.00, plus the cost of advertising, certified mailing and first-class mailings
Full or Partial Street Improvement Inspection Fee (including storm drains, sidewalk, curb and gutter, paving, grading and appurtenant work in or adjacent to public rights-of-way)	\$2.60 per linear foot
Utility Service Improvement Inspection Fee (including excavation, backfill, and appurtenant work relating to the installation, repair, replacement, or removal of sewer, water, gas, telephone, electric, and/or similar utility facilities in or adjacent to public rights-of-way).	\$1.00 per linear foot

POLICE FEES

Precious Metal Dealer Fees

Annual Permit Application Fee	\$180.00
Fingerprinting Fee Per Person	\$38.00
Employee Initial Registration Fee	\$10.00
Employee Subsequent Renewal Fee	\$3.00

PLANNING FEES

Online Permitting and Access (charged on each individual permit)	\$40.00
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CONSTRUCTION PERMIT FEES

Building Permits	
Minimum Permit Fee	\$65.00
Demolition permit	\$65.00
Relocation of Structures	\$65.00
Mobile home set up	\$65.00
Modular units (approved by NC Dept. of Ins)	\$120.00
Accessory Structures (less than 144 square feet)	No Charge
Manufactured, Assembled or Packaged	\$75.00
Re-inspection Fee	\$75.00

Homeowners Recovery Fund Fee	\$10.00
Replacement Permit Card Fee	\$50.00
Damaged or Missing Plans Fee	\$50.00
Technical Review	\$50.00
Residential Construction	
New Construction	.26/sq. ft.
Renovation or alteration	.21/sq. ft.
Commercial Construction	
New Construction	.26/sq. ft.
New Construction (Open Parking Structure)	30% of New Construction Fee
Renovation or Alteration	.21/sq. ft.
Replacement/Renovation not covered by minimum square footage (commercial), and renovations to existing commercial building located in the University Lake watershed	\$275.00
CO Certification (commercial)	\$100.00
Stocking Fee (Furniture/equipment/stock installation prior to issuance of CO)	.05/sq. ft.

Plumbing	
Minimum permit fee	\$50.00
Residential Additions	\$50.00
Commercial Fit up	\$50.00
Modular home (approved by NC Dept. of Ins.)	\$120.00
Sewer ejector pumps	\$35.00
Grease traps	\$35.00
Re-inspection Fee	\$75.00
Fixtures – (Defined as any opening into the waste and/or vent system. Also items such as water heaters, disposals, water pumps and dishwashers are deemed as such.)	.16/sq. ft.
Water/Sewer Only	\$50.00 minimum fee
Replacement/Renovation not covered by square footage (Commercial)	\$275.00
Mechanical	
Minimum Permit Fee	\$50.00

Replacement or system conversion	\$50.00
Installation of woodstove or factory built fireplace	\$50.00
Re-inspection Fee	\$75.00
Heating Equipment and Appliances (Gas or Oil)	.16/sq. ft.
Gas Lines	\$75.00
Modular Home (approved by NC Dept. of Insurance)	\$125.00
Replacement/Renovation not covered by square footage (Commercial)	\$275.00
Residential HVAC Change-out	\$100.00
Commercial Hoods	
0-25 sq. ft.	\$100.00
25.1-50 sq. ft.	\$125.00
Over 50 sq. ft.	\$150.00
Gasoline and Oil Tanks (Per Tank)	\$225.00

Electrical	
Minimum permit fee	\$50.00
Temporary electrical service	\$50.00
Residential Applications	Sq. Footage x .16
Residential & Commercial Additions (receptacles, switches, etc.)	\$45.00
Conditional Power	\$150.00
Commercial – Open Parking Structure	30% of Residential Application Fee
Service changes	
Up to 400 AMP	\$150.00
401 - 1,000 AMP	\$250.00
Mobile home electrical connection	\$75.00
Modular Home (approved by NC Dept. of Insurance)	\$125.00
Swimming pool	\$75.00
Sign Installation	\$75.00
Gas pump Installation	\$75.00/pump
Re-inspection fee	\$75.00
Electric Motors and Generators	
Minimum charge	\$50.00

Each Additional Motor transformer etc.	\$10.00
Commercial – New Construction	Sq. Ft. x .16
Commercial electrical work not included in additions or not including a square footage component	\$275.00
Online Permitting and Access (charged on each individual permit)	\$40
Refunds	
Refunds approved at the discretion of the Chief Building Inspector or Designee	
Recycled Materials Permit	10% of the total assessed building permit fee
Work initiated without required construction permits	Twice the original permit fee
Engineering Inspection Fee - Residential	\$165/ Certificate of Occupancy
Engineering Inspection Fee - Commercial	\$350/Certificate of Occupancy

Fire Prevention	
Blasting Permit	\$100.00
Renewal Fee (Must be renewed every 30 days)	\$50.00
Burning Permit	\$75.00
Pyrotechnic Permit	\$100.00
Hazardous Materials Permit	\$150.00
Fire Alarm and Detection System Permit	\$100.00
- Initiating or supervisory device (automatic or manual - pull station, water-flow switch, tamper switch, heat and smoke detectors, etc.). Commercial projects	\$2.00 per initiating device
Fire Sprinkler/Standpipe/Fire Pump/Extinguishing System Permit	\$100.00
Sprinkler head, fusible links, frangible bulbs, water flow switch, supervisory device, etc.	\$2.00 per initiating device
All other Fire Code Permits not listed above	\$50.00
Re-inspection fee	\$75.00
Life Safety Violation	\$250.00
Non-compliance fee per code violation	\$25.00
False Burglar and Fire Alarms	\$75.00 for each false burglar or fire alarm sounded by a private alarm system. This fee would be billed only after two such alarms were sounded during a given month for a particular business.
Fire-Rescue Address Signs	\$15.00 (sign only) \$20.00 (sign and post)
Work initiated without required construction permits	Twice the original permit fee
LAND USE PERMIT FEES	

Engineering plan review and requested inspections/site visit costs have been included with permit fees.

CONDITIONAL USE OR SPECIAL USE PERMITS (New Requests)

Residential (up to 3 rounds of review)	\$1,300 .00+ \$110.00 per unit
Residential >3 rounds of review)	\$ 750.00 +\$55.00 per unit
Commercial (up to 3 rounds of review)	\$1,200.00 + \$.06 per square foot of commercial building space
Commercial (>3 rounds of review)	\$600.00 +\$.03 per square foot of commercial building space
Mixed Use(up to 3 rounds of review)	\$1,200.00 + \$.06 per square foot of commercial building space + \$36.00 per residential unit
Mixed Use (>3 rounds of review)	\$600.00 +\$.03 per square foot of commercial building space +\$18.00 per residential unit
Miscellaneous, Less than 3 acres (up to 3 rounds of review)	\$750.00
Miscellaneous, Less than 3 acres (>3 rounds of review)	\$375.00
Miscellaneous, 3 acres or more (up to 3 rounds of review)	\$1,500.00
Miscellaneous, 3 acres or more (>3 rounds of review)	\$750.00
Watershed Subdivision, 4 lots or less	\$450.00 + \$75/lot
Child Day Care Facility-S.U.P. (Large Child Day Care Homes - 12 pre-school or 15 school-aged children)	\$450.00 + 0.025 per square foot of building area

ZONING PERMITS

Residential	\$75.00 per unit + \$75/unit or lot and/or .025 per square foot of building area when engineering review
Commercial	\$60.00 or \$0.06/ per sq. ft. of commercial area, whichever is greater and .025 per square foot of building area when engineering review
Home Occupation	\$75.00
Site Re-inspection	\$60.00

SIGN PERMITS

Single Sign Permit	\$40.00 per sign
Unified Sign Plan Permit	\$150 per sign unified sign plan
Individual Sign in accordance with approved plan	\$30.00 per sign
Sign on Historic Building (SUP, per Section 15-174 of the LUO)	\$50.00

VILLAGE MIXED USE OR OFFICE/ASSEMBLY CONDITIONAL USE DISTRICT

Rezoning	\$1,500 + \$40/acre
Master Plan	\$ 750 + \$20/acre
CUP attached to any VMU or O/A Rezoning Request (up to 3 rounds of review)	\$1,500 + \$100 per residential unit + \$0.13/square foot of commercial space

CUP attached to any VMU or O/A Rezoning Request (> 3 rounds of review)	\$1,500 + \$100 per residential unit + \$0.13/square foot of commercial space
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CONDITIONAL USE REZONING	
Rezone to RR-CU, R-20-CU, R-15-CU, R-10-CU, R-7.5-CU	\$700 + \$30.00/acre
Rezone to R-3-CU, R-2-CU, R-S.I.R-CU, R-S.I.R.-2-CU	\$850 + \$30.00/acre
Rezone to B-1(c)-CU, B-1(g)-CU, B-2-CU, B-3-CU, B-4-CU, CT-CU, B-3-T-CU, O-CU, M-1-CU, and M-2-CU	\$1200 + \$30.00/acre
Conditional Use Permit attached to any CU Rezoning Request (up to 3 rounds of review)	\$1000 + \$105.00/unit + \$.13/square foot of commercial building space
Conditional Use Permit attached to any CU Rezoning Request (>3 rounds of review)	\$500 + \$50.00 per unit + \$.07/square foot of commercial building space + \$75/unit when engineering plan review
CONCEPT PLAN/PRE-APPLICATION	
Walk-about/Concept Plan Review	\$150 + \$25/unit or lot
Yield Plan Review	\$150 + \$25/unit or lot
Pre-Application with technical review	\$50/lot and/or .025/ square foot of building area
Pre-Application with technical review > 3 rounds of review	\$300/lot and/or .025/ square foot of building area
CONDITIONAL OR SPECIAL USE PERMIT MODIFICATIONS	
Minor Modification with hearing	\$600.00 + \$50/lot and/or .025/ square foot
Minor Modification without hearing	\$300.00 + \$50/lot and/or .025/ square foot
Insignificant Deviations	\$150 + \$50/lot and/or .025/ square foot
CONDITIONAL, SPECIAL USE, OR ZONING PERMIT EXTENSIONS OR RENEWALS	
Residential, Commercial, or Mixed Use	\$350
PHASING CHANGES AND REVIEW (IF SEPARATE FROM INITIAL APPROVAL)	
Residential, Commercial, or Mixed Use	\$300
FINAL PLAT APPROVALS	
1. Less than 5 acres	\$180 + \$30.00 per unit or lot + \$50 per unit or lot when engineering review
2. 5 to 10 acres	\$250 + \$30.00 per unit or lot + \$50 per unit or lot when engineering review

3. More than 10 acres	\$300 + \$30.00 per unit or lot + \$50 per unit or lot when engineering review
VARIANCES	\$350.00 + \$50 per unit or lot when engineering review
APPEALS	\$300.00
SPECIAL EXCEPTIONS	\$250.00

EXEMPT SUBDIVISIONS	
Creation of additional lots	\$150.00
Combination or recombination of existing lots	\$60.00
Re-recording Existing Survey	No Fee
ZONING/PROJECT COMPLIANCE LETTER	\$120.00
CONSTRUCTION PLAN REVIEW	
Residential	
25 or more units	\$950.00 + \$80 per unit
5 to 25 units	\$500.00 per construction plan review + \$80 per unit
less than 5 units	\$250.00 per construction plan review + \$80 per unit
Commercial	\$750 + \$.18 per square foot of commercial building space
Mixed Use	\$600 + \$.15 per square foot of commercial building space + \$25 per residential unit + \$50/unit and/or .025/square foot of building area when engineering review
Construction Plan Revisions	(if separate from initial approval) = \$300.00
PAYMENT-IN-LIEU	
Payment-in-Lieu	\$210.30 (1.1% CPI) per point in accordance with Appendix G in the Land Use Ordinance
Open Space	Payment based on number of sq. ft. of open space not provided on-site multiplied by the unadjusted tax value per sq. ft. of land listed by Orange County multiplied by the increase in the Consumer Price Index since the date of evaluation.
Affordable Housing	\$32,167 (Determined by multiplying the average of median home sales prices, as obtained from MLS data, of the previous three years for the Chapel Hill Carrboro City School District, by 10%)
ZONING MAP AMENDMENTS	
To a Conditional Zone, Residential	\$1,200 + \$30/acre + \$50/unit when engineering review
To a Conditional Zone, Commercial or Mixed-Use	\$1,200 + \$30/acre + \$50/unit when engineering review
To C, NPD, WR, RR, R-20, R-15, R-10, R-7.5, HD, JLWP	\$850.00 + \$35.00 per acre

To R-2, R-3, R-SIR, R-SIR-2, PUD	\$1000.00 + \$35.00 per acre
To B-1G, B-1C, B-2, B-3, B-3T, B-4, B-5, M-1, EAT, WM-3, O, OA, PID, RHDC Overlay, CT	\$1,450.00 + \$35.00 per acre
To PF	\$600.00+ \$35.00 per acre
ZONING TEXT AMENDMENT	\$475.00

MAPS AND SERVICES	
<i>Zoning Map</i>	
Large, wall map	\$20.00
E-size (34 x 44)	\$15.00
D-size (22 x 34)	\$12.00
11 x 17	\$10.00
<i>City Limits Map</i>	
E-size	\$15.00
11 x 17	\$10.00
<i>Natural Constraints Map</i>	
E-size	\$15.00
11 x 17	\$10.00
<i>Custom Maps</i> (15-minute production time limit)	
E-size	\$40.00
D-size	\$30.00
C-size (17 x 22)	\$25.00
11 x 17	\$20.00
8 ½ x 11 (color)	\$10.00
8 ½ x 11 (black/white)	\$5.00
With Orthography	\$45.00
Other Custom Maps	Map charge (shown above) + \$40.00 per hour (\$50.00 minimum)
<i>Blueprint Maps</i>	
1979 and 1985 Topographic Maps ((Print of Digital Data)	\$30.00
<i>Digital Data</i>	
Existing Data Layer	\$30.00
Customized Data Layer	\$30.00 + \$40.00 per hour (\$50.00 minimum)
Digital Published Map	\$30.00
Public Hearing Notification Mailing	\$30.00 + \$.65/ address

(Requests for Orange County digital data will be referred to Orange County)

STREAM DETERMINATION AND WATER QUALITY BUFFER MITIGATION

Ephemeral Stream	\$60.00
Intermittent or Perennial Stream	\$120.00
Mitigation Fees for Impacts to Ephemeral Stream Water Quality Buffers	
Removal of Vegetation	\$.99 per sq. ft*1.5
Grading or Other Changes That Modify Natural Conditions of Diffuse Flow	\$12.50 per linear foot or stream disturbance for one or both sides of stream channel, depending on area of impact
Disturbance of Stream Channel	\$349 per linear foot of stream disturbance

BMP Inspections (applicable to owners who have not provided adequate documentation of self-inspection and maintenance and who have not voluntarily entered into a maintenance agreement)

Sites with 1 or 2 BMPs	\$125.00
Sites with more than 2 BMPs	\$250.00
BMP Re-inspection	\$75.00

PUBLICATIONS

Carrboro Architectural and Historical Inventory	\$7.50
Carrboro Bicycle Policy and Sidewalk Policy	\$1.00
Carrboro Downtown Guidelines for Design	\$10.00
Carrboro Connector Roads Policy	\$1.00
Downtown Carrboro New Vision	\$15.00
Carrboro Vision 2020 Report	\$7.50
Small Area Plan for Carrboro's Northern Study Area	\$20.00
Neighborhood Preservation District Guidelines	\$10.00
Carrboro Land Use Ordinance	\$25.00
Conceptual Master Plan Town of Carrboro, N.C. Bolin Creek Greenway	\$35.00
Comprehensive Bicycle Master Plan	\$25.00
Other Publications	10¢/page + 50¢/color page
TOWN CODE	\$20.00
HOUSING CODE (Chapter 17)	\$5.00
XEROX COPIES OF MISCELLANEOUS DOCUMENTS	10¢ per page
HISTORIC CARRBORO PLAQUE	\$135.00 per plaque
BAD CHECKS	\$35.00 per check

PARKING FEE SCHEDULE FOR YAGGY PARKING LOT	\$25.00 per space per month
REGISTRATION OF DOMESTIC PARTNERS	
Registration	\$40.00
Affidavit of Termination	\$40.00
Amendment to Statement	\$40.00
Copies of Domestic Partner Registrations	\$2.00
COPIES OF VIDEO OR AUDIO RECORDINGS	\$5.00 per tape, CD or DVD
TRANSLATION EQUIPMENT RENTAL– TRANSLATORS NOT PROVIDED WITH EQUIPMENT	
Security Deposit - People or organizations checking out the translation equipment will be liable for any damage to equipment or missing equipment up to or beyond the \$150 security deposit. (The security deposit will be waived for any governmental entities, including UNC-CH.)	
Rental Fee for use of equipment for up to 3 days – must be paid upfront.	\$25.00 (nonrefundable)
Late Fee (for any day beyond established rental time)	\$10.00 per day
INDEX OF COMPUTER DATABASES	
Digital Copy of Index of Computer Databases - CD, DVD, USB Solis State Drive	\$5.00
Digital Copy of Database Media and Costs - CD, DVD, USB Solis State Drive	\$15.00
Report Reproduction Cost List NOTE: These fees do not apply to GIS related report and mapping reproduction; those fees are covered elsewhere in the Miscellaneous Fees and Charges Schedule.	\$.10 for each printed, plotted or photographic database output page
Custom Services Costs – Custom Report Preparation	Starting at \$100.00 per hour billable in 15-minute increments, and listed cost of digital and printed reproduction media. The ability to process custom requests is based upon staff and resource availability, and requesters should note that all requests may not be filled due to such limitations.

**A RESOLUTION TO APPROVE NONSTOP WELLNESS AS THE TOWN'S
THIRD-PARTY ADMINISTRATOR FOR MEDICAL INSURANCE SERVICES**

WHEREAS, the Town has provided employees and eligible pre-65 retirees with a medical insurance plan for many years with medical insurance provider Blue Cross Blue Shield of North Carolina (BCBSNC); and,

WHEREAS, the Town has incurred steep medical insurance rate increases over the past few years; and,

WHEREAS, staff have reviewed cost saving options for insurance plans and recommend a change in the Town's insurance plan to a high deductible health plan (HDHP) in order to save on premiums costs; and,

WHEREAS, a third party administrator, Nonstop Wellness (NSW) will assist with creating a medical expense reimbursement plan (MERP), in conjunction with the BCBSNC plan, to provide additional benefits to Town employees and eligible pre-65 retirees; and,

WHEREAS, Town employees will maintain the vast in-network provider pool for medical services with no changes in covered services and/or prescription medications.

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Carrboro hereby approves the following as a part of the Annual Budget for FY 2021-22:

Section 1: The Town shall offer all employees and eligible pre-65 retirees a HDHP and MERP through BCBSNC medical insurance provider, and Nonstop Wellness, third party administrator.

Section 2: The Town Manager is authorized to negotiate and enter into a separate contract, upon Town Attorney review, with the providers stated in Section 1 for fiscal year 2021-22. The Town Manager shall approve vendor service fees and employee premiums as appropriated in the adopted budget.

Section 3: Within five (5) days after this resolution is adopted, the Town Clerk shall file a copy of this resolution with the Town Manager, Finance Director, and Human Resources Director.

Section 4: This resolution shall be effective July 1, 2021.



Town of Carrboro

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

Agenda Item Abstract

File Number:21-55

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Appointment to the Stormwater Advisory Commission

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

DEPARTMENT: Town Clerk

CONTACT INFORMATION: Cathy Dorando, 919-918-7309

INFORMATION: The Stormwater Advisory Commission currently has two vacant seats and three first term expiration seats.

Applications were received from Gordon Chadwick, Satya Kallepalli, Aja Kelleher, and Margot Lester. Jeanette O'Connor (chair), Michael Paul, and John Cox all have first terms expiring and have indicated the desire to be reappointed. Satya Kallepalli is currently serving on the Greenways Commission but has indicated the desire to serve on the Stormwater Advisory Commission rather than the Greenways Commission. Margot and Satya have been attending Stormwater Advisory Commission meetings for over a year without being official members.

Jeanette O'Connor is the chair of the Stormwater Advisory Commission 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 [Advisory Board Recruitment and Appointment Policy](http://townofcarrboro.org/DocumentCenter/View/5358/Town-of-Carrboro-Advisory-Board-Recruitment-and-Appointment-Policy->) [<http://townofcarrboro.org/DocumentCenter/View/5358/Town-of-Carrboro-Advisory-Board-Recruitment-and-Appointment-Policy->](http://townofcarrboro.org/DocumentCenter/View/5358/Town-of-Carrboro-Advisory-Board-Recruitment-and-Appointment-Policy->).

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
STORMWATER ADVISORY COMMISSION**

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

Appointee	Term Expiration
	2/2024
	2/2024
	2/2024
	2/2025
	2/2025

Section 2. This resolution shall become effective upon adoption.

Current makeup of the Stormwater Advisory Commission:

NAME	ADDRESS	TERM EXPIRATION	DOB	RACE	SEX	OCCUPATION
Lauren Joca	1101 N Greensboro St.	2/2022	8/1991	White	Female	Business Manager
Robert Dickson	116 Circadian Way	2/2022	2/1951	Caucasian	Male	Newspaper Owner
Jeanette O'Connor (Reapplied)	103 Mulberry St.	2/2021	1/1982	White	Female	Landscaper
Michael Paul (Reapplied)	702 Bolin Creek Dr.	2/2021	6/1968	White	Male	Consulting Specialist
John Cox (Reapplied)	107 Yeargan Place	2/2021	1/1950	Caucasian	Male	Engineer, Retired
VACANT		2/2025				
VACANT		2/2025				

Applicant summary information (full detail in application):

NAME	ADDRESS	DOB	RACE	ETHNICITY	SEX	OCCUPATION
Gordon Chadwick	100 James St.	6/1988	White	White	Male	UX Researcher
Satya Kallepalli	104 Rivercreek Pl.	3/1970	Asian	Application Predates Question	Male	IT Manager
Aja Kelleher	303 Rainbow St.	5/1966	Asian	Korean-American	Female	Info Tech Consultant
Margot Lester	314 Bolin Forest Dr.	1/1962	White	Application Predates Question	Female	Communications Strategist
Jeanette O'Connor	See above					
Michael Paul	See above					
John Cox	See above					

Print

Advisory Board Chair Report (Complete One Per Applicant) - Submission #5631

Date Submitted: 6/16/2021

Advisory Board Name:*

Stormwater Advisory Commission

Chair Name*

Jeanette O'Connor

Applicant First Name:*

Gordon

Applicant Last Name:

Chadwick

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

☐

Yes

☒

No

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

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

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

☐

Yes (Skip to Last Question)

☒

No

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

☐

Yes

☒

No

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

☐

Yes

☒

No

6. If yes, which seat?

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

☒

Yes

☐

No

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

☐

Yes

☐

No

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

- ☒
- Yes
- ☐
- No

10. If no, briefly explain:

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

- ☐
- Diversity
- ☐
- Occupation, Experience, or Special Skills
- ☐
- Other

If other, please explain:

Print

Advisory Board Chair Report (Complete One Per Applicant) - Submission #5181

Date Submitted: 2/2/2021

Advisory Board Name:*

Stormwater Advisory Commission

Chair Name*

Jeanette O'Connor

Applicant First Name:*

Satya

Applicant Last Name:

Kallepalli

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

☐

Yes

☒

No

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

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

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

☐

Yes (Skip to Last Question)

☒

No

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

☐

Yes

☒

No

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

☐

Yes

☒

No

6. If yes, which seat?

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

☒

Yes

☐

No

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

☐

Yes

☐

No

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

the advisory board:



Yes



No

10. If no, briefly explain:

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



Diversity



Occupation, Experience, or Special Skills



Other

If other, please explain:

I just want to note that Satya has been attending our monthly meetings for more than a year, contributing his time and expertise even though he was not officially appointed to the Commission.

Print

Advisory Board Chair Report (Complete One Per Applicant) - Submission #5632

Date Submitted: 6/16/2021

Advisory Board Name:*

Stormwater Advisory Commission

Chair Name*

Jeanette O'Connor

Applicant First Name:*

Aja

Applicant Last Name:

Kelleher

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

☐

Yes

☒

No

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

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

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

☐

Yes (Skip to Last Question)

☒

No

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

☐

Yes

☒

No

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

☐

Yes

☒

No

6. If yes, which seat?

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

☐

Yes

☒

No

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

☒

Yes

☐

No

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

- ☒
- Yes
- ☐
- No

10. If no, briefly explain:

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

- ☒
- Diversity
- ☐
- Occupation, Experience, or Special Skills
- ☐
- Other

If other, please explain:

Print

Advisory Board Chair Report (Complete One Per Applicant) - Submission #4572

Date Submitted: 2/17/2020

Advisory Board Name:*

SWAC

Chair Name*

Jeanette O'Connor

Applicant First Name:*

Margot

Applicant Last Name:

Lester

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

☐

Yes

☒

No

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

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

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

☐

Yes (Skip to Last Question)

☒

No

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

☐

Yes

☒

No

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

☐

Yes

☒

No

6. If yes, which seat?

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

☒

Yes

☐

No

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

☐

Yes

☐

No

9. Applicant has demonstrated a clear understanding of the

time commitment, roles, and responsibilities of serving on the advisory board:

- ☒
- Yes
- ☐
- No

10. If no, briefly explain:

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

- ☐
- Diversity
- ☐
- Occupation, Experience, or Special Skills
- ☐
- Other

If other, please explain:

Print

Advisory Board Application - Submission #5481

Date Submitted: 6/4/2021

First Name*

Gordon

Last Name*

Chadwick

Date*

6/4/2021

Select today's date

Address1*

100 James Street

Address2

City*

Carrboro

State

NC

Zip*

27510

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

Yes

Please select Yes or No.

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

No

Telephone (111)-111-1111*

5044320651

Please enter your primary contact phone number.

Email Address*

gchadwick10@gmail.com

Enter your primary email address.

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

Current Age*

6/12/1988

Race*

Whitw

Please enter your race.

Sex*

Male

Please enter your sex.

Ethnicity*

White

Occupation*

UX Researcher

Please enter your occupation.

Are you a registered Orange County Voter?*

Yes

Please answer Yes or No

Length of Residence in Orange County*

6 years

How long have you been a resident of Orange County?

Length of Residence in the Town of Carrboro*

6 years

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

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

- | | |
|---|--|
| <input type="checkbox"/> Affordable Housing Advisory Commission | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Appearance Commission/NPDC | <input type="checkbox"/> OWASA Board of Directors |
| <input type="checkbox"/> Arts Committee | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Racial Equity Commission |
| <input type="checkbox"/> Climate Action Team | <input type="checkbox"/> Recreation and Parks Commission |
| <input type="checkbox"/> Economic Sustainability Commission | <input checked="" type="checkbox"/> Stormwater Advisory Commission |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Tourism Development Authority* |
| <input type="checkbox"/> Human Services Commission | <input type="checkbox"/> Transportation Advisory Board |
| <input checked="" type="checkbox"/> Greenways Commission | |

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

Other (advisory board not listed):

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

****Employer/Self Employed**

Randstad USA

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

Advisory Board Preference*

Stormwater Advisory Commission

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

Number of Years Employed

1

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*

Barred Owl Creek renaming group and unofficial neighborhood advocacy group.

Please enter the requested information.

Relevant Experience:*

I have been involved in Upper Tom's Creek Watershed flooding and stormwater discussions for the past 3 years. This has included attending the town's meetings, doing background research, and being in contact frequently with Randy Dodd. I'm very familiar with the history and challenges of this neighborhood in particular but my research has prepared me to begin thinking about other neighborhoods as well. As a member of other organizations (Information Science student org at UNC-CH and RTP A11y), I've helped plan and run meetings. In my professional life, I frequently synthesize and present information to stakeholders.

Reasons You Wish to be Appointed*

As a member of one of Carrboro's most water-threatened neighborhoods, I'd add a key voice to greenway and stormwater discussions. I particularly understand and empathize with the feelings of people whose properties are threatened by stormwater. Also, as someone who is concerned about climate change, I am deeply concerned about how Carrboro will manage increased stormwater in the future. I believe that Carrboro should adopt the most progressive and cutting edge stormwater practices that it can. Our town should set an example for other small towns to follow.

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 believe it's very important to include diverse voices in local politics. Often, it seems that marginalized and disadvantaged communities are left out of key discussions which leads to solutions that serve the most privileged. I believe it will be important for the town's boards and commissions to seek out and encourage engagement from diverse voices when tackling stormwater and greenway issues.

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

If yes, which one(s)?

No

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

☐

Yes

☒

No

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

☐

Yes

☒

No

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

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

Catherine Dorando

From: noreply@civicplus.com
Sent: Thursday, December 17, 2020 3:36 PM
To: Catherine Dorando
Subject: Online Form Submittal: Advisory Board Application

Advisory Board Application

First Name	Satya
Last Name	Kallepalli
Date	12/17/2020
Address1	104 RIVERCREEK PL
Address2	<i>Field not completed.</i>
City	CARRBORO
State	NC
Zip	27510
Is this address located within the corporate limits of the Town of Carrboro?	Yes
Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?	No
Telephone (111)-111-1111	8015186938
Email Address	SATYA.KALLEPALLI@GMAIL.COM
The demographic information provided below is of interest because your elected officials want the Town's advisory boards to reflect the diversity of the Town. Diversity of the applicant pool is a priority of the Board.	
Current Age	3/9/1970
Race	Asian

Sex	Male
Occupation	IT Manager
Are you a registered Orange County Voter?	Yes
Length of Residence in Orange County	NC
Length of Residence in the Town of Carrboro	3
I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):	Greenways Commission
Other (advisory board not listed):	<i>Field not completed.</i>
Advisory Board Preference	Greeways Commission
**Employer/Self Employed	Oracle Corp
Number of Years Employed	21
** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.	<i>Field not completed.</i>
Community Activities/Organizational Memberships	Stormwater Advisory Commission
Relevant Experience:	I live next to Morgan creek. I am an avid runner. I enjoy the trails around the region.
Reasons You Wish to be Appointed	Morgan Creek is just behind my backyard. Any greenway improvements are important to me.
We believe as a Town and as a Town Council that racial equity and	For a vibrant and growing town, we need people of all walks of life to be invested in town activities. A broad representative

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.

boards and commissions improve the involvement of all citizens.

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

Yes

If yes, which one(s)?

Stormwater Advisory Commission

Are you currently serving on a Town Board or Committee?

Yes

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

No

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

Field not completed.

Email not displaying correctly? [View it in your browser.](#)

Advisory Board Application - Submission #5468

Date Submitted: 6/2/2021

First Name*

Aja

Last Name*

Kelleher

Date*

6/2/2021

Select today's date

Address1*

303 Rainbow Dr

Address2

City*

Carrboro

State

NC

Zip*

27510-1131

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

Yes

Please select Yes or No.

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

Unsure

Telephone (111)-111-1111*

9193388032

Please enter your primary contact phone number.

Email Address*

aja0525@gmail.com

Enter your primary email address.

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

Current Age*

5/25/1966

Race*

Asian

Please enter your race.

Sex*

Female

Please enter your sex.

Ethnicity*

Korean-American

Occupation*

Info Tech Consultant

Please enter your occupation.

Are you a registered Orange County Voter?*

Yes

Please answer Yes or No

Length of Residence in Orange County*

8

How long have you been a resident of Orange County?

Length of Residence in the Town of Carrboro*

8

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

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

- | | |
|--|--|
| <input checked="" type="checkbox"/> Affordable Housing Advisory Commission | <input type="checkbox"/> Northern Transition Area Advisory Committee |
| <input type="checkbox"/> Appearance Commission/NPDC | <input type="checkbox"/> OWASA Board of Directors |
| <input type="checkbox"/> Arts Committee | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Board of Adjustment | <input checked="" type="checkbox"/> Racial Equity Commission |
| <input type="checkbox"/> Climate Action Team | <input type="checkbox"/> Recreation and Parks Commission |
| <input checked="" type="checkbox"/> Economic Sustainability Commission | <input checked="" type="checkbox"/> Stormwater Advisory Commission |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Tourism Development Authority* |
| <input type="checkbox"/> Human Services Commission | <input type="checkbox"/> Transportation Advisory Board |
| <input type="checkbox"/> Greenways Commission | |

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

Other (advisory board not listed):

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

****Employer/Self Employed**

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

Advisory Board Preference*

Stormwater Advisory Commission

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

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*

Member of the Barred Owl Creek Neighbors Association.

Please enter the requested information.

Relevant Experience:*

I was once President of our HOA in Chicago. Other than that I do not have any government or prior experience on advisory boards.

Reasons You Wish to be Appointed*

I want to be involved in an advisory board to get involved in our community with planning or issues that impact our quality of life here in Carrboro.

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.*

By improving the representation in local town government of the different social groups, diversity plays a part in maintaining core public values, increasing managerial efficiency, improving policy effectiveness, raising the quality of public services, and enhancing social mobility.

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

If yes, which one(s)?

No

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

☐

Yes

☒

No

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

☐

Yes

☒

No

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

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

Catherine Dorando

From: noreply@civicplus.com
Sent: Wednesday, April 28, 2021 5:11 PM
To: Catherine Dorando
Subject: Online Form Submittal: Advisory Board Application

Advisory Board Application

First Name	Margot
Last Name	Lester
Date	4/28/2021
Address1	314 Bolin Forest Drive
Address2	<i>Field not completed.</i>
City	Carrboro
State	NC
Zip	27510
Is this address located within the corporate limits of the Town of Carrboro?	Yes
Is this address located within the Town's ETJ, Planning Jurisdiction, or Northern Transition Area?	No
Telephone (111)-111-1111	3233143735
Email Address	margotlester@gmail.com
The demographic information provided below is of interest because your elected officials want the Town's advisory boards to reflect the diversity of the Town. Diversity of the applicant pool is a priority of the Board.	
Current Age	1/30/1962
Race	white

Sex	F
Ethnicity	white
Occupation	Communications Strategist
Are you a registered Orange County Voter?	Yes
Length of Residence in Orange County	40+ years
Length of Residence in the Town of Carrboro	20+ years
I wish to be considered for appointment to the following committee/board(s) (Select no more than two (2)):	Racial Equity Commission
Other (advisory board not listed):	<i>Field not completed.</i>
Advisory Board Preference	Racial Equity Commission
**Employer/Self Employed	The Word Factory, LLC
Number of Years Employed	28 years
** Provide examples of how you are involved in the promotion of travel and tourism in the Town of Carrboro.	<i>Field not completed.</i>
Community Activities/Organizational Memberships	Provisional member: Stormwater Advisory Committee Former member: Carrboro Local Living Economy Task Force, County Human Relations Commission; crafted the county's Social Justice Goal (https://www.orangecountync.gov/DocumentCenter/View/5018/Social_Justice_Goal) Former board member: CommunityWorx, Orange County Historical Museum and the Chapel Hill-Carrboro Chamber; led its campaign against the marriage amendment and chaired its Economic Development and Public Policy Committee

Relevant Experience:	<p>Dismantling Racism training with Michelle Johnson, member of her Race & Reconciliation cohort beginning June 2021</p> <p>Hollaback Anti-Racist Bystander Intervention training Parts 1 & 2</p> <p>Supermajority Leadership program participant</p> <p>Various Orange County Democrat Party precinct leadership positions</p> <p>I grew up in a segregated Chapel Hill/Carrboro and my parents included my brother and me in their desegregation and voter protection work from a very young age.</p>	
Reasons You Wish to be Appointed	<p>Antiracism and racial equity work cannot be the sole responsibility of Black Americans and other people of color. White folks like me must accept responsibility and step up to undo the devastating impacts of white supremacy and tear down the structures of institutional racism. As a native who remembers when our community was segregated, I have a unique perspective on where Carrboro has been and how it has and hasn't changed. My experience as an active advocate and professional communication strategist equip me with skills that are important to presenting the work of the commission and creating thoughtful messaging and social media campaigns. Doing this work is a moral imperative.</p>	
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.	<p>First, we have 400+ years of wrongs to right and trauma to acknowledge and ease. Second, rafts of data show that diverse groups make better decisions and diverse organizations are more successful. But mostly, as stated above, representation and inclusion are moral imperatives that cannot be ignored.</p>	
Have you ever served on any Town of Carrboro Committee or Board?	Yes	
If yes, which one(s)?	Local Living Economy Task Force, Stormwater Advisory Commission (provisional)	
Are you currently serving on a Town Board or Committee?	No	
If yes, are you applying for a third consecutive term?	No	
If yes, please describe how you meet one, or	<i>Field not completed.</i>	

more, of the following
exceptions noted below.

Email not displaying correctly? [View it in your browser.](#)



Town of Carrboro

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

Agenda Item Abstract

File Number:21-249

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

TITLE:

Check-in on the Comprehensive Plan Process - Review of Draft Goals, Strategies, Projects - Carrboro Connects

PURPOSE: The purpose of this agenda item is to provide the Town Council with an update on the current process and progress of this effort.

DEPARTMENT: Planning

CONTACT INFORMATION: Patricia McGuire, 919-918-7327,
pmcguire@townofcarrboro.org

INFORMATION: Carrboro Connects, the Town's Comprehensive Planning process, continues to move forward with task force meetings and community engagement. Since the last report in February, Council Members Romaine and Gist have attended task force meetings and inspired members with their comments. The second community meeting was held in March and a hundred community members joined in.

The first in-person activities were held last week from June 10-12 when Teska and Lockamy Consulting staff, Scott Goldstein, Francine Sallinger, and Teresa Lockamy came to town for tours, meetings, and pop-up events. The days were packed and engagement was successful!

A power point on the work to date and the schedule for next steps is attached (*Attachment A*). Scott Goldstein will attend the meeting on Tuesday to walk through the presentation. A town-website hosted page is available at

<http://www.townofcarrboro.org/2389/Town-of-Carrboro-Comprehensive-Plan>; the interactive project website with full functionality for accessing project information and engagement opportunities is available at [CarrboroConnects.org](http://www.carrboroconnects.org)
<https://www.carrboroconnects.org/>.

Agenda Date: 6/22/2021

File Type:Agendas

In Control: Board of Aldermen

Version: 1

FISCAL & STAFF IMPACT: None noted with the Town Council receiving this report.

RECOMMENDATION: The staff recommends that the Town Council receive the information on the process and respond with questions and/or directions.



Town Council Update

Tuesday, June 22, 2021

Engagement Update: Takeaways

Project Task Force that is **40%** BIPOC members and has met six times thus far

Nearly **60** stakeholder interviews conducted

Two virtual community meetings each with **100-150** participants

18% of website participants are BIPOC

560 views on El Centro Facebook Live event reaching Latinx community

180 views on the Refugee Community Partnership (RCP) Listening Session reaching the community from Burma

12 one-on-one conversations via the Conversation Café

5 Around Carrboro Pop-ups at strategic locations interacting with at least **130** residents

Ongoing review and discussions with from Town Advisory Boards, Orange County Affordable Housing Commission, NAACP, and other groups

Ongoing outreach and marketing that includes Facebook, Twitter, Instagram, Town Newsletters, Printed Banner, Bilingual Project Cards, Food Distribution Events, Conversation Menu, Radio Marketing, and more

Website Stats Fall 2020 – Summer 2021

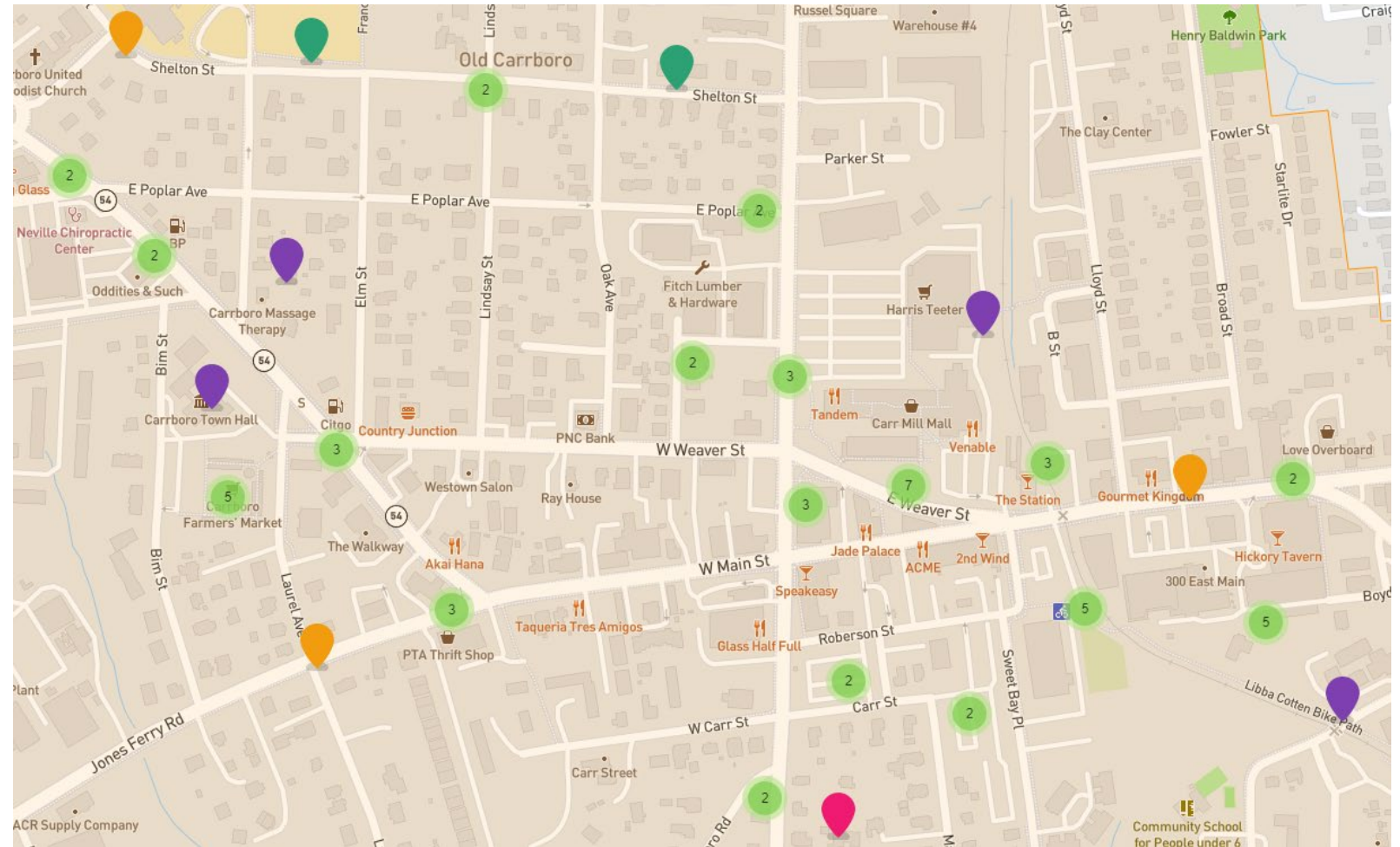
3,471 site visits
2,038 unique visitors
289 activated
registrations

Map Tool

185 Pins/Comments
50 Contributors

Share Ideas Tool

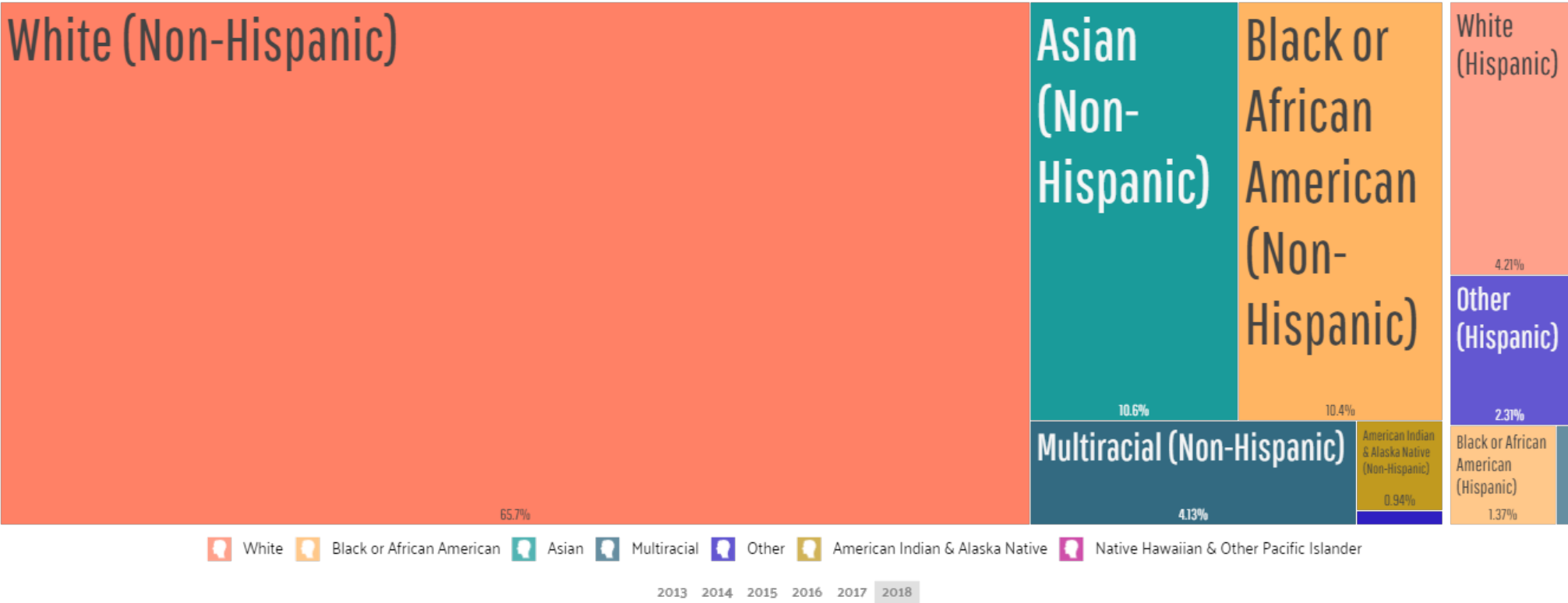
188 visits



Town of Carrboro Race & Ethnicity

66% White (Non-Hispanic)
11% Asian (Non-Hispanic)
10% Black (Non-Hispanic)
4% Multiracial (Non-Hispanic)
1% American Indian & Alaska Native (Non-Hispanic)

8% Hispanic



Source: Census Bureau ACS 5-Year Estimates (2018)

1,200 Engaged Participants to Date (non-duplicated)

OUTREACH TYPE	Date	Participants Count	Virtual Engagement Methods Utilized	Bilingual
Interviews	ongoing	60	Discussion / Q + A	
Conversation Café	ongoing	11	Discussion / Q + A	
Task Force Meetings	6 meetings	25 each	Breakout Groups	
Orange County Housing Coalition	1 meeting	11		
Community Meeting 1	11/19/2020	140	Mentimeter Live Polling, Breakout Groups	*Bilingual
Community Meeting 2	3/18/2021	110	Mind Mapping, Breakout Groups	*Bilingual
Community Meeting 3	TBD			*Bilingual
El Centro Facebook Live Event	3/4/2021	550 views	Discussion / Q + A	*Dedicated Spanish Event
Community from Burma Focus Group	5/4/2021	180 views	Discussion / Q + A	*Burmese
Community Pop-Ups (5 total)	6/10/2021 – 6/12/2021	130	Pop-Up Mapping and Idea Sharing Booth	*Bilingual at Carrboro Plaza
Web site Registered Users		290		

March 4th Facebook Live with El Centro!



~550 Views on Facebook

Refugee Community Partnership (RCP) Listening Session



~180 Views on Facebook



Thursday · Friday · Saturday · June 10 - 12, 2021

Free Refreshing Popsicles



Pop Up Stats

5 Pop Ups

Share Ideas

81 Post It Ideas

6 Web Ideas

Map It!

9 Pop Up Map

Comments

30 Web Comments

Registrants

42 people provided demographics



Pop Up and Site Visit Input



Recreation, Parks, and Cultural Resources

DRAFT VISION STATEMENT | All people in Carrboro have safe and equitable access to recreational and cultural opportunities, including a connected network of parks and green space. The community comes together through creative programming and events that celebrate the Town's history, spirit, and diversity with festivals, music, and the arts.



Strive for a park, play field, or other green space within walking distance to all residents



Expand access to open spaces and natural areas for low-income or BIPOC communities



Expand year-round markets with new vendors and entrepreneurs



Celebrate the diversity of the Town's residents through events, festivals, and programming that honors the variety of cultural backgrounds and traditions in Carrboro



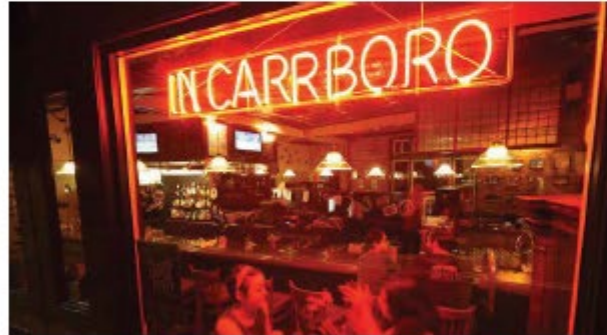
Support and install public artwork by local artists in strategic locations throughout Town to celebrate the history and story of Carrboro

Economic Sustainability

DRAFT VISION STATEMENT | Carrboro is a place where businesses can thrive, living wage jobs are available and residents can create new businesses. The community supports a thriving and inclusive local economy that prioritizes the needs of the most vulnerable and underserved.



Support innovative models such as co-ops and flex spaces for businesses



Keep more of Carrboro's spending power within the Town



Strengthen business districts + commercial areas outside of downtown



Support walkable, bikeable, place-based business growth and development



Expand access to capital for entrepreneurs, small and BIPOC businesses



Affordable Housing

DRAFT VISION STATEMENT | Carrboro is affordable, safe and welcoming for all households who want to live in the community, works to prevent displacement of existing residents, advances racial equity and accessible housing, and has a full range of options for all life stages.



Diversify and expand housing options throughout Carrboro using a mixture of affordable housing types



Reduce effects of parking requirements on housing costs



Improve the development process to create more affordable housing



Increase number of owner-occupied and rental units that are permanently affordable, with priority to historically disadvantaged and BIPOC households



Reduce barriers to first-time homebuyers and to homeownership retention

Climate Action & Environment

DRAFT VISION STATEMENT | The Town is a leader in mitigating climate change and prioritizes strategies to increase the resilience of BIPOC, low-income, and other residents who are disproportionately impacted by climate change. Carrboro preserves and restores natural and ecologically sensitive areas while also enhancing access to green space for all.



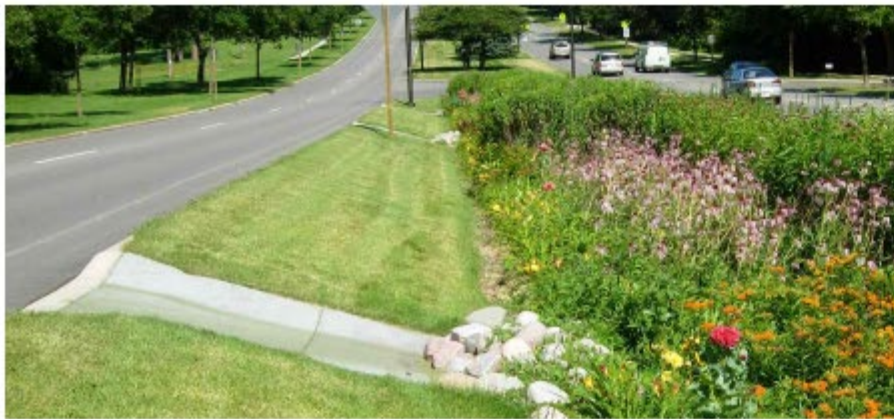
Pursue development provisions that preserve and maintain natural areas



Increase use of renewable energy and energy efficiency for residents and municipal buildings



Reduce greenhouse gas emissions in municipal fleet operations



Expand access to residential landscaping and green stormwater infrastructure measures in all communities



Support native plantings throughout town



Transportation

DRAFT VISION STATEMENT | Every Carrboro resident, with particular attention to BIPOC populations, has increased safe and quality access to multimodal transportation options for efficient connections to jobs, recreation, and services.



Connect sidewalk + biking network to expand access for all communities



Reduce the need to drive by providing amenities/infrastructure for bikes + pedestrians



Expand complete streets that accommodate pedestrians, bikes, buses, + cars

Energy

DRAFT VISION STATEMENT | Carrboro reduces its dependence on fossil fuel energy sources with opportunities for all residents, especially low-income BIPOC residents, to participate.



Increase variety of options for transit and alternatively fueled vehicles

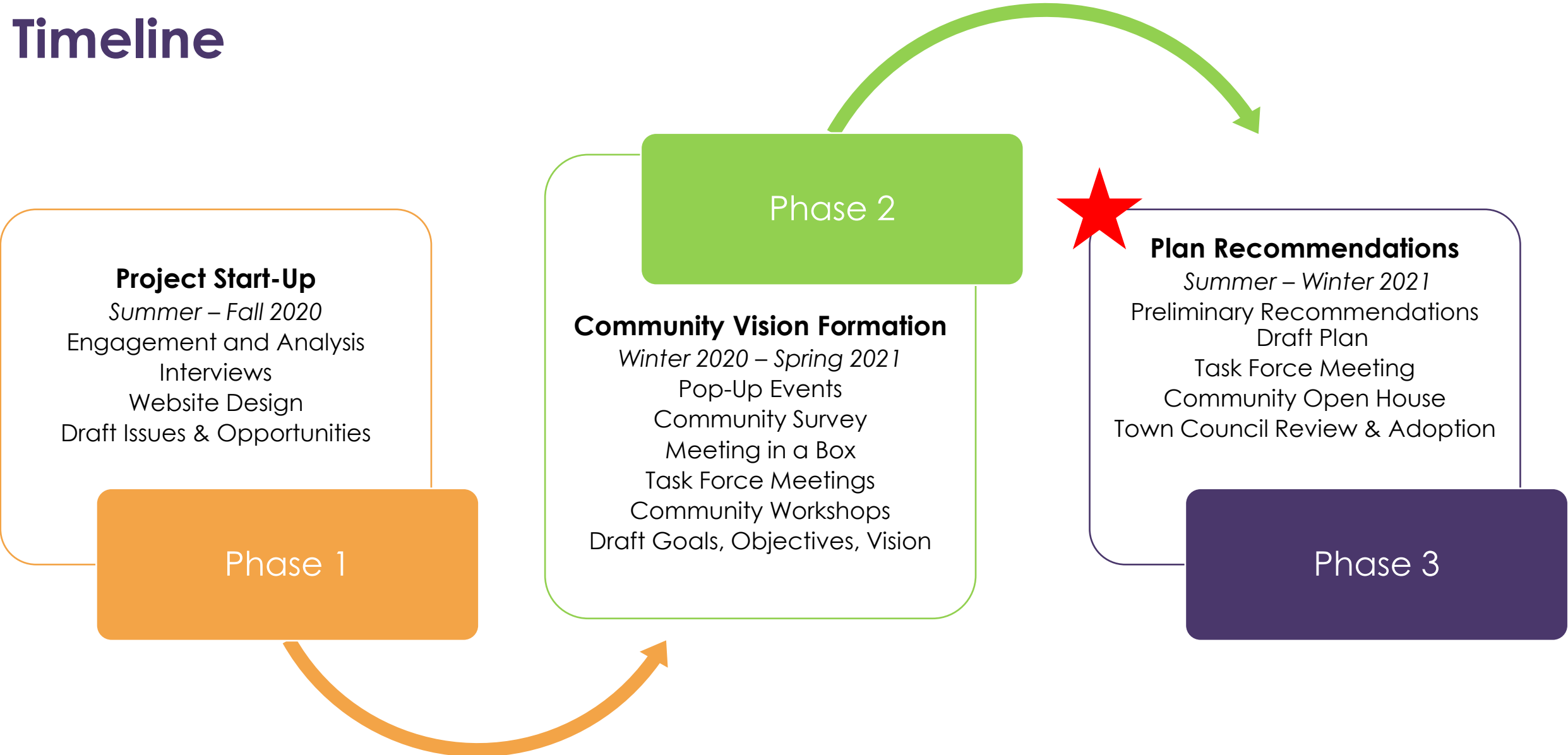


Support energy efficiency financing to small businesses and low-income households



Install EV charging at new developments and popular destinations

Timeline



Developing and Reviewing the Draft Plan



Early May: Advisory Boards reviewed 1st Draft Vision and Goals

May 13: Task Force 6 Reviewed of 1st Draft Vision and Goals

Early August: 2nd Draft to be distributed for review by Task Force

Early September: Advisory Boards (including Racial Equity Commission) review

September 21: Town Council Update

September 22: Community Meeting 3

September 23: 3rd Draft to be reviewed at Task Force 7

October 26: Town Council Public Hearing