

AGENDA
CARRBORO BOARD OF ALDERMEN
TUESDAY, OCTOBER 27, 1998
7:30 P.M., TOWN HALL BOARD ROOM

Approximate Time*

7:30 - 7:40 A. REQUESTS FROM VISITORS AND SPEAKERS FROM THE FLOOR

7:40 - 7:45 B. CONSENT AGENDA

(1) **Approval of Minutes of Previous Meeting: October 13, 1998**

(2) **Baldwin Park Water Fountain**

The Board of Aldermen appropriated \$3,000 toward installing a water fountain for Baldwin Park per the Lloyd Street Neighborhood Association's request. During budget deliberations, the Board asked that more precise costs be brought before them and that the Mayor contact OWASA to ask if their fees could be reduced. The purpose of this item is for the Board to review the actual costs and authorize that this work take place.

(3) **Budget Amendment/Narcotics Investigations**

The purpose of this agenda item is to amend the 1998-99 fiscal year budget to appropriate \$4,275 in fund balance reserved for the Police Department as required by law.

(4) **Budget Amendment/School Impact Fees/Carolina Spring Senior Apartments**

The purpose of this agenda item is to amend the 1998-99 fiscal year budget to appropriate funds reserved for school impact fees associated with the Carolina Spring Senior Apartment Complex.

(5) **Request to Set Special Board Meeting**

The Board of Aldermen is requested to set a special meeting for Monday, November 2, 1998 to finalize review of the ordinance implementing the Northern Study Area Small Area Plan.

7:45 - 7:55 C. RESOLUTIONS, PROCLAMATIONS AND CHARGES

D. OTHER MATTERS

7:55 - 8:10
P/10 (1) **Status Report on Shaping Orange County's Future Project**

The Board of Aldermen will receive the first of a series of bi-monthly status reports from a Carrboro citizen and member of the Task Force for Shaping Orange County's Future project.

8:10 – 9:30
P/20

(2) **Worksession/Parts 3 and 4/Ordinance to Implement the Northern Study Area Small Area Plan**

The purpose of this agenda item is for the town staff to present Parts 3 and 4 of a four-part presentation on the elements of the ordinance to implement the Northern Study Area Small Area Plan.

9:30 – 9:40 BREAK

9:40 – 9:45

(3) **Selection of Neighborhood Representative for B-2 Zone Steering Committee**

The Board of Aldermen is requested to select a citizen representative to participate on the B-2 Steering Committee.

9:45 – 9:55

(4) **Request to Set Public Hearing/Land Use Ordinance Amendment/Junked Cars**

The Board of Aldermen will discuss a provision of the land use ordinance dealing with motor vehicles that are neither licensed nor operational that have been deemed duplicative within the city limits and unnecessary in the town's planning jurisdiction.

9:55 – 10:10
P/5

(5) **Report on Development Review Process**

The purpose of this item is to describe the development review processes undertaken by the town and to receive recommendations from the Board of Aldermen regarding approaches to streamlining the process.

10:10 – 10:20
NP

(6) **Discussion of Jordan Lake as a Regional Water Source**

Mayor Nelson has requested that the Board of Aldermen discuss the future of OWASA'S water allocation from Jordan Lake and Chatham County's need for Jordan Lake water.

10:20 – 10:25 E. MATTERS BY TOWN CLERK

10:25 – 10:35 F. MATTERS BY TOWN MANAGER

10:35 – 10:45 G. MATTERS BY TOWN ATTORNEY

10:45 – 10:55 H. MATTERS BY BOARD MEMBERS

*The times listed on the agenda are intended only as general indications. Citizens are encouraged to arrive at 7:30 p.m. as the Board of Aldermen at times considers items out of the order listed on the agenda.

BOARD OF ALDERMEN

ITEM NO. B(2)

AGENDA ITEM ABSTRACT

MEETING DATE: October 27, 1998

SUBJECT: Baldwin Park Water Fountain

DEPARTMENT: Recreation and Parks	PUBLIC HEARING: YES ____ NO <u>XX</u> __
ATTACHMENTS: Cost Information Sheet and Budget Amendment	FOR INFORMATION CONTACT: Richard E. Kinney at 968-7703

PURPOSE:

The Board of Aldermen appropriated \$3,000 toward installing a water fountain for Baldwin Park per the Lloyd Street Neighborhood Association's request. During budget deliberations, the Board asked that more precise costs be brought before them and that the Mayor write to OWASA to ask if their fees could be reduced. The purpose of this item is for the Board to review the actual costs and authorize that this work take place.

SUMMARY

There is a need for this feature to be included in Baldwin Park. While there are design reasons to not install a comfort station and other certain amenities found in larger neighborhood parks, the administration sees this addition as a positive improvement to this mini-park.

ANALYSIS

The prohibitive cost of implementing this addition had been a fee of over \$8,000 earlier projected by OWASA. Mayor Nelson wrote to OWASA asking that this fee be reduced or waived. OWASA responded by stating that the fee could not be waived, but that no acreage fee would be charged and the fee reduced to under \$3,000. Subsequent conversations by Chris Peterson, Public Works Director has culminated in a final fee that makes this work a reasonable expense. The Public Works Department has provided the attached costs.

ACTION REQUESTED

The administration asks that the Board of Aldermen approves the attached budget amendment and authorizes the administration to proceed with installation of the water fountain at Baldwin Park.

MEMORDANDUM

TO: Richard Kinney, Director of Recreation
FROM: *mc* Chris Peterson, Director of Public Works
COPY: Robert W. Morgan, Town Manager
Chris Gerry, David Poythress and Roy Green, Public Work Department
DATE: Thursday, October 08, 1998
SUBJECT: Water Fountain Installation
LOCATION: Baldwin Park

\$ 4,643 is the amount required for the installation of a water fountain at Baldwin Park. It is my understanding that the Board of Aldermen budgeted \$ 3,000 for this installation; thus an additional \$1,643. The Public Works Department does not have the additional funds in its present budget. If you would like to proceed, the installation can be performed in November, beginning the first week. Contact me should you have any questions.

Water fountain	\$ 2,260
Concrete pad to mount fountain upon	300
Material costs associated with installation, i.e. pipe fittings	240
Orange Water & Sewer Authority fee	<u>1,843</u>
	<u>\$4,643</u>

ORANGE WATER AND SEWER AUTHORITY

1998 FEE SCHEDULE

Date Received 10/7/98Time Received 9:29 AMApplicant TOWN OF CARRBORO BALDWIN PARK Phone No. (919) 942-8541Service Address 306 BROAD STREETBilling Address 301 WEST MAIN STREET CARRBORO, N.C. 27510REFERENCE Tax Map 93 Block 1 Lot 6A
MAPS Subd. Map _____ Subd. Block _____ Subd. Lot _____ Reference Code 24City/Town Carrboro County Orange Structure Type OtherService Availability Water Only Water Main Size 8" Sewer Main Size 8"Water Only ☒ Account No. (If applicable) _____
Sewer Only ☐ _____ Account Type Non-ResidentialMeter Size 5/8" Living Area (Sq. Ft) N/A**Availability Fees:****Meters 1" and Larger
are based on
Non-Residential fees.****WATER**Residential \$0.00 Non-Residential \$1,763.00**SEWER**Residential \$0.00 Non-Residential \$0.00

Meter & Tap

Meter Only 5/8"

\$80.00☐ Sewer Tap\$0.00Installation Estimate
(Meters larger than 2")\$1,843.00**Water Fees Total**\$0.00**Sewer Fees Total**Adjustment
(If Applicable)**\$1,843.00****Total Amount Due**Special Conditions WATER SERVICE FOR DRINKING FOUNTAIN AT PARK

* Fees Subject to Change. This is not a contract for water and/or sewer service. These fees do not include any water or sewer assessments. See reverse side for additional conditions.

I HAVE READ AND UNDERSTAND THE CONDITIONS NOTED ABOVE
AND THOSE LISTED ON THE REVERSE SIDE OF THIS FORM. I ALSO
ACKNOWLEDGE THAT I HAVE RECEIVED A COPY OF THIS FORM.

Applicant _____ Date _____

Calculated By SRB Date 10/8/98 Time Completed 9:45 AMChecked By SRB Date 10/8/98 Time Checked 10:15☐ Customer NotifiedApproved By _____ Date 10/8/98 Time 10:16Service Initiation Approved By _____ Date 10/8/98 Time 10:16

WHITE - ENGINEERING

CANARY - CUSTOMER RELATIONS

GOLD - LOCAL GOV'T

PINK - CUSTOMER

The following ordinance was introduced by Alderman _____ and duly seconded by Alderman _____.

AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE

WHEREAS, the Town Board of the Town of Carrboro on June 23, 1998 adopted the annual budget for the fiscal year beginning July 1, 1998 and ending June 30, 1999; and

WHEREAS, it is appropriate to amend the expense accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following expense and revenue accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

FUND	ACCOUNT TITLE	ACCOUNT NUMBER	INCREASE (DECREASE)	AMOUNT	FROM	TO
General	Governance	10-418.4535	INCREASE	\$1,643	\$ 3,000	\$ 4,643
General	Contingency	10-999.7000	DECREASE	(\$1,643)	\$12,751	\$11,108

REASON: Transfer funds from contingency to cover costs of installing a water fountain at Baldwin Park.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 27th day of October, 1998:

Ayes:

Noes:

Absent or Excused:

The following ordinance was introduced by Alderman Alex Zaffron and duly seconded by Alderman Diana McDuffee.

AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE
Ordinance No. 6/98-99

WHEREAS, the Town Board of the Town of Carrboro on June 23, 1998 adopted the annual budget for the fiscal year beginning July 1, 1998 and ending June 30, 1999; and

WHEREAS, it is appropriate to amend the expense accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following expense and revenue accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

FUND	ACCOUNT TITLE	ACCOUNT NUMBER	INCREASE (DECREASE)	AMOUNT	FROM	TO
General	Governance	10-418.4535	INCREASE	\$1,643	\$ 3,000	\$ 4,643
General	Contingency	10-999.7000	DECREASE	(\$1,643)	\$12,751	\$11,108

REASON: Transfer funds from contingency to cover costs of installing a water fountain at Baldwin Park.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 27th day of October, 1998:

Ayes: Hilliard Caldwell, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Alex Zaffron. Allen Spalt

Noes: None

Absent or Excused: None

BOARD OF ALDERMEN

ITEM NO. B(3)

AGENDA ITEM ABSTRACT

MEETING DATE: October 27, 1998

SUBJECT: Budget Amendment

DEPARTMENT: Police Department	PUBLIC HEARING: YES ____ NO <u>X</u>
ATTACHMENTS: Ordinance Amending FY98-99 Budget	FOR INFORMATION CONTACT: Interim Police Chief, Carolyn Hutchison, 968-7733

PURPOSE: The purpose of this agenda item is to amend the 1998-99 fiscal year budget to appropriate \$4,275 in fund balance reserved for the Police Department as required by law.

SUMMARY: By federal regulations, state and local law enforcement agencies who participate in drug enforcement activities are entitled to federally-forfeited cash and tangible property upon seizure of the property. Seventy-five percent (75%) of the revenue collected on persons who possess controlled substances in violation of state law are remitted to participating local and state law enforcement agencies. The intent of this legislation is to return these funds directly to the law enforcement agency for use by that agency to investigate, combat, prevent, and reduce drug crimes. The funds are to be deposited to the agency itself, and not to the general fund of the governmental unit.

The Town's records for year ending June 30, 1998, show that \$4,275 is remaining in the fines and forfeiture reserves and is available for appropriation. No specific restrictions are placed on the use of proceeds. However, the Legislature intended for the funds to be used toward enhancing the ability of law enforcement agencies to deter and investigate crimes, especially drug offenses. The Carrboro Police department uses these funds to supplement ongoing narcotics investigations.

ACTION REQUESTED The Town Manager recommends adoption of the attached ordinance amending the 1998-99 fiscal year budget.

The following ordinance was introduced by Alderman _____ and duly seconded by Alderman _____.

AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE

WHEREAS, the Town Board of the Town of Carrboro on June 23, 1998 adopted the annual budget for the fiscal year beginning July 1, 1998 and ending June 30, 1999;
and

WHEREAS, it is appropriate to amend the expense accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following expense and revenue accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

FUND	ACCOUNT TITLE	ACCOUNT NUMBER	INCREASE (DECREASE)	AMOUNT	FROM	TO
General	Fund Balance Appropriated	10-398.0000	INCREASE	\$4,275	\$353,629	\$357,904
General	Police	10-515.4200	INCREASE	\$4,275	\$ 0	\$ 4,275

REASON: Appropriate fund reserves to support ongoing narcotics investigations in the Police Department.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 27th day of October, 1998:

Ayes:

Noes:

Absent or Excused:

The following ordinance was introduced by Alderman Alex Zaffron and duly seconded by Alderman Diana McDuffee.

AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE
Ordinance No. 8/98-99

WHEREAS, the Town Board of the Town of Carrboro on June 23, 1998 adopted the annual budget for the fiscal year beginning July 1, 1998 and ending June 30, 1999; and

WHEREAS, it is appropriate to amend the expense accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following expense and revenue accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

FUND	ACCOUNT TITLE	ACCOUNT NUMBER	INCREASE (DECREASE)	AMOUNT	FROM	TO
General	Fund Balance Appropriated	10398.0000	INCREASE	\$4,275	\$353,629	\$357,904
General	Police	10515.4200	INCREASE	\$4,275	\$0	\$ 4,275

REASON: Appropriate fund reserves to support ongoing narcotics investigations in the Police Department..

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 27th day of October, 1998:

Ayes: Hilliard Caldwell, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Alex Zaffron. Allen Spalt

Noes: None

Absent or Excused: None

BOARD OF ALDERMEN

ITEM NO. B(4)

AGENDA ITEM ABSTRACT

MEETING DATE: October 27, 1998

SUBJECT: Budget Amendment

DEPARTMENT: Management Services	PUBLIC HEARING: YES ____ NO <u>X</u>
ATTACHMENTS: Ordinance Amending FY98-99 Budget and Minutes of Board Meeting Guaranteeing Town's Reimbursement to Orange County for Carolina Springs Senior Apartment Complex	FOR INFORMATION CONTACT: James Harris, 968-7700

PURPOSE: The purpose of this agenda item is to amend the 1998-99 fiscal year budget to appropriate funds reserved for school impact fees associated with the Carolina Springs Senior Apartment Complex.

SUMMARY: The Board of Aldermen, at the Board meeting of September 10, 1996, voted to guarantee reimbursement of \$159,352 in school impact fees to APTCO East, LLC, the developer for the Carolina Springs Senior Apartment Complex, upon issuance of the certificate of occupancy for the Complex . Carolina Springs is scheduled to receive the certificate of occupancy within the next thirty (30) days.

The Board, in FY97-98, agreed to subsidize the developer's impact fees for a total of \$159,352 by borrowing \$90,000 from the Town's Revolving Loan Fund and setting aside a \$70,000 reserve in the General Fund consisting of \$50,000 generated from estimated construction and building permit fees and a \$20,000 appropriation for Carolina Springs. In addition, the Board committed to reimbursing the Revolving Loan Fund from the General Fund over a five-year period at 0% interest. The first of five payments is budgeted for FY98-99.

The Town, in accordance with Board minutes, received \$59,711.35 in construction and building permit fees in FY97-98 and \$372,000 in impact fees in FY98-99 from APTCO East, LLC. The total payment of \$159,352 in the General Fund shall be funded by appropriating \$69,352 in fund balance and transferring \$90,000 from the Revolving Loan Fund to pay Carrboro's share of the impact fee reimbursement approved for APTCO East, LLC.

ACTION REQUESTED: The Town Manager recommends the adoption of the attached ordinance amending the 1998-99 fiscal year budget and approval to reimburse the developer \$159,352 for impact fees previously paid to the Town.

The following ordinance was introduced by Alderman _____ and duly seconded by Alderman _____.

AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE

WHEREAS, the Town Board of the Town of Carrboro on June 23, 1998 adopted the annual budget for the fiscal year beginning July 1, 1998 and ending June 30, 1999; and

WHEREAS, it is appropriate to amend the expense accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following expense and revenue accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

FUND	ACCOUNT TITLE	ACCOUNT NUMBER	INCREASE (DECREASE)	AMOUNT	FROM	TO
REVENUES						
General Fund	Transfer From Revolving Loan Fund	10-397.1100	INCREASE	\$ 90,000	\$ 0	\$90,000
General Fund	Fund Balance Appropriated	10-398.0000	INCREASE	\$ 69,352	\$357,904	\$427,256
EXPENDITURES						
General Fund	Economic and Community Development	10-421.7005	INCREASE	\$159,352	\$ 0	\$159,352
Revolving Loan Fund	Unexpended Reserves	48-690.7000	(DECREASE)	(\$ 90,000)	\$133,999	\$ 43,999
Revolving Loan Fund	Transfer to General Fund	48-690.	INCREASE	\$90,000	\$ 0	\$ 90,000

REASON: Appropriate funds to reimburse developer for impact fees previously paid to the Town.

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 27TH day of October, 1998:

Ayes:

Noes:

Absent or Excused:

Mr. Morgan stated that the town currently meets the minimum number of parking spaces for the farmers' market, but that in order for the farmers' market to have a Wednesday market, it would be necessary to provide additional parking. Mr. Morgan suggested that the Board might wish to enter into the lease agreement with Mr. Moody at this time and place the cost of necessary improvements in the 1997-98 budget. Mr. Morgan stated that the town could not advertise the property for parking unless the improvements are made to the lot.

It was the consensus of the Board to request that the Town Manager propose an option to Mr. Moody to lease his property for parking in 1997. In addition, the Board directed the Town Manager to request that the Farmers' Market contribute \$1,000 toward the annual lease of the parking lot.

REQUEST FOR REIMBURSEMENT OF SCHOOL IMPACT FEES/CAROLINA SPRING SENIOR APARTMENT COMPLEX

The developer of Carolina Spring Seniors Apartment complex has notified the Town of Carrboro that in order to meet the requirements for 1996 low-income housing tax credits, he needs a final decision on the school impact fee reimbursement issue. The Board was requested to consider whether it will reimburse this complex \$159,352 in school impact fees.

Jerry Lohla, with First Centrum Corporation, stated that they had received a letter from the N.C. Housing Finance Agency stating they have to know by September 15, 1996 whether the project is a go or no go. Mr. Lohla asked that the Board authorize the town staff to give their project a priority review. In addition, Mr. Lohla asked for reimbursement of school impact fee from Carrboro. Mr. Lohla stated that they have to purchase the land and acquire their land use permit by November 15, 1996.

Mr. Morgan stated that the Board should look at this matter as a policy. Plan A should be to ask the County to seek special legislation to waive this project. Plan B would be to have the developer pay \$50,000 in construction and building permit fees to the town which would be placed in a reserve fund. \$20,000 would need to be budgeted in 1997-98, and the remaining \$90,000 would be borrowed from the Revolving Loan Fund with a pay back over a five-year period at 0% interest.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL THAT:

- (1) The developer be asked to continue to pursue any alternative financing to loan the town \$159,352 to provide for the reimbursement of the school impact fees to Orange County.
- (2) If the developer is unable to obtain alternative financing to loan to the Town of Carrboro for the reimbursement or the County does not seek the waiver or exemption for low-income elderly housing, the Town of Carrboro will guarantee reimbursement of the \$159,352 in school impact fees to Orange County upon issuance of the certificate of occupancy for the Carolina Spring Senior apartment complex as follows:
 - a. \$50,000 in estimated construction and building permit fees paid by the developer for this project will be placed in a reserve fund by the Town.
 - b. \$20,000 will be budgeted in the 1997-98 budget.
 - c. In 1998, \$90,000 will be borrowed from the Town's Revolving Loan Fund and will be paid back over a five-year period at 0% interest.

(3) This action is designed to address this specific project due to the circumstances brought about by the increase in the school impact fees and the requirements of the tax credit program, and does not constitute a policy of the town. All future applications will be reviewed on a case-by-case basis.

(4) If Orange County changes its policy to exempt low-income, senior housing projects, then the reimbursement will revert to the Town of Carrboro.

(5) That the Orange County Board of Commissioners be requested to pursue a waiver or exemption from its Educational Facilities Impact Fee Ordinance for low-income senior housing projects.

VOTE: AFFIRMATIVE FOUR, NEGATIVE THREE (NELSON, GIST, BRYAN)

WAIVER OF FEES/HURRICANE RECOVERY

Mr. Morgan recommended the following fees be waived as a result of Hurricane FRAN:

- 1) Building permit fees for repair work associated with the hurricane.
- 2) Fees for yard waste (storm debris) picked up at the curb.
- 3) Fees and permit requirements for individuals (citizens) taking yard wastes (storm debris) to the landfill in pick-up trucks or trailers.
- 4) Fees for citizens or other agents using dump trucks to haul yard wastes (storm debris) to the landfill after obtaining a permit from the Public Works Department or Town Hall.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO APPROVE THE FEE WAIVERS AS RECOMMENDED BY THE TOWN MANAGER. VOTE: AFFIRMATIVE ALL

APPOINTMENT TO OWASA RATE STUDY STEERING COMMITTEE

It was the consensus of the Board to select Randy Marshall as its representative to serve on OWASA'S Stakeholder Steering Committee, which will review the rates, fees and charges for OWASA.

MOTION WAS MADE BY ALEX ZAFFRON AND SECONDED BY HILLIARD CALDWELL TO ADJOURN AT 10:05 P.M. VOTE: AFFIRMATIVE ALL

Mayor

Town Clerk

BOARD OF ALDERMEN

ITEM NO. E(4)

AGENDA ITEM ABSTRACT

MEETING DATE: September 10, 1996

SUBJECT: Request for Reimbursement of School Impact Fees/Carolina Spring Senior Apartment Complex

DEPARTMENT: Administration	PUBLIC HEARING: YES ____ NO <u>x</u> __
ATTACHMENTS: Letters from Moses Carey dated June 27, 1996 and August 7, 1996	FOR INFORMATION CONTACT: Robert Morgan, 968-7706

PURPOSE

The developer of Carolina Spring Seniors Apartment complex has been the Town of Carrboro that in order to meet the requirements for 1996 low-income housing tax credits, he needs a final decision on the school impact fee reimbursement issue. The Board is requested to consider whether it will reimburse this complex \$159,352 in school impact fees.

SUMMARY

On June 26, 1996, the Orange County Board of Commissioners voted to provide reimbursement of the school impact fees in the amount of \$212,648 at the time the projects certificate of occupancy is approved by the Town of Carrboro. The Commissioners requested that the Town of Carrboro consider paying the remaining portion of reimbursement not provided for by the County.

On August 6, 1996, the Orange County Board of Commissioners clarified its intent that the County's reimbursement of \$212,648 in school impact fees was contingent on the Town of Carrboro's reimbursement of the remaining \$159,352.

On August 27, 1996 the Orange County Manager informed the Carrboro Town Manager that in order for the County to waive impact fees for senior housing that an amendment would be needed to the ordinance and to the State enabling legislation. In addition, that the County Commission would discuss amendments to the impact fee at its meeting on September 17th or its first meeting in October.

On August 26, 1996, the developer of Carolina Spring Seniors Apartment complex notified the Town Manager that in order to meet the requirements for 1996 low-income housing tax credits, he needs a final decision on the school impact fee reimbursement issue by September 15, 1996.

ACTION REQUESTED

To consider the request to reimburse the developer of Carolina Spring Seniors Apartment complex \$159,352 in school impact fees.

AUG-07-1996 09:52

BOCC/MANAGER

cc: Board members
Bob Morgan
9196443004 P.02/02

ORANGE COUNTY COMMISSIONERS

P.O. Box 8181
200 S. Cameron Street
Hillsborough, N.C.
27278

Moses Carey, Jr.
William L. Crowther
Alice M. Gordon
Stephen H. Halkiotis
Don Willhoit

919-732-8181
919-968-4501
919-688-7331
910-227-2031
(Fax) 919-644-3004

August 7, 1996

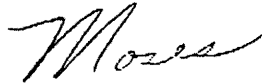
Mr. Mike Nelson, Mayor
Town of Carrboro
301 West Main Street
Carrboro, NC 27560

Dear Mike:

At last night's meeting, the Orange County Board of Commissioners clarified its intent at the June 26 meeting that the County's reimbursement of \$212,648 of Educational Facilities Impact Fees for the Carolina Spring Project is contingent on the Town of Carrboro's reimbursement of the remaining \$159,352. We believe that this was everyone's understanding, but discussion last evening stimulated the need for this clarification.

We understand that the Board of Alderman will have this item on your agenda at your next meeting. Please update us of your decision on this matter.

Sincerely,



Moses Carey, Jr., Chair

cc: Orange County Board of Commissioners
John Link, Orange County Manager
Geoffrey Gledhill, Orange County Attorney

cc: Board Members
Bob Morgan

ORANGE COUNTY COMMISSIONERS

P.O. Box 8181
200 S. Cameron Street
Hillsborough, N.C.
27278

Moses Carey, Jr.
William L. Crowther
Alice M. Gordon
Stephen H. Halkiotis
Don Willboit

June 27, 1996

919-732-8181
919-968-4501
919-688-7331
910-227-2031
(Fax) 919-644-3004

Mr. Mike Nelson, Mayor
Town of Carrboro
301 West Main Street
Carrboro, NC 27560

Dear Mike:


Last evening, the Orange County Board of Commissioners responded to First Centrum's request for reimbursement of Educational Facilities Impact Fees by taking the following action:

Orange County will provide reimbursement at the time the project's Certificate of Occupancy is approved by the Town of Carrboro based on a formula that considers the proportional property tax revenue that Orange County and the Town of Carrboro would receive from the Carolina Spring project when it is completed. Based on comparative 1996-97 tax rates of 99.75 cents for Orange County and 74.75 cents for the Town of Carrboro, the County Commissioners have agreed to provide reimbursement of \$212,648. This represents about 57 percent of the \$372,000 in school impact fees that would be required for the 124 units, based on the fee of \$3,000 per dwelling unit.

The Orange County Board of Commissioners is asking you and the Carrboro Board of Aldermen to consider paying the remaining portion of reimbursement not provided for by the County. Also, we are asking you to require payment of the Educational Facilities Impact Fees at the time of the project's Certificate of Occupancy instead of at the time of receiving the building permit. This will help the developer since the impact fees would be due at the same time the reimbursements are provided

I am sure that additional correspondence will be needed between our respective staff and Boards, but I wanted to inform you of our Board's action as soon as possible.

Sincerely,



Moses Carey, Jr., Chair

cc: Board of County Commissioners Geoffrey Gledhill, County Attorney
John Link, County Manager Robert Morgan, Carrboro Town Manager

RECEIVED JUL 1 1996

The following ordinance was introduced by Alderman Alex Zaffron and duly seconded by Alderman Diana McDuffee

AN ORDINANCE AMENDING FY'98-99 BUDGET ORDINANCE
Ordinance No. 7/98-99

WHEREAS, the Town Board of the Town of Carrboro on June 23, 1998 adopted the annual budget for the fiscal year beginning July 1, 1998 and ending June 30, 1999; and

WHEREAS, it is appropriate to amend the expense accounts in the funds listed to provide for increased expenses for the reasons stated.

NOW, THEREFORE, BE IT ORDAINED, that in accordance with authority contained in G.S. 159-15, the following expense and revenue accounts are amended as shown and that the total amount for the funds are herewith appropriated for the purposes shown:

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REVENUES						
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General Fund	Fund Balance Appropriated	10-398.0000	INCREASE	\$ 69,352	\$357,904	\$427,256
EXPENDITURES						
General Fund	Economic and Community Development	10-421.7005	INCREASE	\$159,352	\$ 0	\$159,352
Revolving Loan Fund	Unexpended Reserves	48-690.7000	(DECREASE)	(\$ 90,000)	\$133,999	\$ 43,999
Revolving Loan Fund	Transfer to General Fund	48-690.	INCREASE	\$90,000	\$ 0	\$ 90,000

REASON: Appropriate funds to reimburse developer for impact fees previously paid to the Town.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 27th day of October, 1998:

Ayes: Hilliard Caldwell, Michael Nelson, Diana McDuffee, Jacquelyn Gist, Alex Zaffron. Allen Spalt

Noes: None

Absent or Excused: None

BOARD OF ALDERMEN

ITEM NO. B(5)

AGENDA ITEM ABSTRACT

MEETING DATE: October 27, 1998

SUBJECT: Request to Set Special Board Meeting

DEPARTMENT: n/a	PUBLIC HEARING: YES ____ NO <u>x</u>
ATTACHMENTS: Revised Schedule for Implementation of Northern Study Area Facilitated Plan	FOR INFORMATION CONTACT: Sarah Williamson, 968-7705

PURPOSE

The Board of Aldermen is requested to set a special meeting for Monday, November 2, 1998 to finalize review of the ordinance implementing the Northern Study Area Small Area Plan.

SUMMARY

The town staff presented a revised schedule for implementation of the Northern Study Area Facilitated Plan to the Board of Aldermen at its meeting on October 13, 1998. That revised schedule called for the Mayor and Board of Aldermen to hold a special meeting on November 2, 1998 to finalize their review of the ordinance amendments to implement the Northern Study Area Facilitated Plan. It is necessary for the Board of Aldermen to officially schedule this special meeting.

ACTION REQUESTED

To set a special meeting of the Board of Aldermen for Monday, November 2, 1998.

NORTHERN STUDY AREA FACILITATED PLAN PROPOSED IMPLEMENTATION SCHEDULE – REVISED

Meeting Dates and Deadlines

October 13, 1998 – Staff reviews ordinance with Board of Aldermen (Part 2).

Week of October 19 – ODC meets to review ordinance, if possible.

October 27, 1998 – Staff reviews ordinance with Board of Aldermen (Parts 3 and 4).

Week of October 26, 1998 – The ODC meets to complete its' review of ordinance and make recommendations.

November 2, 1998 – Board of Aldermen - special meeting to finalize ordinance review.

November 5, 1998 – Ordinance and staff analysis submitted to Orange County Planning Board for their review in association with final decision on Carrboro-related JPA amendments.
- Planning Board review of ordinance.

November 10, 1998 – Ordinance review, if needed.

November 11, 1998 – Orange County Planning Board reviews ordinance and JPA items.

November 17, 1998 – Board of Aldermen worksession and Request-to-set on ordinance.
Recommended date of public hearing is December 15, 1998.

November 19, 1998 – Mid-month, joint review of ordinance by Carrboro Advisory Boards.

December 1, 1998 – Board of County Commissioners consider proposed ordinance and JPA amendments.

December 3, 1998 – Carrboro Joint Review Advisory Board meeting.

December 15, 1998 – Public hearing on ordinance.

December 31, 1998 – Moratorium expires.

Planning Department – October 13, 1998/pjm

BOARD OF ALDERMEN

ITEM NO. D(1)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, October 27, 1998

SUBJECT: STATUS REPORT: Shaping Orange County's Future

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO <u>X</u>
ATTACHMENTS: SOCF Status Report	FOR INFORMATION CONTACT: Patricia McGuire -- 968-7714
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose () Analysis (X) Summary (X) Action Requested	

PURPOSE

To receive the first of a series of bi-monthly status reports from a Carrboro citizen and member of the Task Force for the Shaping Orange County's Future project.

SUMMARY

In 1993, the Shaping Orange County's Future process was initiated. The first event, a countywide conference on creating a common vision of the future, was held in Chapel Hill. Subsequent to the conference, a Steering Committee was formed of elected officials, and interested citizens to explore ways that the towns and county could jointly develop a vision for the future that would result in quality growth and community building across jurisdictional, racial, and social boundaries.

The elected boards of Orange County, Chapel Hill, Carrboro, and Hillsborough agreed to provide funding for a 15 step process that was planned to take two and one-half years.

A task force made up of citizens from various areas and interest groups in the county was established to gather information and make recommendations on a strategy for quality growth and community-buildings for all of Orange County. The work of the Task Force was launched in November 1996 and in the spring of 1997, community forums were held in the northern, central and southern areas of the County. Later that year the Task Force established six citizen committees to study different topic areas. Study and information gathering continued through March 1998 when each committee completed preliminary goal reports.

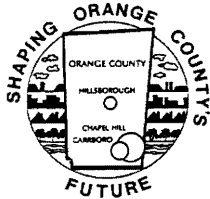
The draft reports were presented to the Task Force on April 23, 1998, and a compilation of the reports to the Assembly of Governments on June 1, 1998. During the summer, a Synthesis Work Group consolidated the committee reports into a single framework.

As part of that report, the work group created a list of issues on which additional input would be valuable. The work group recommended that a short-term, Conflicts and Opportunities Committee be established to define and outline those areas of conflict.

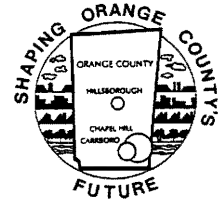
The Task Force is presently identifying value statements and collecting data that will be used to develop alternative scenarios for the future of the county. The next update on Shaping Orange County's Future has been tentatively scheduled for December 1.

ACTION REQUESTED

That the Board of Aldermen receives the status report.



Update on Shaping Orange County's Future October 12, 1998



On June 1 you received our reports from the six topical committees: Economy, Education and Cultural Arts, Environment and Resources Protection, Human Services, Health & Safety, Land Use and Growth, and Transportation, Infrastructure & Services. You also received information on the progress of the Sustainability and Community Building Committees. These two umbrella committees finished their work in late June. (These reports were sent out to you at that time.)

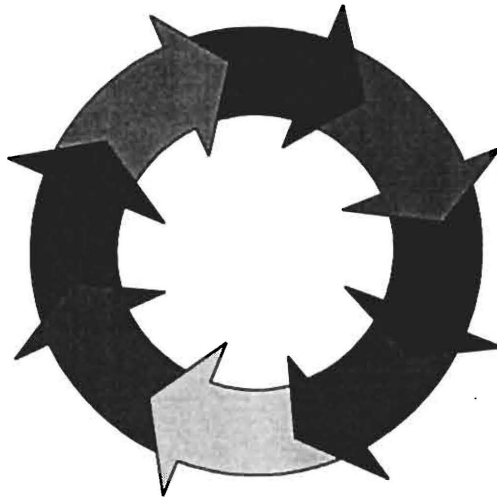
In reviewing all of these reports at the June 25 SOCF Task Force meeting, it was immediately apparent that the vast amount of information gathered needed to be synthesized into a single, integrated statement. This document would provide a focus for upcoming discussions and assist in setting parameters for developing scenarios of possible futures. The Synthesis Work Group, made up of 25 Task Force members and interested citizens, was thus created and met biweekly during the summer.

A central purpose of the Synthesis Report is the provision of a framework within which to view all of the previously identified issues. The Work Group created a framework of eight comprehensive focus areas: Economic Vitality and Quality; Managing Growth and Development; Transportation Issues; Environment and Natural Resources; Responsive Governance and Quality Public Services; Quality Community Life and Participation; Basic Human Needs, Services and Issues; and Diverse Educational Needs.

The Synthesis Report also specifies major forces and trends propelling and limiting change in the County. Identification of these forces provides a context within which to view the eight focus areas. The Work Group also felt it important to start identifying issues that are *seemingly* in conflict with one another in order to encourage debate and discussion leading toward resolutions. A starter list of these issues is provided in the report, and a separate, short-term committee has been formed to further define and add to these issues. The priority issues among these will be the topics for community forums that will encourage discussion and increased understanding of the issues and seek to find common ground for resolution.

Before recommendations are generated the Task Force will create and analyze alternative scenarios for the future. In preparation for this staff is working on a Profile of Orange County, detailing historic trends in the Towns and rural areas for the key issues identified. This will be a concise presentation and reference document for the Task Force to use in the next steps of the process. Staff is also preparing a set of projections of current trends focusing on the major driving and limiting forces identified in the Synthesis Report (i.e. population growth, economic growth, demographic changes, and the limits of water supply, land, etc). After reviewing these, the Task Force will create alternative scenarios as to how Orange County's future could be. These scenarios and their analysis will be used as a basis for generating a set of recommendations.

SYNTHESIS REPORT



**SUBMITTED BY THE
SYNTHESIS WORK GROUP**

**TO THE
SHAPING ORANGE COUNTY'S FUTURE TASK FORCE**

SEPTEMBER 28, 1998

Introduction

In the fall of 1997, six working committees were formed by the SOCF Task Force to identify issues of importance within six broad areas cited by Orange County citizens as critical to shaping our future: Economy; Education and Cultural Arts; Environment and Resource Protection; Human Services, Health and Safety; Land Use and Growth; and Transportation, Infrastructure and Services. Two additional (“umbrella”) committees were formed early in 1998 to explore relationships among the identified issues in terms of the underlying themes of the SOCF initiative: sustainability and community building. On June 1, reports on all of these efforts were presented to the governing boards of Carrboro, Chapel Hill, Hillsborough, and Orange County.

In reviewing this work at a Task Force meeting on June 25th, it was immediately apparent that the vast amount of information that had been gathered needed to be synthesized into a single, integrated and coherent statement to provide focus for upcoming discussions of conflicting issues and to assist in setting parameters for developing scenarios of possible futures. Thus, the Synthesis Work Group was created, made up of Task Force members and other interested citizens, many of whom had served on one or more of the previous committees. This group met five times from July to September to produce the report which follows.

The purposes of the Synthesis Report are:

- to provide a framework within which to view all of the relevant issues;
- to specify major forces and trends propelling and limiting change in the County;
- to identify issues seemingly in conflict with one another thus encouraging debate and discussion leading toward resolutions

The report is divided into four sections and two appendices:

- ◆ Section I describes some of the major forces and trends affecting change in Orange County. These provide a context for examining key issues.
- ◆ Section II defines a framework of eight focus areas within which to view the various issues. These areas are: Economic Vitality and Quality, Managing Growth and Development, Transportation Issues, Environment and Natural Resources, Responsive Governance and Quality Public Services, Quality Community Life and Participation, Basic Human Needs, Services and Issues, and Diverse Educational Needs.
- ◆ Section III is a first attempt to list those issues that appear to be in conflict and on which further discourse is needed.
- ◆ Section IV concludes the report, describing the next steps in the SOCF process and how the report should prove useful.
- ◆ Appendix A includes a matrix listing all of the issues identified in the previous reports under focus area headings. Many issues can fall under more than one focus area. Thus, those that do not have one clear primary focus are listed under more than one focus area in the matrix.
- ◆ Appendix B is a diagram contributed by one of the Work Group members showing insight into how forces impacting Orange County’s future can be examined.

B. Trends

◆ Growing Gap in Wealth and Income

There is a striking gap in wealth and income within Orange County. There is a large income split with high paying professional jobs at one end, and low paying service jobs at the other without many mid-wage jobs in-between, resulting in lack of a strong middle class in the County.

◆ Loss of Community

Loss of a sense of community involves many issues and factors including issues of the long history of the County, racial divisions, geographic divisions along urban/rural lines, and the sense of a lack of government representation in County government. These lead to feelings of alienation and voter apathy among some residents.

◆ Availability and Cost of Health Care

The lack of affordable, available health care for everyone within the County is a major factor affecting quality of life for many citizens. It is estimated that over 14% of citizens in the County are without health insurance.

◆ Increasing Natural Resource Consumption

The increase of natural resource consumption is resulting in irreparable loss of biodiversity, natural areas, and valuable landscapes, as populations grow and sprawl occurs (i.e. an increased per capita consumption of land). Likewise total and per capita consumption of water and energy are increasing.

◆ Changing Transportation Patterns

There is a growing awareness that building more roads is not always the answer to traffic congestion. The old, nationwide railroad system is nearly lost, but there is increasing interest in development of mass transit, including light rail, and other alternative transportation systems such as bikeways and pedestrian ways.

◆ Advances in Technology

The trend of advancing technology has both positive and negative impacts. Technology can assist us in reaching our goals, but it can also lead to an over-reliance on technological solutions to provide quick fixes to more fundamental problems.

◆ Increasing Demand on Schools

There is an increasing demand on schools to do more than they used to do, i.e. to address academics, special needs, diverse cultures, and lacks in stable home environments.

II. Eight Focus Areas

Eight focus areas were created as a comprehensive framework into which all of the previously identified issues could fit. Below is a listing and description of the eight focus areas and major issues under each. While it is recognized that all of the issues are interrelated to at least some extent and in varying degrees, and that virtually any issue could fit under any focus area, it was necessary for purposes of organization and discussion to designate each major issue into one focus area. So, for example, while sustainable economic development could be under either the Environment and Natural Resources or Human Needs, Services and Issues focus areas, it is placed under Economic Vitality and Quality since this was considered to be its primary "home".

A more complete listing of all key issues identified by the committees can be found in Appendix A, which is an issue matrix organized by focus area.

1. Economic Vitality and Quality

- ◆ Sustainable economic development - This is defined as economic development that adheres to the goals of sustainability (i.e. does not use resources faster than they can be replaced, works toward zero waste and pollution, is equitable, allows people to live in dignity and fosters community.)
- ◆ Business/commercial/industrial/agricultural opportunities
- ◆ Job creation, diversity, and retention
- ◆ Cost of living and affordability
- ◆ Cumbersome local approval of commercial projects

2. Management of Growth and Development

- ◆ Population growth
As previously discussed population growth is a primary force propelling development.
- ◆ Land use development issues
 - Mixed use
 - Urban growth boundaries, buffers, greenbelts
 - Density of development
 - Infill development
 - Sprawl
 - Infrastructure provision
 - Neighborhood character
 - Undeveloped land: open space, farmland and forest

7. Basic Human Needs, Services and Issues

- ◆ Adequate income
- ◆ Affordable, safe, housing
- ◆ Adequate nutrition
- ◆ Safety
 - Crime prevention
 - Safe environment
- ◆ Healthcare, including preventive services and education
- ◆ Childcare
- ◆ Mental health
- ◆ Senior issues
- ◆ Disabled issues
- ◆ Drug and alcohol abuse
- ◆ Abuse/neglect: child, domestic, elder

8. Diverse Educational Needs & Services

- ◆ Childcare and Preschool
- ◆ Elementary, Middle & High School
- ◆ Schooling options
- ◆ Vocational training
- ◆ Children with special needs
- ◆ Children who are academically gifted
- ◆ Literacy education
- ◆ ESL and bilingual education
- ◆ Job training
- ◆ Adult education/continuing education/distance learning*
- ◆ Higher education

* distance learning refers to courses and programs that are computer-based and conducted through the internet rather than in a classroom

Appendix A

This appendix contains a matrix of issues identified by the citizen committees. It is provided to give an understanding of the span of issues that have been identified by the citizen committees.

Issues are arranged under the eight focus areas. Several of the issues can be placed with equal justification under more than one focus area. These issues are listed under each applicable focus area in the matrix, and the number(s) of the other applicable focus area(s) are listed in parenthesis to the right of the issue.

FOCUS AREA	ISSUE (If an issue is listed under more than one focus area, the number of the other focus area(s) is noted in parentheses to the right of the issue)
(cont.)	Cumbersome processes for local approval of commercial projects (1,5)
	Implications of land development on local taxes/budgets (5)
	Balance of residential and non-residential development (5)
	Provision of public services such as sewer, water, police, fire, etc. (5)
	Alternative transportation modes including pedestrian, rail, bus, bicycle, carpooling (3)
	Linking Transportation Planning and Land Use Patterns/Sense of community - (mixed use, transit oriented development, scenic roads) (3)
	Parks and Recreation issues including need for more facilities outside of towns, swimming pools, greenways in Rural Buffer, teen programs, parkland north of Hillsborough, a better means of funding, more park/school combinations, better (6)
3. Transportation Issues	
	Alternative transportation modes including pedestrian, rail, bus, bicycle, carpooling (2)
	Local and regional coordination of transportation planning
	Linking Transportation Planning & Land Use Patterns/Sense of community (mixed use, transit oriented development, scenic roads, etc.) (2)
	Road congestion - specifically around downtown Hillsborough
	Transportation concerns for special populations including the elderly, people with disabilities, and people with low income; linking people with jobs and services
	Air pollutants - cumulative impacts on public health; impact of heavy duty trucks and automobiles; indoor air pollution (4)
4. Environment & Natural Resources	
	Understanding of interrelationships of natural resources and their relationship to human activity, limits of these resources, and past, current, and projected status of these resources
	Preservation, conservation and improvement of the environment and the resource base
	Full cost accounting of pollution and resource depletion
	Environmental awareness/ethic
	Local and regional coordination for environmental and resource protection planning
	Utilization of incentives vs. regulations to address environmental/resource problems
	Loss of natural areas, rare species, and natural corridors; decline in wildlife diversity and habitat; loss and fragmentation of forest, particularly hardwood forests
	Loss of open space (forests or fields) (2)

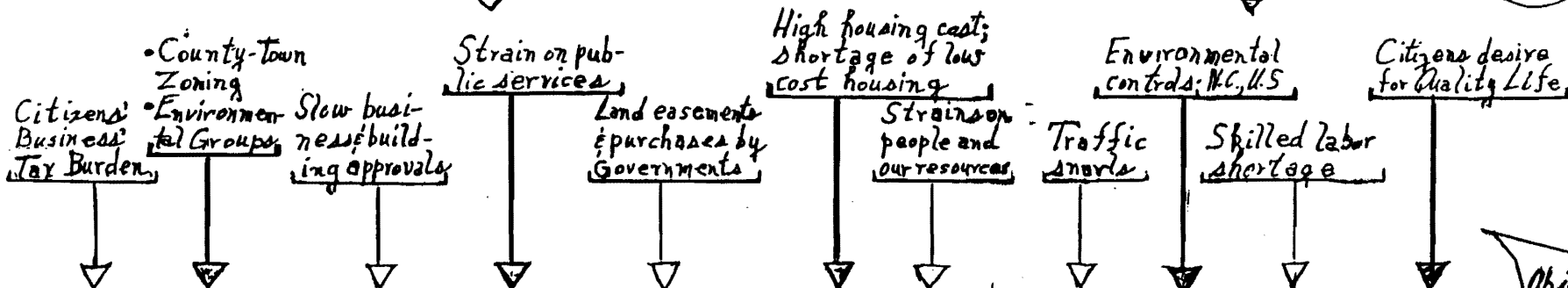
FOCUS AREA	ISSUE (If an issue is listed under more than one focus area, the number of the other focus area(s) is noted in parentheses to the right of the issue)
6. Quality Community Life and Participation	
	Cultural arts issues: building database of artists; collaboration among arts groups, artists, schools & funding agencies; space for artists, and for exhibits and performances; support for arts; careful consideration of proposed Performing Arts Center, etc
	Parks and Recreation issues including need for more facilities outside of towns, swimming pools, greenways in Rural Buffer, teen programs, parkland north of Hillsborough, a better means of funding, more park/school combinations, better (2)
	intergovernmental cooperation, multi-use paths in utility easements, public transportation to parks, implementation of existing plans
	Maintaining and building community
	Human Rights and Relations issues (disparity between haves and have nots; gap between urban and rural Orange with resources concentrated in urban areas; equal access to health care, housing and jobs; educating people to live together & respect differences
	Civic participation
	Urban/rural (North/South) gap
	Historic preservation (including preservation of structures and sites; coordination of activities; public awareness) (2)
7. Basic Human Needs, Services, & Issues	
	Affordable housing
	Substandard housing
	Homelessness
	Availability of disabled housing units and Section 8 housing
	Child Care (affordability, availability, quality) (8)
	Early care of children (8)
	Child Abuse/neglect (8)
	Poverty (need for: affordable housing and child care; jobs paying a living wage; transport to jobs)
	Affordability and cost of living (1)
	Underemployment; opportunities for job advancement; and job training (8)
	Welfare Reform
	Literacy (8)

SHAPING ORANGE COUNTY'S FUTURE — — Forces which impact development

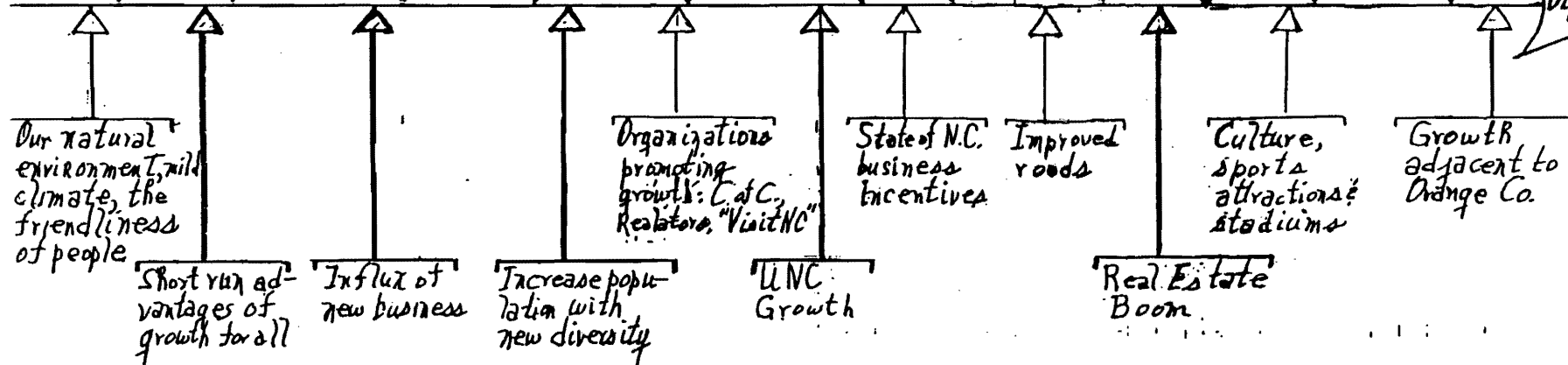
— EXAMPLE ONLY —
8/21/98 BT

#1

↓ Forces Restraining and Controlling Growth ↓



Objectives
• Sustainable Development
• Viable Communities



↑ Forces Driving Growth ↑

NOTE: • Any one force does not necessarily oppose one other force. Assume their impacts to be general.
• A force which appears to be particularly strong is in bold line.
• FORCES DERIVED FROM GROUP DISCUSSIONS PLUS WRITER'S THOUGHTS.

Diagram of forces affecting
Orange County's Future
created by Synthesis Work
Group Member, Byron Parry

BOARD OF ALDERMEN

ITEM NO. D(2)

AGENDA ITEM ABSTRACT

MEETING DATE: October 27, 1998

SUBJECT: WORKSESSION to receive Parts 3 and 4 of a staff presentation on the ordinance to implement the Northern Study Area Small Area Plan.

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO <u>X</u>
ATTACHMENTS: Draft Ordinance , Sections 6, 17, 20, 23, 24, 25 Memo from Mike Brough Memo from Randall Arendt Please bring your copy of NSA Small Area Plan	FOR INFORMATION CONTACT: Patricia McGuire – 968-7714 Roy Williford – 968-7713 Mike Brough – 929-3905
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose (X) Analysis (X) Summary (X) Action Requested () Recommendation	

PURPOSE

To hold a worksession during which staff will present Parts 3 and 4 of a four-part presentation on the elements of the ordinance.

SUMMARY

On September 16, 1997, the Board of Aldermen established the Small Area Plan Ordinance Drafting Committee to implement the *Facilitated Small Area Plan for Carrboro's Northern Transition Area*. A draft of the ordinance incorporating these elements was distributed to the Board of Aldermen, Ordinance Drafting Committee, Randall Arendt, and the Appearance Commission during the week of September 22, 1998 for review and comment. The Ordinance Drafting Committee will be unable to meet in full committee until October 28, 1998. The Appearance Commission will begin discussion of the ordinance at their regular meeting on October 1, 1998.

The first and second of a four-part series of presentations on the components of the ordinance were presented on October 6, and October 13, 1998. Copies of pertinent sections of the ordinance were distributed to OWASA, and the Town Engineer. A complete copy of the ordinance was submitted to Randall Arendt for his review. A copy of Mr. Arendt's review memo is attached. Any other comments will be distributed to the members of the Board as soon as they are available. A final worksession to review the staff and committee recommendations and the final draft of the vernacular architectural standards is proposed for the Board's special meeting scheduled for November 2, 1998.

Information on Sections 6, 17, 20, 23, 24 and 25 of the ordinance is included in the final presentation on the draft ordinance. These sections cover affordable housing, the Transition Area advisory board to the Planning Board, site planning procedures for major subdivisions, a prohibition against clearcutting in the Northern Transition Area, and the Appearance Commission's recommendations to discourage the planting of certain harmful, non-indigenous, or "invasive" plants. Mike Brough has prepared a memo that provides some explanation of these sections. An analysis of this information has also been prepared to evaluate the compatibility of the document with the request of the Ordinance Drafting committee and with the Facilitated Plan.

The Ordinance Drafting Committee is scheduled to meet on October 24 and October 28 to complete its work.

ANALYSIS

The table below presents the work items selected by staff and the committee at the inception of its work last October. Updates on the progress of these items were presented to the Board of Aldermen in January and March of this year. Also presented are references to that portion or portions of the plan in which the policy is included, and the proposed implementation method, if any.

The table includes four items that were added to the list of items during the course of the committee's work, and the associated policy origin and the committee's proposed implementation method.

Work Item	Origin of Policy in NSA Plan	Implementation Method
1. Adjusted Tract Acreage	Measure 1.1, page 55	LUO amendment, Section 15-182.3
2. Yield Plan Approach	Measure 1.1, page 55	LUO amendment, Section 15-182.3(d)
3. Open Space Subdivision Process	Measure 1.10, page 59	LUO amendment, Section 15-150
4. Traditional Neighborhood	Measure 1.3, page 57	LUO amendment, Section 15-141.2, 15-176.2
5. Affordable Housing Density Bonuses	Measure 4.2, page 62	LUO amendment, Section 15-182.4
6. Mixed Use Housing Density Bonus	Measure 4.2, page 62	LUO amendment, Section 15-176.2(b)
7. Office/Assembly Conditional Use District	Measure 1.6, page 58	LUO amendment, Section 15-136(11)
8. "Good Neighbor" Performance Standards	Measures 1.3, 1.6; pages 57-58	LUO amendment, Sections 15-161, 15-162, 15-163, 15-165, 15-243,
9. Residential /Village Design Standards	Measures 1.3, 1.8, 7.2; pages 56, 59, 166	Section 15-141.2, 15-176.2
10. Advisory Planning Board/Transition Area	"Process" (overall), page 7	LUO amendment, Section 15-27
11. Rogers Road Joint Planning Boundary	"Study Area Boundary," page 5	Outside scope of committee's work
12. Base Zoning	Implementation Measure 4.2, page 62	Maintain existing zoning
13. Joint Planning Amendments	"Involved Parties," page 51	JPA Agreement and Joint Land Use Plan amendments
Additional Ordinance Elements		
14. Road buffer in Northern Transition Area	Measure 9.1, page 66 (possibly)	Section 15-312
15. Stream buffers in NTA	Measure 3.1, page 61 (possibly)	Section 15-269
16. Invasive Plants	--	Appendices E-10, E-17
17. Stormwater standards re: damages	--	Section 15-263(a)(2)

It should also be noted that there are several items that are not presently included in the ordinance, but that were requested by the committee. These items include a limit on the total area that may be rezoned to villages, ordinance language that would make the architectural standards applicable to all residential development, measures for the perpetual protection of open space, specifics regarding the range and type of uses permitted in each village use area, additional language regarding sedimentation and erosion control, and the inclusion of metro farming as an allowable use of open space. These items are to be addressed in conjunction with any other committee comments following the completion of their review.

ACTION REQUESTED

The Administration recommends that the Board of Aldermen receives the report and discusses the plan and selected implementation materials.

**SELECTED PORTIONS OF DRAFT ORDINANCE FOR
IMPLEMENTATION OF NSA PLAN**

**FOR BOARD OF ALDERMEN REVIEW ASSOCIATED WITH PART 3 OF
STAFF PRESENTATION ON ORDINANCE**

OCTOBER 27, 1998

Section 6. Article XII is amended by adding a new Section 15-182.4 to read as follows:

Section 15-182.4 Residential Density Bonuses for Affordable Housing

(a) For purposes of this section, an affordable housing unit means a dwelling unit that (i) is offered for sale at a price that does not exceed two and one-half times an amount equal to eighty percent of the annual median income level for a family of four in the Raleigh-Durham-Chapel Hill Metropolitan Statistical Area, and (ii) conforms to the town's "Design Standards for Affordable Housing."

(b) The maximum residential density permissible within a development whose maximum density would otherwise be determined in accordance with the provisions of subsection 15-182.3(b) shall be increased by two dwelling units for every one affordable housing unit included within the development, up to a maximum of 150% of the density otherwise allowable. To illustrate, if the maximum density of a tract would be 100 dwelling units considering only the provisions of subsection 182.3(b), a developer who chose to construct 10 affordable housing units as part of the development of that tract would be allowed to construct 10 additional dwelling units that did not satisfy the "affordability" criteria set forth in subsection (a), for a total density of 120 dwelling units. In this illustration, the maximum possible density that could be achieved would be 150 dwelling units if the developer constructed at least 25 affordable housing units.

(c) Within any development that provides affordable housing units, the minimum area that must be set aside as open space to satisfy the requirements of Section 15-198 may be reduced by an amount equal to twice the land area consumed by all such affordable housing units, subject to a maximum reduction of 50% in the amount of open space otherwise required.

(d) Affordable housing units constructed in accordance with this section shall be interspersed throughout the development rather than isolated in one area and segregated from the other dwellings that do not satisfy the "affordability" criteria set forth in subsection (a).

Section 17. Section 15-50 is rewritten to read as follows:

Section 15-150 Site Planning Procedures for Major Subdivisions

(a) Before submitting an application for a conditional or special use permit for a major subdivision, the applicant shall comply with the requirements of this section.

(b) The applicant shall submit a site analysis plan drawn approximately to scale (1 inch = 100 feet) that contains the following information:

- (1) The name and address of the developer;
- (2) The proposed name and location of the subdivision
- (3) The approximate total acreage of the proposed subdivision;
- (4) Topographic lines based on maps published by the U.S. Geological Survey; and
- (5) The location of all primary and secondary conservation areas as defined in subsections 15-198(b)(4) and (5).

(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. Members of the planning board 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.

(d) Prior to the submission of a conceptual preliminary plan as described in subsection (e), the staff shall meet with the developer to discuss how the four-step approach to designing subdivisions described below could be applied to the subject property. This conference may be combined with the on-site walkabout.

(e) Following completion of the steps described in subsections (b), (c), and (d), the developer shall submit a conceptual preliminary plan of the proposed subdivision, prepared in accordance with the four-step process described in subsection (f). This plan shall be a preliminarily engineered sketch plan drawn to illustrate initial thoughts about a conceptual layout for open space, house sites, and street alignments. This is the stage where drawings are tentatively illustrated, before heavy engineering costs are incurred in the design of any proposed subdivision layout. The planning staff shall review this plan and provide comment to the developer on the overall pattern of streets, house lots, open space, and the treatment of primary and secondary conservation areas in light of the applicable requirements of this chapter.

(f) Each conceptual preliminary plan shall be prepared using the following four-step design process:

- (1) During the first step, all primary and secondary conservation areas are identified (and shown on the site analysis plan described in subsection (b)).
- (2) During the second step, potential sites are tentatively located. House sites should generally be located not closer than 100 feet from primary conservation areas and 50 feet from secondary conservation areas.
- (3) The third step consists of aligning proposed streets to provide vehicular access to each house in the most reasonable and economical way. When lots and access streets are laid out, they shall be located in a way that avoids or at least minimizes adverse impacts on primary and secondary conservation areas. To the greatest extent practicable, wetland crossings and streets traversing existing slopes over 15% shall be strongly discouraged. Street connections shall comply with the provisions of Section 15-214.
- (4) The fourth step is to draw in the lot lines.

Section 20. Subsection 316(c) is deleted and the following subsection (c) is inserted in lieu thereof:

(c) There shall be no clearcutting in any development within the Transition Area portion of the Carrboro Joint Development Area as identified in the Joint Planning Agreement.

Section 23. Appendix E is amended by deleting subsection E-10(D)(9) (“Wintergreen Barberry”) and subsection E-10(F)(10) (“Japanese Barberry”).

Section 24. Appendix E is amended by adding a new Section E-17 to read as follows:

E-17 List of Invasive Plant Species

The following plant species shall be avoided when complying with the shading and landscaping provisions of this chapter.

Akebia quinata	Chocolate vine
Acer ginnala	Amur Maple
Acer platanoides	Norway Maple
All Berberis species including	
Berberis julianae	Wintergreen Barberry
Berberis thunbergii	Japanese Barberry
All Cotoneaster species including	
Cotoneaster microphyllus	Littleleaf Cotoneaster
Cotoneaster horizontalis	Rockspray Cotoneaster
Crataegus mono gyna	Singleseed Hawthorn

Crataegus laevigata	English Hawthorn
All Cytisus scoparius	Scotch Broom
Eleagnus angustifolia	Russian Olive
Eleagnus umbellata	Autumn Olive
Euonymus alatus	Winged Euonymus, Burning Bush
Euonymus japonicus	Japanese Euonymus
Hedera helix	English Ivy
All Ligustrum species including	
Ligustrum japonicum	Japanese Privet
Ligustrum lucidum	Waxleaf Privet
Ligustrum vulgare	European Privet
Ligustrum sinense	Chinese Privet
Ligustrum x vicari	Golden Vicary Privet
Lonicera maaekii	Bush Honeysuckle
Lonicera nitida	Boxleaf Honeysuckle
Lonicera tatarica	Tatarian Honeysuckle
Miscanthus sinensis	Eulalia, Maiden Grass
Taxus cuspidata	Japanese Yew
Viburnum opulus	European Cranberrybush Viburnum
Vinca major	Large Periwinkle
Vinca minor	Common Periwinkle

Section 25. Article III is amended by adding a new Section 15-27 to read as follows:

Section 15-27 Northern Transition Advisory Committee

(a) There shall be a Northern Transition Area advisory committee consisting of five members appointed by the board of aldermen. All members shall be residents of the Northern Transition Area.

(b) Members of the committee shall be appointed for three year staggered terms, but members may continue to server until their successors have been appointed. Initially, the terms of all membership seats on the committee shall expire on January 31, 1999. Thereafter, two members shall be appointed for three year terms, two members shall be appointed for terms of two years, and one member shall be appointed for a term of one year. All members shall thereafter be appointed for terms of three years.

(c) The same provisions that govern the removal of planning board members (Subsection 15-21(e)) shall apply to committee members.

(d) The committee shall establish a regular meeting schedule. Minutes shall be kept of all meetings.

(e) A quorum for the committee shall consist of three members. A quorum is necessary for the committee to take official action.

(f) All actions of the committee shall be taken by majority vote, a quorum being present.

(g) The committee shall designate one of its members to serve as chair and one member to serve as vice-chair. These officers shall be selected annually at the committee's first regular meeting in February and shall serve for terms of one year unless their terms of appointment to the committee sooner expire. Vacancies shall be filled for the unexpired terms only. The chair and vice-chair may take part in all deliberations and vote on all issues.

(h) The committee shall have the following powers and duties:

(1) Review zoning amendment requests and special and conditional use permit applications for developments within the Northern Transition Area and make recommendations on the same to the board of adjustment or board of aldermen, respectively.

(2) Perform any other duties assigned by the board of aldermen.

MEMORANDUM

TO: Mayor and Board of Aldermen; Small Area Plan Drafting Committee

FROM: Michael B. Brough *MBB*

SUBJECT: Small Area Plan Ordinance Draft, Summary of Provisions Part III

DATE: October 27, 1998

This memorandum provides some explanation of sections 6, 17, 20, and 23-25 of the draft.

Section 6. (Draft p. 20). This section provides a density bonus incentive for a developer to construct "affordable housing." Use of these provisions would not be limited to Village Mixed Use Developments. A subsection by subsection explanation follows.

15-182.4(a). Part (i) of this subsection defines an affordable housing unit in terms that will allow a specific maximum sales price to be established. A house that meets this definition will sell for a price that is far below new housing otherwise available in Carrboro today. Part (ii) of this subsection mandates that an "affordable house" must conform to a set of "design guidelines" that have not yet been drafted.

15-182.4(b). To be effective, an ordinance designed to encourage the construction of affordable housing by providing "incentives" in the form of density bonuses must contain two elements. First, the ordinance must sufficiently constrain the market such that, unless the bonus provisions are used, the developer cannot construct on a given tract of land the number of homes that he or she would like to construct. The existing ordinance, and even more so the proposed draft, probably achieve that objective. Second, the incentives must be sufficient to induce the developer to construct a type of home he or she would otherwise not construct. This subsection, and subsection (c) attempt to provide a sufficient "carrot" to induce the desired result. This subsection allows a developer to construct, over and above the maximum number of dwelling units otherwise allowable, one additional "market rate" home for every "affordable home" that is constructed, subject to a maximum of 150% of the otherwise allowable density.

15-182.4(b). This subsection provides the other part of the "carrot" by allowing the developer to construct both the affordable units and the additional market rate units on land "taken" from the open space that would otherwise be required, subject to a maximum reduction of 50% of that open space. The theory behind this is that, if the developer were required to use otherwise developable land for the "bonus" units, this would require him or her to decrease the size of the other "market rate" lots, and this might be seen as a disincentive. On the other hand, land "taken" from the open space is, in a sense, "free" land because if not used for the bonus units it would have to remain undeveloped as common open space. I recall that some committee members questioned whether this incentive was necessary. I do not remember being asked to

delete this, but I did want to point this out specifically as a provision that the committee may or may not endorse.

15-182.4(d). This subsection sets a standard that the affordable units should be dispersed rather than segregated. It is obviously general and would have to be interpreted and enforced on a case by case basis.

Section 17. (Draft, p. 25). Existing Section 15-50 requires that a “sketch plan” of every major subdivision be submitted and discussed with staff before the formal CUP application is submitted. The proposed rewrite of this section makes several significant changes. First, it requires that a “site analysis plan,” which identifies the primary and secondary conservation areas, be submitted before the sketch plan (called the “conceptual preliminary plan” in the draft) is submitted. Second, it requires that an “on-site walkabout” take place, with participation by staff and the developer’s designer (planning members will also be invited), before the conceptual preliminary plan is prepared. Third, it specifies (in subsection (f)) a sequence of four steps that must be used to develop the conceptual preliminary plan.

Section 20. (Draft, p. 28). This section prohibits clearcutting in the identified area. A definition of ‘clearcutting’ needs to be added.

Section 23. (Draft, p. 28). This section deletes from Appendix E two plant species that are considered “invasive.”

Section 24. (Draft, p. 28). This section adds to Appendix E a list of “invasive plant species” that should be avoided when a developer provides shading or screening.

Section 25. (Draft, p. 29). This section establishes a “Northern Transition Advisory Committee.” Its provisions are self-explanatory, except that a definition of the “Northern Transition Area” needs to be added.



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Memo

To: Roy Williford
From: Randall Arendt
Date: October 5, 1998
RE: Review Comments on Draft Ordinance Language

CONSERVATION PLANNING

D. ANDREW FITZ, R.L.A.
DIRECTOR

PROJECT MANAGERS

HOLLY M. HARPER, R.L.A.
ANN E. HUTCHINSON, A.I.C.P.
STEPHEN KUTER
PETER R. WILLIAMSON, R.L.A.

PLANNING ASSISTANT
DIANE C. ROSENCRANCE

As requested, I have read the draft ordinances intended to implement the Northern Study Area Plan and my preliminary comments are given below. The sequence generally follows the order of the points as they appear in the text.

1. Objectives: In the introductory resolution, on page one, item #5 speaks of providing incentives to create a greenway system. As greenways must be continuous in order to be effective, I would strongly recommend that the greenway standards be incorporated as minimum requirements which applicants must meet to obtain plan approval. I believe that this is the approach Cary took many years ago, and that community has more than 30 miles of greenway as a result, interconnected to the extent that new subdivisions have been contiguous. I also believe that the minimum required greenway in Cary is a small percentage (5-10%) of the total land area. Carrboro might adopt a similar approach, requiring greenways in new subdivisions (of any size) which offer interconnection potential as shown on a Town-wide Map of Potential Greenway Lands, with incentives provided for applicants who exceed the minimum required percentage (which might be in the range that Cary has required).

2. CU or SP Circumstances: Section 15-182.3 (a) appears to limit the greenway idea to developments that fall under the Conditional Use or Special Permit provisions of the ordinance. If that is correct, such a provision would seem to exclude a number of new developments from the greenway approach, specifically, and from the conservation design approach in general. I would need to know more about the situation to comment further, but again the thrust of my comments is that greenways specifically (and conservation design generally) are such superior ways to lay out new residential developments that I would favor the broadest application of these ideas as possible.

3. Adjusted Tract Acreage: The percentages are in line with what I would recommend, although I would be inclined not to exclude 30% of the land with underground utility lines (especially if they are proposed to be used as greenway trails, as many have been in Cary). However it is not clear to me whether land used for street rights-of-way and stormwater retention basins are included in the acreage that is counted before dividing by the minimum land requirement per dwelling. This is not a large point, but I generally recommend that at least the street rights-of-way be excluded, as they cannot be utilized either as building lots or as open space. I would also suggest that "waterbodies and watercourses" be included in the land area to be discounted when calculating density, because houses could not possibly be located in or on them.



4. **Utility Ownership:** In section (d) on page 3, the Yield Plan approach is reserved for developments with OWASA-owned water and sewer infrastructure. I would be inclined to broaden this slightly to allow the Yield Plan approach for developments proposing to construct private community water supply and sewage disposal systems. Unless Carboro wishes to discourage such private systems (which might be one of its policies), the essential point is that *central* systems -- whether OWASA-owned or not -- eliminate individual water and septic systems that are rarely monitored or well maintained.

5. **Reserve Areas:** Later in that same paragraph, when dealing with Yield Plans, I would expand the phrase "every lot will be served with an individual septic tank" to include "plus locations for both a primary septic drainage field and a reserve area for use should the primary area fail".

6. **Primary Conservation Areas:** On page 4, I would suggest the following refinements to the definition of Primary Conservation Areas:

- Hardwood areas are good to include here as long as they are not "netted out" in the "Adjusted Tract Acreage" formulas (which they are not, in your draft)
- Regarding wetlands, I would rely on sources other than Section 404 of the Clean Water Act (which might be more difficult to interpret), such as the "very poorly soils" category mapped on the medium-intensity county soils maps published by the USDA NRCS, and/or the National Wetland Inventory Maps published by the US Fish and Wildlife Service.
- Floodplains should be defined as the "100-year" variety, and the FEMA maps might be referenced here as well

7. **Secondary Conservation Areas:**

- I would move the "lakes and ponds" category from the "Secondary Conservation Areas" category to the "Primary Conservation Areas" category, as they are under water not only seasonally (as are wetlands) or once in a century (as are floodplains) but all the time. I cannot see any objection to this, as they must be "designed around" in any case.

8. **"50 Lots" to "25 Lots":** I cannot comment on this change as I do not understand the context in which it is proposed to be made. If it is with respect to a minimum threshold number of lots for the conservation design principles to apply, I would say that 25 is way too high. I have seen excellent conservation subdivisions with as few as a half-dozen lots, and could send information on them if desired. Certainly in situations where greenway corridor linkages are critical, subdivisions with as few as two or three lots should be required to follow these design standards.

9. **1500-Foot Distance:** On page 5, I would clarify that the 1500-foot distance is "walking distance" rather than simple distance as the crow flies. Due to natural obstacles (such as deep ravines, creeks, or wetlands), walking distance could be twice the straight-line distance.

10. **Open Space Requirement:** Again on page 5, in paragraph C.(e), I would specify that the open space must be undivided, so it is clear that this requirement cannot be met simply by designating portions of private houselots as "open space". When open space is contained within private houselots, neighborhood



trail access is not the only loss. Another problem is enforcement of the conservation restrictions on how the open space is managed. I am not sure if Carrboro is considering allowing some or all the open space within some or all conservation subdivisions to be included within individual houselots, but if it is, my very strong recommendation is that the idea be dropped, based on long and painful experience in our area in a community that experimented with that approach as an option for developers. (Many developers selected that option and the result has been that the conservation areas are such in name only. The letter of the law has been met in terms of preventing further development on those lands, but the spirit has been totally lost.)

11. Open Space Percentage: I have long advocated that the minimum required percentage of open space be over and above that land that is so severely constrained that it is totally unfit for development in the first place. That category would include wetlands, floodplains, steep slopes, and watercourses and waterbodies. I would therefore recommend that the 20% and 40% requirements be applied to the buildable land that does not fall under the above categories of constraints. To be fair to applicants I typically allow up to half of floodplains to be counted toward the minimum open space requirement, provided the floodplain is neither wet nor within the floodway. You might wish to broaden this to include all the lands within "Primary Conservation Areas", but the essential ones are described above. If you do follow this approach, the simplest way of achieving it would be to insert the words "Adjusted Tract Acreage" after the words "development tract" wherever that phrase is followed by the 20% and 40% figures. Unless this is done, a situation might arise in which a large percentage of the required open space consists of totally unusable land, such as was the case with the original University Station proposal (where the applicant had counted wetlands, floodplains, steep slopes, stormwater basins, land under high-tension wires, and even the unpaved land within the street rights-of-way as "open space").

12. Village Scale: On the top of page 6 the phrase "new rural villages at a scale intended to continue Carrboro's small-town character as described in the Year 2000 Task Force Report" seems to be quite vague. I do not have a copy of that report at hand, but unless it provides some guidance in terms of numbers of dwelling units, this provision could lead to some lengthy debates later on. Some communities I work with have set a maximum "village" size of 100 for the time being, to see how the idea works out the first or second time a village is proposed. That way they reduce the potential for big mistakes, should the first one or two go badly. Another vague phrase needing some refinement is the phrase "modestly-sized buildings", in #4. I presume the Town would like to exclude buildings greater than a certain height, massing, or square footage. Some numbers should be included here, at least as a reference point for general guidance. Similarly, I am not sure what the wording in #9 really means. If "pedestrian travel" is equated with a walking distance of 1500 feet, then the area of a circle with that radius would be the ideal size for a village meeting that criterion. My calculations indicate that circle would encompass 162 acres. If built at densities of three to five dwellings per acre (which many people might consider to be the range in a rural village), the "village" size might be between 500 and 800 dwellings, or from 1,100 to 1,700 residents. If that size is not what the Town had in mind, it should revisit the wording in item #9.

The above range might not be outside the parameters of what the Town envisions, based on the 50-200 acre VMU size mentioned in (d)(1) on page 7.



However, I encourage Carrboro to run the numbers for total build-out population to make sure that this is the route you wish to take. Another point here is that the prohibition against the acreage being divided by any public street effectively screens out the possibility of two or more corners of an existing intersection being designed and redeveloped as a village center. Depending on the nature of such intersections as they exist in Carrboro today, that might or might not be a good idea. With my limited familiarity with the NSA, I cannot say, but I bring this up for discussion purposes.

13. OWASA Sewer for the VMU Development: If the OWASA sewer system does not include the possibility or likelihood of a "spray irrigation / land treatment" approach, I would broaden the language on page 3 -- in paragraph (d)(3) -- to allow or even encourage that form of wastewater reclamation and reuse. It is far superior to conventional treatment works which fail to recharge local aquifers and which release huge amounts of nitrogen and phosphorus into receiving streams. The approach I favor is also an excellent fit for village design where a significant amount of conservation land is to result, because some of it could be used as spray fields. (Please note that the wastewater is purified almost to drinking-water standards before it is applied to the land.)

14. VMU Commercial Design Standards: I would question the 200-foot minimum front setback for storefronts from arterial streets. My recommendation would be to bring those buildings (with their storefront windows and signage) as close to the arterial as possible, with parking required to be located behind. Those business owners will depend absolutely on passing traffic for their survival, even if the village itself contains upwards of 1000 residents.

15. Affordable Housing: I agree with allowing second-story dwellings to be built in addition to the normal density, and in the next paragraph -- (2) on page 11 -- I would follow the phrase "shall be intermixed" with the words "within blocks not exceeding 600 feet in length, and shall be designed to harmonize closely with each other" to ensure a more finely-grained and successful intermixture. This would work particularly well for combining single-family, semi-detached, and three-family dwellings. With regard to four- and possibly six-family dwellings, the language could require that townhouses and single-family detached dwellings shall be located on adjacent blocks, as they are at Southern Village.

16. Townhouse Use Areas: If I have read it correctly, this section -- (2) a: on page 11 -- might result in a large solid block of townhouses, poorly integrated into the village. Another concern is that there appears to be no maximum percentage that townhouses may comprise, compared with other housing types.

17. Village Form and Open Space Uses: On page 13, in paragraph (f)(1)a., a developer might argue that golf courses would qualify as meeting the standard for "undeveloped character". If it is not the intent to allow golf courses to fill all or part of the open space, that point should be clarified. If golf courses are allowed, I recommend they comprise no more than 50% of the unconstrained land, that is, the open space minus the Primary Conservation Areas. Later on, in item (c), the phrase "natural vistas" should be clarified as "from existing public roads", if that is the intent. In (d), I would state that cul-de-sacs are strongly discouraged, but that an acceptable alternative to them is the loop street.

18. The "Build-To" Line: On page 15, at the top of the page, I would be inclined to replace the more rigid "build-to" line approach with a slightly more

flexible one, involving a modest range of front setbacks (between a minimum and maximum distance). I would also reduce the 50-foot minimum street frontage requirement to 25 feet for storefronts and townhouse units.

19. Storefront Design: On page 16, paragraph j.1. I might include the idea of low sills and high lintels for storefront windows, to keep them large and traditional in appearance. In the same section I would allow principal entrances to open onto courtyards that front onto sidewalks. The same principle would apply on the next page in item "o.", where the 60% requirement would seem to prohibit courtyard design with recessed facades (or facades perpendicular to the street line) along the sidewalk.

20. Residential Setbacks: On page 18, in item (c) at the top of the page, the 15-foot front setback minimum might be supplemented with a maximum front setback as well.

21. Parking: On page 19, Section (7)a. would seem to prohibit parking provision in driveways in front of single-family homes, or in front of the wide-frontage townhouse units without alleys mentioned on page 14 (which I presume would have front-facing garages -- hopefully not protruding toward the street but flush with the townhouses themselves or even recessed a bit).

22. Affordable Units and Open Space: On page 21, in paragraph (c), I would delete the word "twice" in the third line. The proposed wording seems to be too generous and could have very negative implications for total open space provision. This is particularly so if the open space is not subject to some maximum percentage of constrained lands (or golf courses) that may be included within the minimum open space land requirement.

23. Exterior Lighting: On page 25, in (c) at the top of the page, I would insert some specific language pertaining to gas station canopies, perhaps limiting their clear height to 12 feet above the ground, and also requiring that their luminaires be either recessed or hooded/shielded so that they do not cast any direct light onto the public way or neighboring properties.

24. Noises: On page 25 the phrase "low frequency noises" needed to be clarified in terms of frequencies.

25. Site Analysis Plans: On page 25 at the bottom of the page, I would add "vegetative patterns" to the list of items to be shown. That would delineate fields versus woodlands. You might also wish to ask for the location of all trees over a certain diameter, say 12". With modern GPS equipment that is not a burdensome requirement.

26. The Four-Step Design Process: On page 26, in (f), items (2) and (3) should be reversed for village design, as opposed to lower density rural clustering.

27. Stormwater: At the bottom of page 26, more up-to-date stormwater management standards are recommended. With the percentage of open space in these development, the goal of zero increase in stormwater runoff volume is almost attainable, as so much land remains available for on-site infiltration.

BOARD OF ALDERMEN

ITEM NO. D(3)

AGENDA ITEM ABSTRACT

MEETING DATE: October 27, 1998

SUBJECT: SELECTION of neighborhood representative for B-2 zone steering committee.

DEPARTMENT: PLANNING	PUBLIC HEARING: YES __ NO <u>X</u>
ATTACHMENTS:	FOR INFORMATION CONTACT: Patricia McGuire -- 968-7714
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose () Analysis (X) Summary (X) Action Requested	

PURPOSE

To select a citizen representative to participate in activities of the B-2 steering committee.

SUMMARY

On June 23, 1998, the Board of Aldermen received public comment on a proposed land use ordinance text amendment that was developed in response to a property owner's request to allow certain high-volume retail uses in the B-2 zoning district.

The Board of Aldermen, by a unanimous vote, denied the request and directed that the downtown commercial zoning be revisited following completion of the small area plan for the Northern Study Area. The Board's stated concerns involved the definition of low-volume, retail uses, possible division of the B-2 zone, and a need to review all the commercial zones due to changes that have occurred since the downtown commercial rezoning was completed in 1986.

On September 8, 1998, the Board of Aldermen received a report from staff regarding several businesses operating in the B-2 zone that either do not have permits or do not have appropriate permits. In each case, the uses being conducted meet the definition of high-volume retail, one that is not permitted in the B-2 district.

Following the report, citizen comment, and discussion, the Board directed staff to develop a steering committee to hold a meeting to discuss the matter. The Board stated that the committee was to be small and was to work quickly to evaluate the present issue of concern, and perhaps consider a strategy for evaluating the zoning district in a more comprehensive way. The steering committee is to consist of one member from each of the following:

Board of Aldermen
Planning Board
Downtown Development Commission
Business community
Property owner

At the meeting on September 8, the Board selected Alex Zaffron as the Aldermen representative. During their meeting on October 1, 1998, the Planning Board selected Susan Rodemeir as representative. A copy of the staff report was distributed to the DDC on September 10, 1998. The commission selected chair, Marianna Fiorentino as their representative. Staff met with CBA, a recently formed group of Carrboro businesspeople, on September 14, 1998. The Planning subcommittee of that group met the following week and selected Julie Tomkovick of the Artscenter as their representative.

Of the groups identified by the Board of Aldermen, only a "property owner" remains to be selected. Staff of the Planning Department has identified a number of individuals who are residents or property owners in the neighborhoods adjacent to the areas of the downtown zoned B-2 and who have contacted the department in regard to these issues this year. The Planning staff requests that the Mayor and/or Board of Aldermen select a few of those named, in order of preference, in order to allow the staff to recruit one individual who is able to, or interested in, meeting on this issue during the first few weeks of November.

Mary Lois Riggsbee Morgan	105 Elm Street
Tim Poe	106 Oak Street
Martha Wheeler	111 Elm Street
Robbin Snider	607 Shelton Street
Jay Bryan	8033 Old NC 86
Lucretia Kinney	401 E. Poplar Street
Clay Carmichael	100 Hillsborough Road
Carmen Mayer	107 Lindsay Street
Pearlie Jones	114 Eugene Street
Carley Pardington	307 Oak Avenue
Rob Monath	206 Maple Avenue

ACTION REQUESTED

That the Board of Aldermen selects a neighborhood representative for the B-2 steering committee.

BOARD OF ALDERMEN

ITEM NO. D(4)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, October 27, 1998

SUBJECT: REQUEST-TO-SET: Land Use Ordinance Amendment to remove a provision that prohibits junked cars

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
ATTACHMENTS: Draft Ordinance Memo re: Enforcement or repeal of Subsection 15-150 (d)(1)	FOR INFORMATION CONTACT: Patricia McGuire -- 968-7714 Mike Brough -- 929-3905
THE FOLLOWING INFORMATION IS PROVIDED: (<input checked="" type="checkbox"/>) Purpose () Analysis (<input checked="" type="checkbox"/>) Summary () Action Requested (<input checked="" type="checkbox"/>) Recommendation	

PURPOSE

To discuss a provision of the land use ordinance dealing with motor vehicles that are neither licensed nor operational that has been deemed duplicative within the city limits and unnecessary in the town's planning jurisdiction.

Staff has prepared an ordinance that will remove this provision from the land use ordinance. Should the Board of Aldermen decide to set a public hearing, a recommended date is December 1, 1998.

SUMMARY

In late August of this year, staff of the Zoning Division received the complaint of a resident of the Transition Areas regarding the presence of unlicensed and non-operational automobiles on a neighboring property. Zoning staff subsequently met with the resident to determine what, if any; course of action might be taken to address concerns associated with this activity.

On September 21, 1998, the Town Attorney, Mike Brough, submitted a memo to Town Manager, Bob Morgan, regarding an issue that had arisen in the Northern Transition Area regarding the enforcement of the junked car provision in the ordinance. A copy of Mr. Brough's memo is attached.

Staff reviewed this issue and determined that this provision was applicable only to the Transition Areas, as Chapter 11 of the Town Code specifies a procedure for controlling junked cars within the city limits.

The enforcement of the land use ordinance's prohibition on junked cars is more akin to the provision of other town services, such as police and fire protection, than planning or development review. The town

has only *planning* jurisdiction in the Transition Areas at present and, consequently, plans for the development of these areas so that any development will be consistent or harmonious with the policies of the town, should they be annexed in the future. The regulation of the manner in which the land is used is still controlled at the county level.

Staff determined that a request to repeal this provision of the Land Use Ordinance should be submitted for review by the Board of Aldermen. A draft ordinance that would repeal this provision of the Town's Land Use Ordinance is attached.

Section 15-322 requires that all proposed amendments to the ordinance be formally referred to the Planning Board for its recommendation and Section 15-323 requires that a public hearing be held on all amendments to the Land Use Ordinance. Section 2.6.C. of the Joint Planning Agreement requires that Orange County be given 30 days to comment on the full text of any proposed amendment to the Land Use Ordinance.

RECOMMENDATION

The control of unlicensed and non-operational vehicles is not related to the regulation of land use and development and should not be included within Chapter 15 of the Town Code (the Land Use Ordinance). Furthermore, the staff does not have the resources to enforce this provision throughout the extra-territorial jurisdiction and the Joint Planning Area.

The Administration recommends that the Board of Aldermen sets a public hearing date of December 1, 1998, at which time an ordinance to repeal the provisions of the Land Use Ordinance prohibiting outside storage of unlicensed or non-operational vehicles would be considered. The Administration further recommends that the Board of Aldermen refer this ordinance to the Planning Board, Appearance Commission, Transportation Advisory Board, and Orange County.

**AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO
REMOVE THE PROHIBITION AGAINST THE STORAGE OUTSIDE OF A
SUBSTANTIALLY ENCLOSED STRUCTURE OF ANY MOTOR VEHICLE
THAT IS NEITHER LICENSED NOR OPERATIONAL**

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. That subsection 15-150(d)(1) is hereby repealed.

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

Section 3. This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this _____ day of _____ 1998.

Ayes:

Noes:

Absent or Excused:

Memorandum To: Bob Morgan

Cc. Keith Lankford

From: Mike Brough *MB*

Subject: Enforcement Or Repeal of Zoning Ordinance Provision On Junk Cars

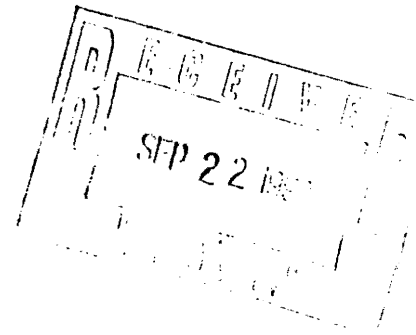
Date: September 21, 1998

This memo responds to an issue that has arisen in the Northern Transition Area regarding the enforcement of Subsection 150(d)(1) of the land use ordinance. That subsection specifically prohibits within any residential district the "[s]torage outside of a substantially enclosed structure of any motor vehicle that is neither licensed nor operational." As I understand it, an individual who lives within the transition area wants the town to enforce this provision against one of his neighbors.

When this matter was first brought to my attention, I believe the question asked was whether the town could enforce within the transition area the provisions in Chapter 11 of the town code dealing with junk cars. I replied that we could not since the property in question was out of town. I did not at that time think about the corresponding provision in the land use ordinance. Later, County Attorney Geoff Gledhill called me and asked specifically whether any provision in the land use ordinance (which the town enforces within the transition area) addresses junk cars, and I pointed him to the above cited provision. He related this to the individual in question, who then came to the town and asked that this provision be enforced.

Subsection 150(d)(1) was originally included in the land use ordinance as a "back-up" to the provisions in Chapter 11 of the town code dealing with junk cars. My thinking was that, if we had any difficulty enforcing Chapter 11, then perhaps a corresponding provision in the land use ordinance would give us an alternative enforcement tool. As it turns out, the town has never had to use Subsection 150(d)(1). The Chapter 11 provisions dealing with vehicles were revised a few years ago, and the revised ordinance seems to be working satisfactorily. Thus, the problem of junk vehicles within the town has been dealt with and can continue to be dealt with using Chapter 11.

It appears, then, that Subsection 150(d)(1) has no practical value except as an enforcement tool to be used in the Transition Area, outside the town's general ordinance enforcement jurisdiction. However, it is plain that the issue of junk cars is not really a zoning or land use issue in the typical sense. In other words, the town administers the land use ordinance in this area because it is in the town's interest to control growth in those areas that will eventually become part of the town or otherwise vitally affect the town's interests (i.e., the watershed). But regulation of the manner in which developed property is used – as opposed to regulation of the development of property – is not something that the town sought to become involved in when the joint planning process was conceived. Therefore, to the extent that Subsection 150(d)(1) puts the town in the position of having to deal with a complicated and potentially time consuming



enforcement problem of a type never previously contemplated, you might wish to recommend to the Board of Aldermen that this provision be repealed. If the County wishes to deal with the problem of junk cars within its jurisdiction, it has essentially the same authority to do so under its police power (the power to adopt ordinances) as does the Town of Carboro.

Please let me know if there is anything further you need from me on this matter.

BOARD OF ALDERMEN

ITEM NO. D(5)

AGENDA ITEM ABSTRACT

MEETING DATE: October 27, 1998

SUBJECT: Development Review Process

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
ATTACHMENTS: <u>Please bring the Attachments that were Included with this Agenda Item on 10 6-98.</u> 1. Development Review Schedule for CUP's 2. Development Review Schedule for SUP's 3. Administrative Procedures: a) CUP &/or SUP Process b) Zoning Permit Process c) Construction Plan Approval Process 4. LUO Appendices: a) Appendix A <i>Information Required with Applications</i> b) Appendix I <i>Storm Drainage Design Manual</i> 5. Hand-outs a) Land Use And Development b) Construction Plan Approval c) Subdivision Checklist d) Commercial Development Checklist	FOR INFORMATION CONTACT: Roy M. Williford, 968-7713
THE FOLLOWING INFORMATION IS PROVIDED: (X) Purpose () Summary (X) Action Requested () Recommendation () Analysis	

The purpose of this item is to describe the development review processes undertaken by the Town of Carrboro and to receive comments from the Board of Aldermen.

Land Use Permit Processes

The Planning Department is responsible for administering numerous processes associated with the regulation of the community's growth and development. Different regulatory mechanisms are employed by the town to address both current and anticipated land use/building activities. The following table outlines the basic activities employed by the Town:

Planning and Development Processes

-Category	Type of Power	Process	Authority
Land use Permit	Administrative	Zoning Permit	Land Use Administrator
	Quasi-Judicial	Special Use Permit	Board of Adjustment
	Quasi-Judicial	Conditional Use Permit	Board of Aldermen
	Quasi-Judicial	Certif. of Appropriateness	Historic Dist. Comm.
	Quasi-Judicial	Special Exception Permit	Board of Adjustment
Other Bd. of Adjustment			
	Quasi-Judicial	Interpretations	Board of Adjustment
	Quasi-Judicial	Appeals	Board of Adjustment
	Quasi-Judicial	Variances	Board of Adjustment
Amendment			
	Legislative	Text Amendment	Board of Aldermen
	Legislative	Zoning Map amendment	
	Legislative	Major	Board of Aldermen
	Legislative	Minor	Board of Aldermen
Enforcement			
	Administrative	Building Code	Building Inspector
	Administrative	Minimum Housing Code	Building Inspector
	Administrative	Land Use Violations	Land Use Administrator
	Administrative	Stop Work Orders	Land Use Administrator & Building Inspector
	Administrative	Final Plat Approval	Town Manager
	Administrative	Construction Plan Approve	Land Use Administrator
Joint Planning			
	Contract/Agreement	Agreement Amendment	CH, Car., OC
	Contract/Agreement	Plan Amendment	CH, Car., OC
	Contract/Agreement	Map Amendment	CH & OC or Car. & OC
	Contract/Agreement	Ordinance Text Amed.	CH & OC or Car. & OC
	Contract/Agreement	Courtesy Review	Administrative

This report focuses on the three basic land use permits established by the Ordinance which includes the Zoning Permit (ZP), Special Use Permit (SUP), and the Conditional Use Permit (CUP). The type of permit required for a particular activity in the Land Use Ordinance is determined by the Board of Aldermen through the legislative process. As a rule of thumb, the greater the potential impact that a particular use may have on surrounding properties and on the community, the higher the permit level that is required. All permits require the staff to review the application to assure that the Land Use Ordinance requirements are being met. The zoning permit is issued by the Zoning Administrator and can usually be completed within a week or so except for more complicated commercial projects and difficult sites. The SUP and CUP processes usually take from 90 to 120 days to process from the time that an application is determined by the staff to be complete. Both processes require considerable review by the Town's advisory boards and extensive public notification. In November of 1987 the Board of Aldermen adopted the attached development review schedules to provide guidance and structure for both the staff and the public.

The Planning Staff has developed administrative procedures that include descriptions of the steps needed to process each of the three basic types of land use permits. Descriptions of these processes as well as public information and checklist handouts are attached. Also attached are copies of Land Use Ordinance

“Appendix A - Information Required with Applications” and “Appendix I - Storm Drainage Design Manual.”

BOARD OF ALDERMEN

ITEM NO. D(6)

AGENDA ITEM ABSTRACT

MEETING DATE: October 27, 1998

SUBJECT: Discussion of Jordan Lake as a Regional Water Source

DEPARTMENT: n/a	PUBLIC HEARING: YES ____ NO <u>x</u>
ATTACHMENTS: Notes from October 1 st Joint Meeting	FOR INFORMATION CONTACT: Mayor Michael Nelson

PURPOSE

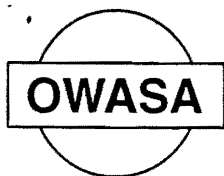
Mayor Nelson has requested that the Board of Aldermen discuss the future of OWASA'S water allocation from Jordan Lake and Chatham County's need for Jordan Lake water.

SUMMARY

On October 1, 1998, the OWASA Board of Directors held a joint meeting with local government officials from Carrboro, Chapel Hill, Chatham County, Hillsborough, and Orange County to discuss Jordan Lake as a regional water source. Notes from that meeting are attached as information.

ACTION REQUESTED

The Board will discuss this matter.



ORANGE WATER & SEWER AUTHORITY

Quality Service Since 1977

October 8, 1998

Mr. Bob Morgan, Manager
Town of Carrboro
301 West Main Street
Carrboro, NC 27510

Mr. Cal Horton, Manager
Town of Chapel Hill
306 North Columbia Street
Chapel Hill, NC 27516

Mr. Charlie Horne, Manager
Chatham County
Courthouse Annex
Pittsboro, NC 27312

Mr. Eric Peterson, Manager
Town of Hillsborough
101 East Orange Street
Hillsborough, NC 27278

Mr. John Link, Manager
Orange County
200 South Cameron
Hillsborough, NC 27278

SUBJECT: Notes From The October 1, 1998 Joint Meeting Between Carrboro, Chapel Hill, Chatham County, Hillsborough, Orange County, And OWASA Regarding Jordan Lake

Dear Mr. Morgan, Mr. Horton, Mr. Horne, Mr. Peterson, and Mr. Link:

Please distribute to your elected officials the following information regarding the subject meeting:

- Attachment #1 - Meeting summary as prepared by meeting facilitator Peg Carlson, Institute of Government
- Attachment #2 - Copy of Tom Fransen's presentation
- Attachment #3 - Attendance Roster

I thought we had a productive meeting, and I look forward to continuing our dialogue on this very important topic.

Very truly yours,

Ed Kerwin
Executive Director

c: OWASA Board of Directors; Peg Carlson, Institute of Government; Tom Fransen, NCDENR; Bob Epting, Esq.; Ed Holland; John Greene

Notes from Joint Meeting between Carrboro, Chapel Hill, Chatham County,
Hillsborough, Orange County, and OWASA
Topic: Jordan Lake as a Regional Water Source
October 1, 1998

Ground Rules (Meeting Facilitator Peg Carlson, Institute of Government)

- ♦ Focus on interests, not positions
- ♦ Stay focused
- ♦ Test assumptions
- ♦ Make statements and invite questions

Presentation By Tom Fransen, North Carolina Department Of Environmental
And Natural Resources, Division Of Water Resources

What Are Your Short- And Long-Term Interests In Jordan Lake?

Chapel Hill

Interested in protecting water quality and preserving OWASA's access and allocation. No immediate need, but want to keep Jordan Lake as a future resource.

Hillsborough

Want OWASA to keep options open in case we need water in the future (long-term, not short-term).

Chatham County

We have both immediate and long-term interests to meet our growing needs. We see current intake as a possibility and would like to use the OWASA intake location soon, if possible. We are at maximum capacity some days now; we want to create a partnership around this regional resource.

Carrboro

We have no short-term water needs and may not have long-term needs. We are interested in cooperating with Chatham County to meet emergency needs.

Orange County

Interested in maintaining high water quality and working with others to accomplish this. We have maintained our allocation and are interested in protecting this allocation and making efficient use of the intake.

OWASA

Long-term interest in maintaining 10 MGD allocation and access to the land we own at Jordan Lake. We support the watershed study and are open to collaborating with neighboring utility providers, subject to local policy goals. We are interested in maintaining water quality as well.

Question Posed By Chatham County

- ♦ Is there interest in OWASA working with Chatham County to develop an intake, even if Chatham needs it earlier than OWASA would otherwise?

Questions Raised By Participants

- ♦ What is the level of participation needed by the various governmental entities (e.g., amount of capital required, short-term vs. long-term costs of developing intake at this time)?
- ♦ What is driving Chatham County's need (e.g., amount of development)?
- ♦ Under what conditions might Chatham share/use OWASA's intake location? What are the options?
- ♦ Does Chatham have an interest in working with Orange County governments to maintain a rural buffer in southern Orange/northern Chatham area?
- ♦ Is Jordan Lake indeed considered a regional water supply? Is Chatham included in the region?
- ♦ Who should be involved in this discussion (i.e., governing boards' role vs. OWASA's role)?
- ♦ Can we develop a clear sense of each jurisdiction's direct interests in Chatham's use of Jordan lake?
- ♦ In the long term, will Orange County entities need to take water from Jordan Lake?
- ♦ What will OWASA's master plan indicate about its timing for the need of Jordan Lake's water?
- ♦ What forum should this issue come back to? Are participating entities willing to have a conversation with their entire boards and then come back together to discuss?
- ♦ If Chatham County can act on its own, what is its incentive to cooperate on land use, etc.?

The Participating Orange County Entities Agreed To Have A Conversation With Their Entire Boards And Then Come Back Together To Discuss Chatham County's Use Of The OWASA Intake Site On Jordan Lake. They Identified Several Pieces Of Information That They Needed Before They Would Have This Board Discussion:

1. Information from OWASA on projected water use, options for (and cost of) developing intake site
2. Information from Chatham County regarding water needs
3. Exchange of land use plans and utility line plans between Orange and Chatham counties
4. Engineering information on the possibility of building an intake site that could be expanded later
5. (Possibly) Chatham's estimate of the value of the property lost to Jordan Lake

Target date for boards to meet again to discuss interest in participating in cooperative dialogue with Chatham County: first week in March 1999 (specific date to be determined).

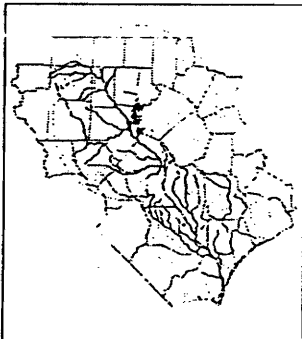
Prepared by Peg Carlson.

10/01/98 — Joint Meeting Carrboro, Chapel Hill, Chatham County, Hillsborough, Orange County, & OWASA

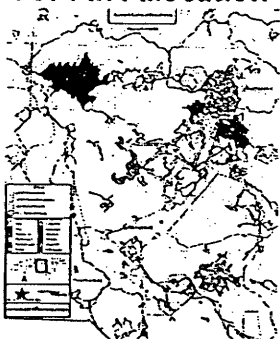
Jordan Lake As A Regional Water Supply Resource

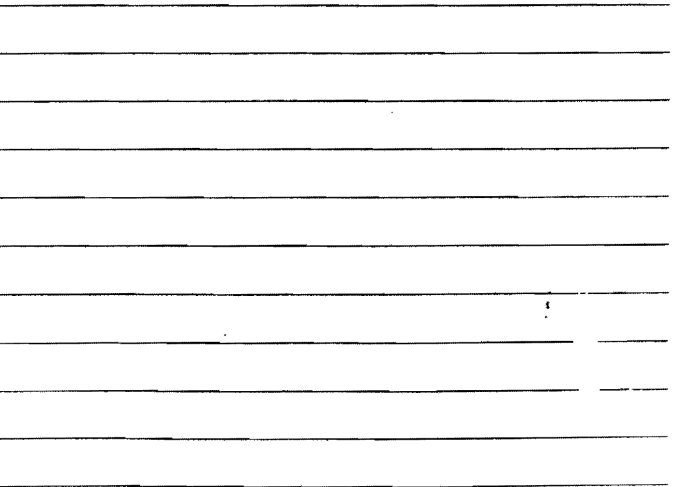
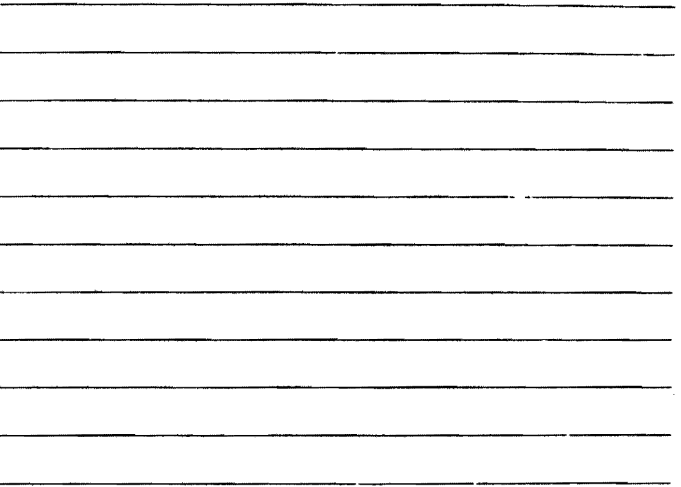


Mailing Area Used June, 1996



Public Water System With Or Applied For An Allocation





I	Request a new or increased allocation	
II	Hold public information meeting	
III	Water Systems submit applications	
IV	Publish notice and 30 day comment period	
V	Applications Processed	
	<i>No Interbasin Transfer</i>	<i>Requires An Interbasin Transfer Certification</i>
VI	Public Hearing	Provide information on reasonableness to EMC and 30 day comment period
VII	EMC makes allocation decision	Scoping meeting(s) for Transfer EA/EIS
VIII	Prepare contract	Conduct Studies
IX		Public Hearing
X		EMC decides on both allocation and transfer certification
XI		Prepare contract

Watershed Diversions & Interbasin Transfer

☑ Watershed Diversions

- ▲ A limit on diversions out of Jordan Lake's watershed to 50 MGD (50% rule).
- ▲ Diversions based on average daily demand.

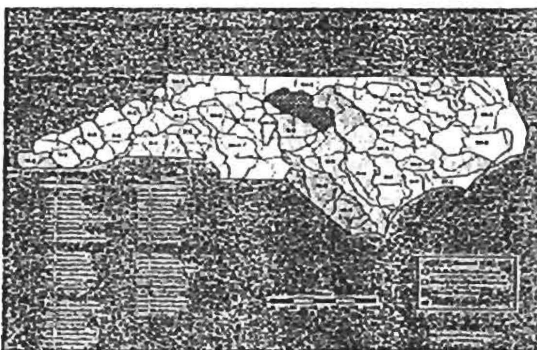
☑ Interbasin Transfers

- ▲ The regulation of transferring 2 MGD or more from 1 of 38 basins to another.
- ▲ Transfers based on maximum daily demands

Jordan Lake Watershed



Major River Basins & Sub-Basins



Cape Fear River Basin Model

How is it going to be used?

☑ Direct Uses

- ▲ water supply needs
- ▲ hydroelectric power generation
- ▲ recreation

☑ Indirect Uses

- ▲ water quality
- ▲ fish and wildlife habitat
- ▲ navigation

Water Supply Intakes on Lake Jordan

Are there more than 2 sites?
What is the State's role?

Questions?

October 1, 1998 Joint Meeting

Town of Carrboro, Town of Chapel Hill, Chatham County, Town of Hillsborough,
Orange County, and OWASA

ATTENDANCE

Town of Carrboro

Michael Nelson
Alex Zaffron
Robert Morgan

Town of Chapel Hill

Rosemary Waldorf
Flicka Bateman
Joyce Brown
Joseph Capowski
Kevin Foy
Julianne McClintock
Cal Horton
Ruffin Hall

Chatham County

Margaret Pollard
Henry Dunlap
John Grimes
Uva Holland
Betty Wilson
Charlie Horne
Jeff Hughes

Town of Hillsborough

Horace M. Johnson

Orange County

Margaret Brown
Moses Carey
Alice Gordon
Stephen Halkiotis
John Link
Paul Thames

OWASA

Joal Broun
Pat Davis
Frank de Monchaux
Peter Gordon
Barry Jacobs
Alan Rimer
Bill Strom
Dan VanderMeer
Ed Kerwin
John Greene
Ed Holland
Vic Simpson

Institute of Government

Peg Carlson

Division of Water Resources

Tom Fransen

Media

Jay Price (News & Observer)
Ray Gronberg (Chapel Hill Herald)
David Schulman (Chapel Hill News)

Others

Tommy Esqueda, CH₂M HILL
Everett Billingsley
Merrilie Brown
John Smith