

ATTACHMENT A

**A RESOLUTION CALLING A PUBLIC HEARING ON A LAND USE ORDINANCE
TEXT AMENDMENT RELATING TO PRIVATE ROADS
AND THE CONNECTION OF STREETS
Resolution No. 146/2001-02**

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to comment on existing and proposed policies and regulations; and

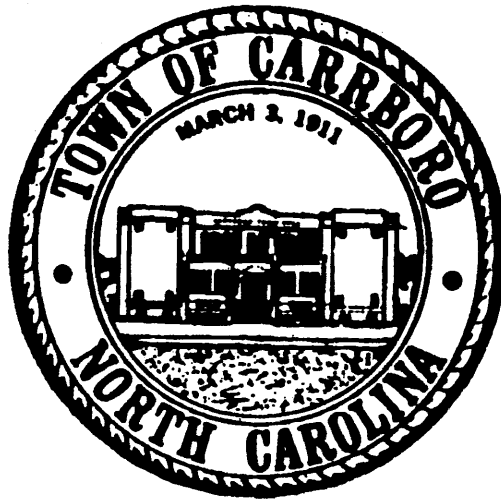
NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen direct staff to prepare a draft ordinance, and that the Aldermen call a public hearing on June 25, 2002.

BE IT FURTHER RESOLVED that the draft ordinance be referred to Orange County for review per the Joint Planning Agreement and to the Planning Board and TAB for comment and recommendations to the Board.

This is the 21st day of May in the year 2002.

ATTACHMENT B

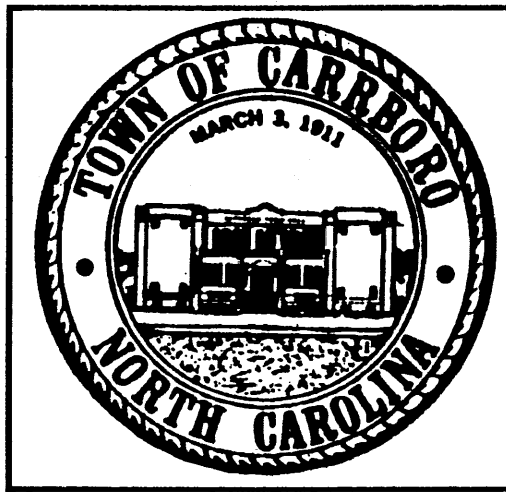
TOWN OF CARRBORO



CONNECTOR ROADS POLICY

Adopted: MARCH 18, 1986

By: TOWN OF CARRBORO BOARD OF ALDERMEN



JAMES V. PORTO, JR., Mayor

Carrboro Board of Aldermen

DOUG ANDERSON	TOM GURGANUS
JOHN BOONE	ZONA NORWOOD
HILLIARD CALDWELL	JUDITH WEGNER

OVERVIEW

BACKGROUND

In 1986, when the Connector Roads Policy was conceived, Carrboro was just beginning to develop toward the north. The Connector Roads Policy was adopted by the Board of Aldermen as a guide to aid in the construction and maintenance of a sound traffic plan for the town. As stated in the introduction of the plan, the success of Carrboro's growth as a town is "ultimately dependent upon the effectiveness and continued efficiency of its transportation system."

The Connector Roads Policy was designed to guide an ever-changing Board of Aldermen as new projects and developments come before them for approval. The Policy's purpose was to ensure that old and new developments and businesses in the town would be connected to each other, both to disperse newly generated traffic and to give a sense of connectivity and unity to the town as it grows. The roads included on the Connector Roads Plan were intended to provide a backbone for a more intricate grid of smaller connector roads.

THE CHARGE

In the fall of 1996, the Board of Aldermen asked the Transportation Advisory Board to review the Connector Roads Policy to see if it still served the town's needs. The TAB noted during its discussion that the town's failure to connect some of the designated roads prevented the Plan from achieving its full potential. However, the TAB maintains its belief that a Connector Road Policy is a vital part of the town's planning initiative.

THE RESPONSE

Because the Transportation Advisory Board recognized that there had been confusion over the interpretation of the Connector Roads Policy and its guidelines, the TAB modified and abbreviated the wording to state the purpose of the Connector Roads Policy in a single paragraph. The TAB eliminated and changed some of the wording for the sake of clarification. The TAB included in the Policy's purpose not only road classifications which connect arterials, but all new roads (minor, local, subcollector, and collector) which are built for new developments. The roads included on the original Connector Roads Plan were (and will remain) intended to provide the backbone for a more intricate public roadwork system that would incorporate all classifications of roads, all of which work together to connect the town and its communities.

I. INTRODUCTION

In 1986, the Connector Roads Policy was conceived and adopted by the Town of Carrboro to aid the town in planning the construction and maintenance of a sound traffic plan for the town. The success of Carrboro's growth as a town is ultimately dependent upon the effectiveness and continued efficiency of its transportation system. Additionally, Carrboro's transportation system, like any public facility, must keep pace with the increased demands that new development places upon it. Roadway systems must be regularly re-evaluated and upgraded to meet future demands.

II. STATEMENT OF PURPOSE

The purpose of the Connector Roads Policy is to ensure that old and new developments and businesses in our town connect to each other, both to disperse newly generated traffic and to give a sense of connectivity and unity to the town as it grew. It indicates a commitment by the town to work toward this connectivity. The roads shown on the Connector Roads Plan are intended to provide a backbone for a more intricate grid of smaller connector roads. The Connector Roads Policy is designed to guide an ever-changing Board of Aldermen as new projects and developments come before them for approval. As Carrboro's boundaries for development expand, additional areas and "backbone" collector roads will need to be added to these maps to ensure that all of Carrboro connects in ways that are both safe and efficient.

III. CONNECTOR ROADS PLAN

The Connector Roads Plan proposes to meet the demands from full development of the northern development area by construction of a series of connector roads that will link this area with the arterial system to the north and to Estes Drive in the east. The construction of a connector road that parallels Hillsborough Road and North Greensboro Street, and providing access with Estes Drive is vitally important to reduce further congestion on Greensboro Street and the Town Center. Connector roads should also eliminate the disruption of residential neighborhoods to the south of areas under development. Connector roads would also be planned to extend north, permitting access to Homestead Road and to the I-40 interchanges.

The connector roads system in the southern development will provide access to the Laurel Hill Parkway thoroughfare which will loop the Bypass, beginning at Jones Ferry Road and connecting with NC 54 and eventually I-40. Because of the development that has already taken place in this area, the two connectors that are central to the overall system, Berryhill Drive and Rock Haven Road, have been approved for construction. In addition, portions of the Laurel Hill Parkway have also been approved for construction.

IV. DESIGN AND CONSTRUCTION STANDARDS

The Design Standards for connector roads should follow the Land Use Ordinance's guidelines, based on the individual road's classification, and its potential for traffic of all varieties in the future as well as when a development is presented to the board.

AMENDMENT DATA SHEET

Map: Southern Connector Roads Plan - Board-Approved April 02, 1991

Map: Connector Road Plan Northwest Section - Board-Approved February 25, 1992

Map: Connector Road Plan Concept - Board-Approved February 08, 1994

Text & Map: Board-Approved August 19, 1997

Map: The Connector Roads Plan for the Northern Area - Board-Approved May 26, 1998

Section 15-214 Coordination with Surrounding Streets.

- (a) The street system of a subdivision shall be coordinated with existing, proposed and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereinafter, "surrounding streets") as provided in this section.
- (b) Collector streets shall intersect with surrounding collector or arterial streets at safe and convenient locations.
- (c) Subject to subsection 15-217(a), subcollector, local, and minor residential streets shall connect with all surrounding streets which meet established town standards to permit safe, convenient movement of traffic between residential neighborhoods and to facilitate access to neighborhoods by emergency and other service vehicles. The connections shall be created in such a way that they do not encourage the use of such streets by substantial through traffic. **(AMENDED 09/16/97)**
- (d) Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit-issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 1,000 feet may be created unless no other practicable alternative is available.

Section 15-217 General Layout of Streets.

- (a) To the extent practicable, all streets shall be interconnected. Cul-de-sacs shall not be used unless the topography of the land does not allow a design that would make an interconnecting street practicable. **(AMENDED 09/16/97; 09/28/99)**
- (b) All permanent dead-end streets [as opposed to temporary dead-end streets, see subsection 15-214(d)] shall be developed as cul-de-sacs in accordance with the standards set forth in subsection (c), unless construction of such cul-de-sacs is not reasonably possible given such factors as steep slopes or right-of-way limitations. Under such circumstances, the town may approve alternative designs that will provide a safe and convenient means for vehicular traffic to turn around (alternatives are suggested in Appendix C, Standard Drawing No. 19). Except where no other practicable alternative is available, such streets may not extend more than 550 feet (measured to the center of the turn-around). **(AMENDED 09/27/94, 09/16/97)**
- (c) The right-of-way of a cul-de-sac shall have a radius of 60 feet if constructed without curb and gutter or a radius of 52 feet if constructed with curb and gutter. The radius of the paved portion of the turn-around for streets constructed without curb and gutter shall be 42' (measured to the outer edge of pavement) and for streets constructed with curb and gutter shall be 44.5' (measured to the back of the outer curb). If a developer chooses to provide an unpaved center island in the cul-de-sac, the island shall be landscaped and shall not be dedicated to the public; it shall remain under the ownership and control of the developer (or his successor) or a homeowners association or similar organization that satisfies the criteria established in Section 15-201. Cul-de-sacs containing center islands shall have a minimum pavement width of 18 feet if constructed without curb and gutter or 20 feet if constructed with curb and gutter (measured from inner edge of pavement to face of curb). Mountable 45° curbing shall be installed around the island in accordance with Town of Carrboro design specifications. Minimum design and construction specifications for cul-de-sacs are set forth in Appendix C.
- Asymmetrical cul-de-sacs may be allowed with the approval of the public works director, town engineer, fire chief, and the applicable permit issuing authorities. **(AMENDED 2/20/90; 08/08/95; 09/16/97)**
- (d) Half streets (i.e., streets of less than the full required right-of-way and payment width) shall not be permitted except where such streets, when combined with a similar street (developed previously or simultaneously) on property adjacent to the subdivision, creates or comprises a street that meets the right-of-way and pavement requirements of this chapter. **(AMENDED 09/16/97)**
- (e) Streets shall be laid out so that residential blocks do not exceed 1,000 feet, unless no other practicable alternative is available. **(AMENDED 09/16/97)**

(f) Alleys shall not intersect with any arterials and shall meet the "Entrances to Streets" standards of Section 15-213. Alley radii at street intersections shall not be less than 15 feet. Alleys may run adjacent to lot line boundaries only and not parallel and adjacent to street right-of-way or front property boundaries. In determining conformance with Section 15-184(a), Setback Requirements, the right-of-way lines associated with alleys shall be regarded as lot boundary lines and not street right-of-way lines. (AMENDED 09/27/94; 09/16/97)

(g) To the extent practicable, portions of subcollector and collector streets that consist of stretches of 800 feet or more uninterrupted by intersections suitable for stop signs shall contain design features intended to discourage speeding and cut-through traffic, including but not limited to one or more of the following:

- (1) Curves with radius of 800 feet or less; or
- (2) Design features described in the town's Residential Traffic Management Plan.

(AMENDED 09/16/97)

Section 15-220 Public Streets and Private Roads in Subdivisions.

(a) Except as otherwise provided in this section, all lots created after the effective date of this section shall abut a public street at least to the extent necessary to comply with the access requirement set forth in Section 15-211. For purposes of this subsection, the term "public street" includes a pre-existing public street as well as a street created by the subdivider that meets the public street standards of this chapter and is dedicated for public use. Unless the recorded plat of a subdivision clearly shows a street to be private, the recording of such a plat shall constitute an offer of dedication of such street. (AMENDED 2/14/84)

(b) Architecturally integrated residential subdivisions containing either twenty-five or more units, or fifteen or more units and having a ratio of less than 25 feet of linear roadway per dwelling unit, may be developed with private roads that do not meet the public street and sidewalk standards of this chapter as long as: (AMENDED 11/26/85)

- (1) The proposed development will have direct access onto a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;
- (2) No road intended to be private is planned to be extended to serve property outside that development; and
- (3) The standards applicable to unsubdivided developments set forth in Section 15-221 and 15-222 are complied with.

(c) Subdivisions containing any number of lots may be developed with private roads that do meet the public street and sidewalk standards of this chapter but that are not intended for dedication to the public so long as:

- (1) The proposed development will have direct access onto a public street or, if the tract has access to a public street only via a private road, such private road is improved to public street standards;
- (2) No road intended to be private is planned or expected to be extended to serve property outside the development; and
- (3) The subdivider demonstrates to the reasonable satisfaction of the Board that the private roads will be properly maintained.

(d) A subdivision in which the access requirement of Section 15-211 is satisfied by a private road that meets neither the public street standards nor the standards set forth in Section 15-221 may be developed so long as, since the effective date of this chapter, not more than three lots have been created out of that same tract.

- (1) The intent of this subsection is primarily to allow the creation of not more than three lots developed for single-family residential purposes. Therefore, the permit-issuing authority may not approve any subdivision served by a private road authorized under this subsection in which one or more of the lots thereby created is intended for (i) two-family or multi-family residential user or (ii) any non-residential use that would tend to generate more traffic than that customarily generated by three single-family residences.

- (2) To ensure that the intent of this subsection is not subverted, the permit-issuing authority may, among other possible options, require that the approved plans show the types and locations of buildings on each lot or that the lots in a residential subdivision served by a private road authorized under this subsection be smaller than the permissible size lots on which two-family or multi-family developments could be located or that restrictive covenants limiting the use of the subdivided property in accordance with this subsection be recorded before final plat approval.

(e) No final plat that shows lots served by private roads may be recorded unless the final plat contains the following notations:

- (1) "Further subdivision of any lot shown on this plat as served by a private road may be prohibited by the Carrboro Land Use Ordinance."
- (2) "The policy of the Town of Carrboro is that, if the town improves streets (i) that were never constructed to the standards required in the Carrboro Land Use Ordinance for dedicated streets, and (ii) on which 75% of the dwelling units were constructed after July 1, 1979, 100% of the costs of such improvements shall be assessed to abutting landowners."

(f) The recorded plat of any subdivision that includes a private road shall clearly state that such road is a private road. Further, the initial purchaser of a newly created lot served by a private road shall be furnished by the seller with a disclosure statement outlining the maintenance responsibilities for the road, in accordance with the requirements set forth in G.S. 136-102.6. The intention of this subsection is to afford the same protection to purchasers of lots on private roads within the town as is provided to purchasers of lots outside the town by G.S. 136-102.6.

(g) For purposes of this section, a private road meets the public street and sidewalk standards of this chapter if it is designed and constructed and sufficient setbacks are provided so that, if intended for dedication, it could be accepted as a public street in conformity with the requirements of this chapter. **(AMENDED 11/26/85)**

Section 15-221 Road and Sidewalk Requirements in Unsubdivided Developments.

(a) Within unsubdivided developments, all private roads and access ways shall be designed and constructed to facilitate the safe and convenient movement of motor vehicle and pedestrian traffic. Width of roads, use of curb and gutter, and paving specifications shall be determined by the provisions of this chapter dealing with parking (Article XVIII) and drainage (Article XVI). To the extent not otherwise covered in the foregoing articles, and to the extent that the requirements set forth in this article for subdivision streets may be relevant to the roads in unsubdivided developments, the requirements of this article may be applied to satisfy the standards set forth in the first sentence of this subsection.

(b) Whenever a road in an unsubdivided development connects two or more subcollector, collector, or arterial streets in such a manner that any substantial volume of through traffic is likely to make use of this road, such road shall be constructed in accordance with the standards applicable to subdivision streets and shall be dedicated. In other cases when roads in unsubdivided developments within the town are constructed in accordance with the specifications for subdivision streets, the town may accept an offer of dedication of such streets.

(c) In all unsubdivided residential developments, sidewalks shall be provided linking dwelling units with other dwelling units, the public street, and on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities. Notwithstanding the foregoing, sidewalks shall not be required where pedestrians have access to a road that serves not more than nine dwelling units. **(AMENDED 4/24/84)**

(d) Whenever the permit issuing authority finds that a means of pedestrian access is necessary from an unsubdivided development to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the roads, the developer may be required to reserve an unobstructed easement of at least ten feet to provide such access.

(e) In unsubdivided nonresidential developments that abut a public street, sidewalks shall be constructed adjacent to such street if a sidewalk in that location is required by the officially adopted town sidewalk master plan. Whenever possible, such sidewalk shall be constructed within the public right-of-way.

(f) The sidewalks required by this section shall be at least five feet wide and constructed according to the specifications set forth in Appendix C, except that the permit issuing authority may permit the installation of walkways constructed with other suitable materials when it concludes that: **(AMENDED 12/08/98)**

- (1) Such walkways would serve the residents of the development as adequately as concrete sidewalks; and
- (2) Such walkways could be more environmentally desirable or more in keeping with the overall design of the development.

AN ORDINANCE AMENDING THE LAND USE ORDINANCE PROVISIONS RELATING TO PRIVATE ROADS AND THE CONNECTION OF STREETS

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Section 15-220 of the Carrboro Land Use Ordinance is amended by adding thereto a new subsection (h) to read as follows:

(h) Notwithstanding the other provisions of this section, the town may prohibit the creation of a private road if the creation of such a road would avoid the public street interconnection requirements set forth in Sections 15-214 and 15-217(a).

Section 2. Subsection 15-221(b) is rewritten to read:

(b) Whenever (i) a lot is proposed to be developed residentially for more than four dwelling units or non-residentially in such a fashion as to generate more than 40 vehicle trips per day, and (ii) if the lot were to be subdivided, a street would be required running through the lot to provide a connection between existing or planned adjacent streets in accordance with the provisions of Sections 15-214 and 15-217(a), then the developer shall be required to construct and dedicate the same street that would have been required had the property been subdivided.

Section 3. Subsection 15-220(b) is amended by rewriting the introductory sentence to read: "Architecturally integrated residential subdivisions containing either twenty-five or more units, or consisting of four or more multi-family townhomes may be developed with private roads that do not meet the public street and sidewalk standards of this chapter as long as:"

Section 4. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 5. 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 _____, 2002.

Ayes:

Noes:

Absent or Excused: