

**TOWN OF CARRBORO
APPEARANCE COMMISSION AGENDA (Remote Meeting*)**

April 4th, 2024

6:30 pm

- 6:30-6:40 I. Approval of Minutes from March 7, 2024 Meeting
- 6:40-6:45 II. Approval of signage
1. No signage submitted for approval at this time
- 6:45-7:20 III. Review and discussion of Advisory Board Consolidation:
1. Appearance Commission comments, concerns and suggestions from the slide presentation on Advisory Board Consolidation-from the minutes of their March 7th, 2024 meeting.
 2. Charge Template for Composing New Advisory Board Charges
 3. Article III-Administrative Mechanisms-Planning Board (From the Carrboro Land Use Ordinance)
 4. Article III-Administrative Mechanisms-Appearance Commission (From the Carrboro Land Use Ordinance)
- 7:20-7:30 IV. Review and discussion of Joint Review:
- LUO (Land Use Ordinance) Text Amendments relating to Cafes and Residential Density in Certain Zoning Districts. Modify Residential Parking Requirements. Please look for the Panelist 8 invitation for the Joint Advisory Board Review meeting.

ADJOURN

*Remote meeting on Zoom, to view the meeting please use the following link:

Carrboro Appearance Commission Meeting:
Time: Apr 4, 2024 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://townofcarrboro.zoom.us/j/84279499385>

Meeting ID: 842 7949 9385

If you wish to make public comment, at the time of the public comment, the staff person will be able to allow speakers to remotely enter the meeting one-by-one to comment.

APPEARANCE COMMISSION MINUTES

March 7th, 2024 (REMOTE MEETING)

6:30pm

Members Present:

David Markiewicz (Chair)
Sharon Reilly (Vice Chair)
Whitney Fry
James Scott

Members Absent:

Samantha Carney
Nathan Jorgensen
Eliazar Posada (Council Member)

Guests: Eric Lott-Capital Signs Solutions for Bru's Public House signs

Staff Present: Ann Stroobant- Planner/Zoning Development Specialist

David called the meeting to order.

I. **Approval of Minutes from February 1st, 2024 Meeting**

David discussed the minutes as they related to 1307 West Main Street Joint Review item. He said that the Appearance Commission had an impact. Town Council was aware of both our positive and negative points.

A motion was made by Sharon and seconded by James to approve the minutes from the February 1st, 2024 meeting.

AYES: 4 (David Markiewicz, Sharon Reilly, Whitney Fry, James Scott)

NOES: 0

Motion approved.

II. **Approval of signage-**

1. **370 E. Main Street, Carrboro, NC-Bru's Public House**

The sign is an exterior sign facing towards Main Street, measuring 1'7 1/2" x 14' 9", for a total of 23.97 Sq Ft, internally illuminated, raceway mounted, replacing former Hickory Tavern sign in same location. Ann said that the sign meets the size requirements of the master sign permit and that the owner/property manager has approved.

A motion was made by Sharon and seconded by James to approve the proposed sign as presented.

AYES: 4 (David Markiewicz, Sharon Reilly, Whitney Fry, James Scott)

NOES: 0

Motion approved.

2. 370 E. Main Street, Carrboro, NC-Bru's Public House

The sign is an exterior sign at side entrance measuring 1'7 1/2" x 14' 9", for a total of 23.97 Sq Ft, internally illuminated, raceway mounted, replacing former Hickory Tavern sign in the same location. Ann said that the sign meets the size requirements of the master sign permit and that the owner/property manager has approved.

A motion was made by Sharon and seconded by Whitney to approve the proposed sign as presented.

AYES: 4 (David Markiewicz, Sharon Reilly, Whitney Fry, James Scott)

NOES: 0

Motion approved.

III. Review and discussion of items for February 1st, 2024 Joint Review

1. Presentation on Possible Advisory Board Alignment-Wendy Welsh, Interim Town Clerk, presented this information at the 7:30 pm Joint Review session. A zoom link for the Joint Review was sent out separately. Members reviewed the presentation prior to the Joint Review at their 6:30pm meeting with their comments, concerns and suggestions noted below.

• Member feedback on the Advisory Board Consolidation presentation included in the packet for this meeting was as follows:

- The consolidation will result in nine advisory boards and commissions rather than the 16 that we have now. The Chair recalls that at one time there were more than 16 committees.
- Questions were asked about the 44% vacancy rate and why the vacancies were not filled.
 - Possible lack of public awareness regarding the vacancies
 - It is difficult for the public to actually know what a commission does.

- There needs to be a way to be on a committee and for it not to be burdensome.
- Be respectful of people's time-meeting on zoom is a good thing.
- Carrboro is what it is because of citizen input.
- How does staff feed into the consolidation process?

- General criticisms of the committee process:
 - Orientation of members is spotty.
 - Staff needs to know how to better work with volunteers.

- Things take a long time to get through the system, so consolidation may be a good idea, as things might take less time.

- How does Carrboro compare to Chapel Hill? Chapel Hill takes a long time to be seen and heard.

- General opinion of members is that consolidation may be a good idea.

- What commonality do other committees have with the Appearance Commission?
 - There is some overlap with the Arts Committee.
 - There is some overlap with Economic Sustainability.
 - **Comments specifically related to the proposed consolidation with the Planning Board:**
 - Some members said that consolidation with the Planning Board makes sense, but they will need to make sure that they are vocal on appearance issues.
 - Charge #1 and Charge #2 of the Planning Board overlaps with the Appearance Commission.
 - Charge #4 on the Appearance Commission includes signs. Is this something that the Planning Board would do?
 - The view was expressed that the Planning Board is more formal and takes more time.
 - There is a fear that the Appearance Commission will be swallowed up in the Planning Board.

- What would members' duties be on the consolidated committee?
- Would members have to do a lot of the administrative things that the Planning Board does now?
- Could there be an organizational chart of the merged committee?
- There needs to be more of a conversation around diversity and a plan to diversify the committees.
- What will be the role of the combined commission?
- Will we be equals?

-Members were invited to attend the full Joint Review session at 7:30pm.

David said that discussion of the Hillsborough process for their Downtown Mural Review will take place in a future meeting.

Motion made by Sharon and seconded by Whitney to adjourn the meeting.

AYES: 4 (David Markiewicz, Sharon Reilly, Whitney Fry, James Scott)

NOES: 0

ADJOURN



ADVISORY BOARD CONSOLIDATION

Offices of Town Manager and Town Clerk

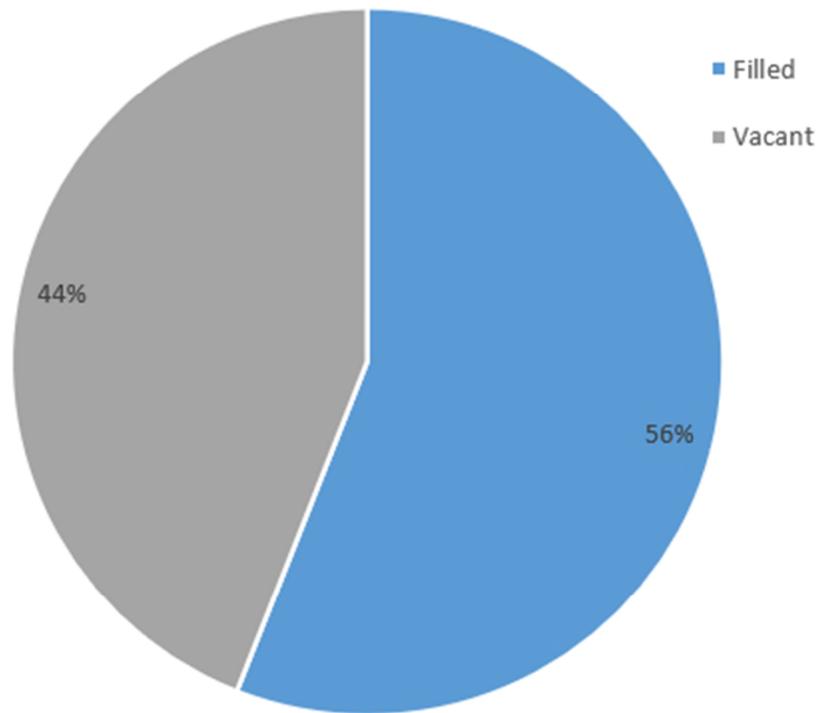
Possible Alignment of Advisory Boards and Commissions

Nine (9) Advisory Boards and Commissions

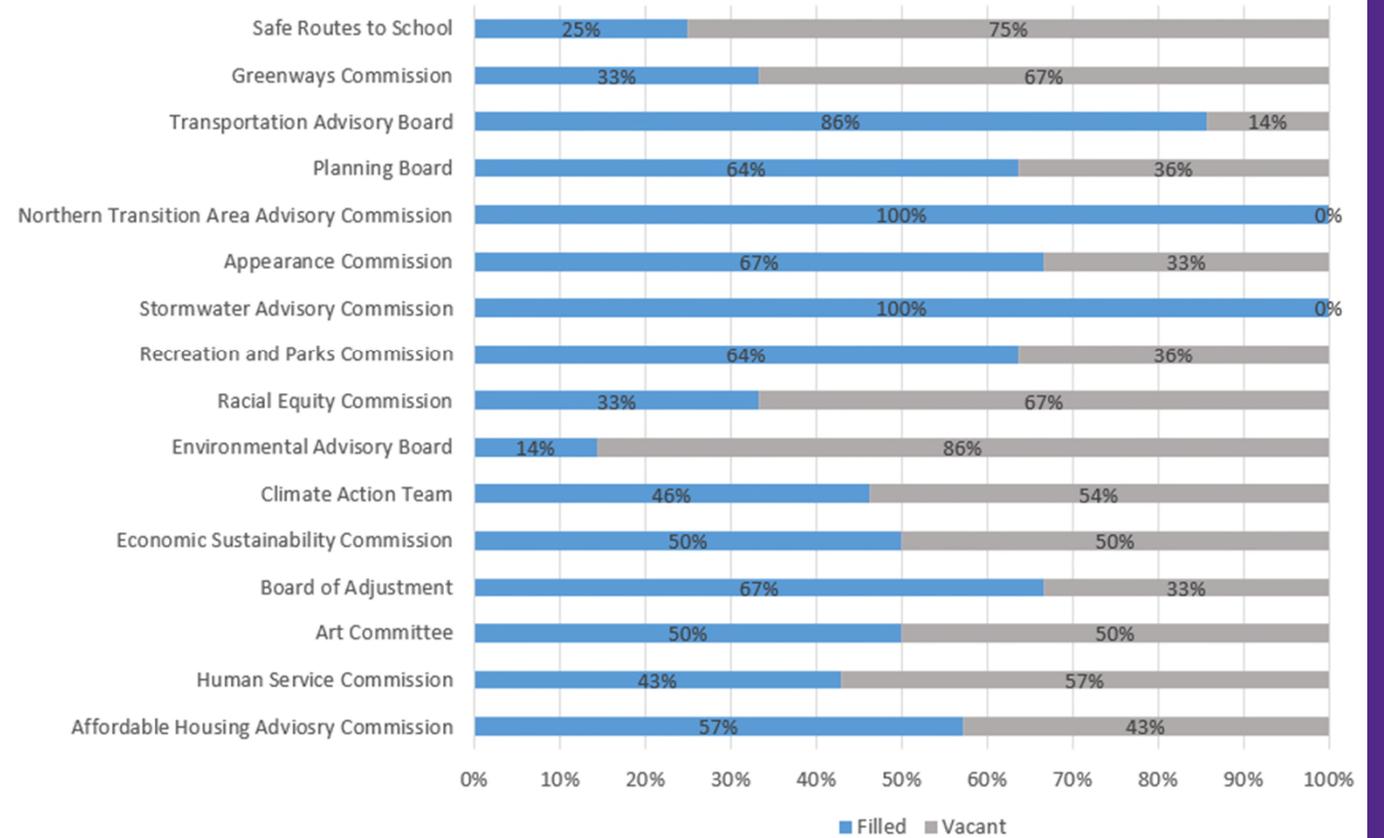
- **Affordable Housing Advisory Commission**
 - *Human Services Commission (subcommittee)*
- **Board of Adjustment**
- **Economic Sustainability Commission**
- **Environmental Advisory Board**
 - *Climate Action Team*
- **Planning Board**
 - *Appearance Commission*
 - *Northern Transition Area Advisory Committee (subcommittee)*
- **Racial Equity Commission**
 - *Truth Plaque Task Force*
- **Recreation and Parks Commission**
 - *Arts Committee*
- **Stormwater Advisory Commission**
- **Transportation Advisory Board**
 - *Greenways Commission*
 - *Safe Routes to School (subcommittee)*

Vacancies in Advisory Boards

Vacancies in Carrboro Town Boards (Feb 2024)

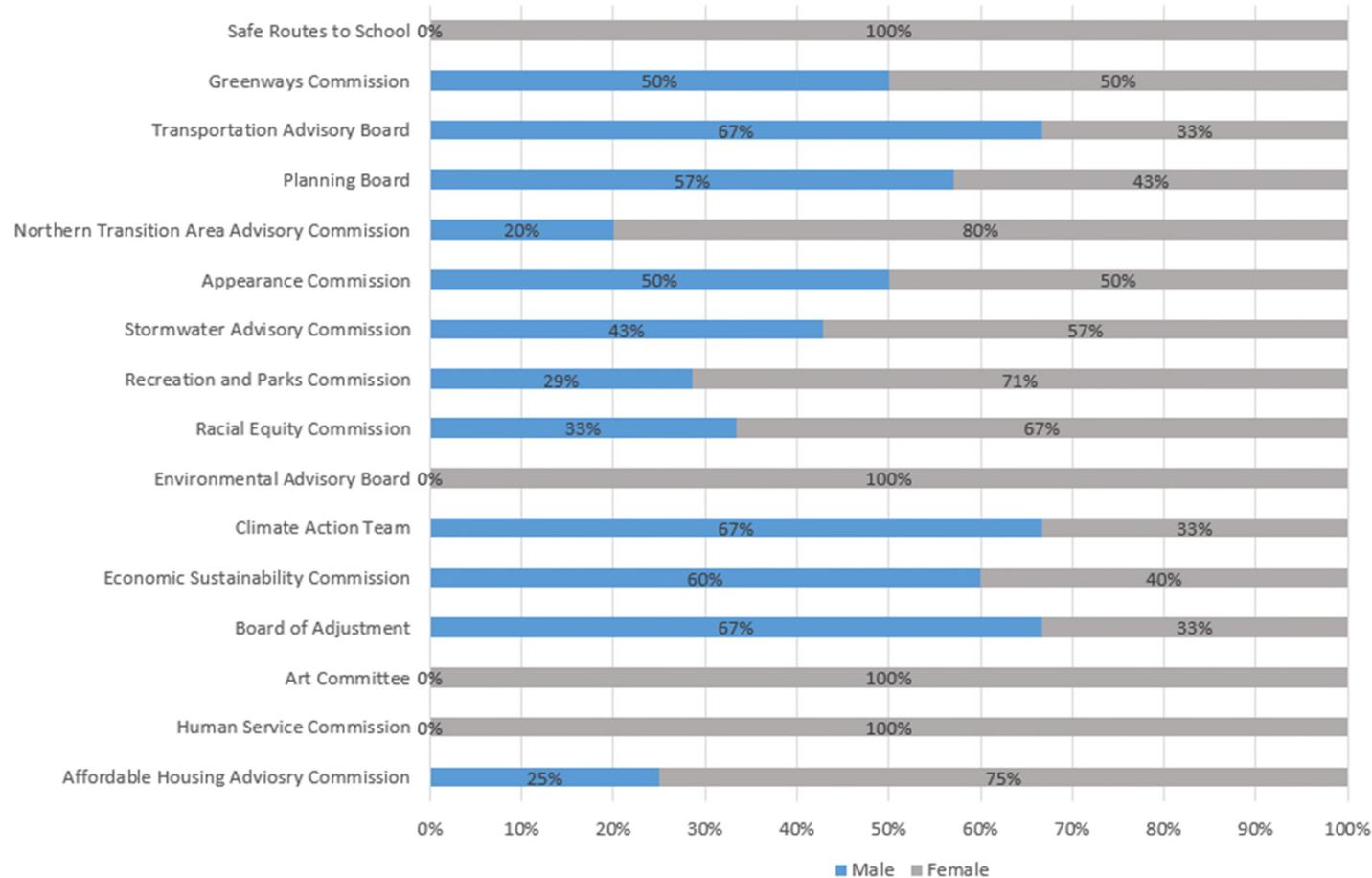


Vacancies in Carrboro Town Boards (%)



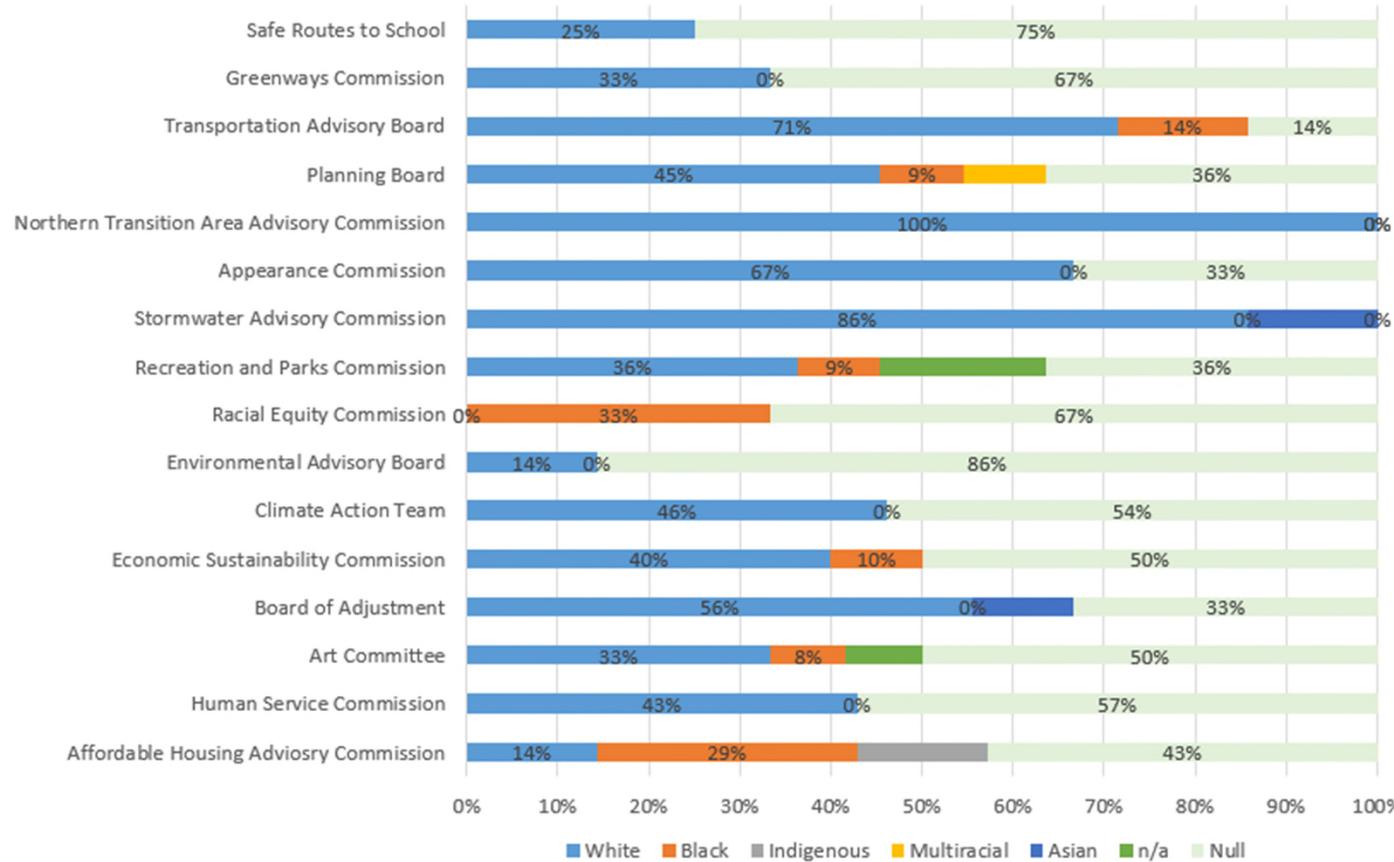
Composition of Advisory Boards by Gender

Composition of Carrboro Town Boards by Gender (%)

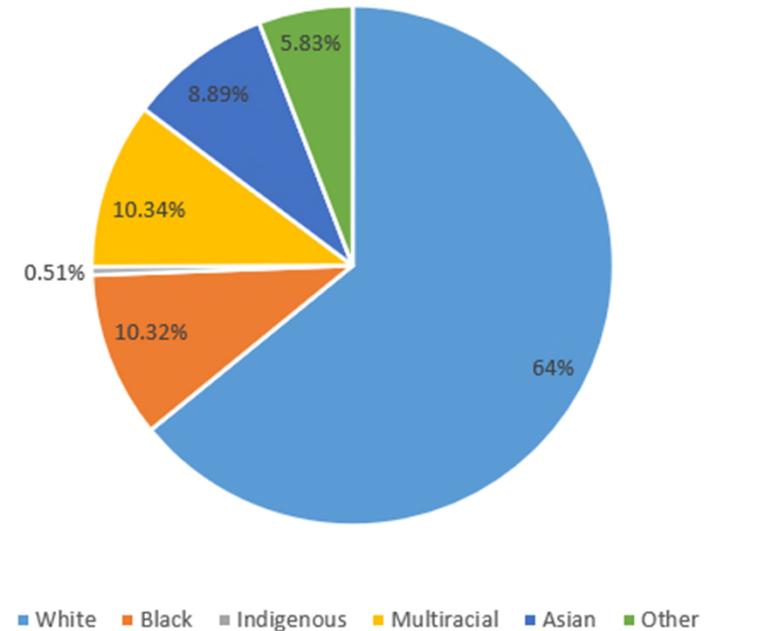


Composition of Advisory Boards by Race

Composition of Carrboro Town Boards by Race (%)



Carrboro Population by Race % (2020 Census)



*Null denotes vacant positions

Current Status of Advisory Boards

- *Affordable Housing Advisory Commission*
 - **Seven** members
 - Four active members
 - One to be reappointed for 2nd term
 - **Three** vacancies
- *Human Services Commission*
 - **Seven** members
 - Three active members
 - all require reappointment in June for their 2nd terms
 - **Four** vacancies
- *Board of Adjustment*
 - **Nine** members
 - Six active members
 - One to be reappointed for 4th term
 - Two term out
 - **Three** vacancies
- *Economic Sustainability Commission*
 - **Ten** members
 - Five active members
 - Four to be reappointed for second term
 - **Five** vacancies
- *Environmental Advisory Board*
 - **Seven** members
 - One active members
 - **Six** vacancies
- *Climate Action Team*
 - **Thirteen** members
 - Six active members
 - Two to be reappointment for 2nd terms
 - **Seven** vacancies
- *Planning Board*
 - **Eleven** members
 - Seven active members
 - One to be reappointed for 2nd term
 - One to be reappointed for 3rd term
 - **Four** vacancies
- *Appearance Commission*
 - **Nine** members
 - Six active members
 - One terms out
 - **Three** vacancies
- *Northern Transition Area Advisory Committee*
 - **Five** members
 - Five active members
 - One to be reappointed for 2nd term

Current Status of Advisory Boards

- **Racial Equity Commission**
 - **Nine** members
 - Three active members
 - **Six** vacancies
- *Truth Plaque Task Force*
 - **Ten** members
 - Ten active members
 - No official charge or terms established
- **Recreation and Parks Commission**
 - **Eleven** members
 - Six active members
 - One to be reappointed for 2nd term
 - **Four** vacancies
- *Art Committee*
 - **Twelve** members
 - Six active members
 - Two to be reappointed for second term
 - One terms out
 - **Six** vacancies
- **Stormwater Advisory Commission**
 - **Seven** members
 - Seven active members
 - Three term out
- **Transportation Advisory Board**
 - **Seven** members
 - Six active members
 - One to be reappointed for 2nd term
 - One terms out
 - **One** vacancies
- *Greenways Commission*
 - **Six** members
 - Two active members
 - **Four** vacancies
- *Safe Routes to School*
 - **Four** members
 - One active members
 - **Three** vacancies

Board Consolidation

Affordable Housing Advisory Commission & Human Services Commission

Ideal Membership:

10 members (8 Residents of Carrboro, 1 extraterritorial zoning jurisdiction or town, 1-special expertise related to affordable housing)

Currently Serving

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content	Term Expiration
AHAC	White	NA	F	1976	In Town	Communications and marketing manager	2026
AHAC	African American	NA	M	1984	In Town	Cashier	2026
AHAC	Black	NA	F	1960	In Town	Book Seller	2026
AHAC	Indigenous	NA	F	1975	In Town	Student	2024
HSC	White	Jewish	F	1970	In Town	Social Worker	Jun-24
HSC	White	NA	F	1967	In Town	Personal Organizer	Jun-24
HSC	White	NA	F	1949	In Town	Retired	Jun-24
Reappointment							

This would leave 3 open seats no applicants with an affordable housing expertise.

We have 3 applicants

Applicants

Interests	Race	Ethnicity	Sex	YOB	Seat Designation	Occupation/Expertise Content
AHAC	White	NA	M	1968	In Town	
AHAC	White	NA	M	1987	In Town	Driver
Both	White	NA	F	1968	In Town	Researcher

*Keep HSC as Subcommittee



Board Consolidation

Environmental Advisory Board and Climate Action Team

Council would like Climate to be broader umbrella and consider a name change

Keep under LUO Chapter 15

Ideal Membership: 13 members (Members shall be residents or business owners, or employees in the town or extraterritorial planning jurisdiction or joint planning transition area, 1-experience in community organizing or environmental justice, 1-high school student)

*EAB has not met since February 2022 due to quorum

This would leave 6 open seats and we have 4 applicants

- Meet once a month with two meetings for planning events
- All members must attend one event per year

Currently Serving

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content	Term Expiration
EAB	White	NA	F	1956		Retired professor of biology and environmental science	2/1/2025
CAT	White	NA	M			Project Management	2/1/2024
CAT	White	NA	F	1969		Retired Teacher	2/1/2024
CAT	White	NA	M	1962		Public Health Consultant	2/1/2026
CAT	White	NA	F	1952		Retired UNC Professor	2/1/2026
					Experience related to community organizing or environmental justice		
CAT	White	NA	F	1961		Public health, non-profit	2/1/2026
CAT	White	NA	M	1990		Graduate Student	2/1/2026
Reappointment							

Applicants

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content
CAT	White	NA	F	2006	High school seat	
EAB	White	NA	M	1986	In Town	Self Employed
EAB	White	NA	F	2000	In Town	Worker
Both	White	European American	F	1979	In Town	Professor

Board Consolidation

Planning Board and Appearance Commission (NTAAC subcommittee)

Ideal Membership:

11 members (9 reside within the town, 1–lawyer or design engineer, 1-OCBOC appointee Extraterritorial Planning Area, 1-OCBOC appointee Joint Planning Transition area)

*This would put the committee 1 over the desired number

- All council appointed members are on first term.
- no one due to rotate off until this year’s appointment term out in 2027.

Currently Serving

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content	Term Expiration
NTAAC	White	NA	F	1968	TOC-Needs reappointment	Physical Therapist	Feb-24
NTAAC	White	NA	F	1973	Carrboro representative	Executive Director	Feb-26
NTAAC	White	NA	F	1960	OCBOC appointee	Solar Energy Design/Install	Feb-26
NTAAC	White	NA	F	1951	OCBOC Needs reappointment	Art Consultant/Morehead House BB Manager	Feb-24
NTAAC	White	NA	F	1959	OCBOC appointee	Professor	Feb-26
Reappointment							

Currently Serving

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content	Term Expiration
Planning	White	NA	M	1951	In Town	Retired	2/1/2024
Planning	Black	NA	M		In Town	Diversity member	2/1/2024
Planning	Multiracial	Other	F	1975	In Town	Personal Care Aide/Paralegel	2/1/2026
Planning	White	NA	F	1949	OCBOC appointee-Joint Planning Transition Area	Retired	2/28/2026
Planning	White	NA	M	1991		Cook	2/1/2025
Planning	White	NA	F	60+	OCBOC appointee - ETJ	Retired	2/28/2026
Planning	White	Jewish	M	1995	In Town	Audio Engineer	2/1/2025
Appearance	White	NA	M	1957	In Town	Retired	2/1/2026
Appearance	White	NA	M	1986	In Town	Sponsorship Coordinator	2/1/2026
Appearance	White	NA	F	1956	In Town	Physician	2/1/2025
Appearance	White	NA	M	1981	In Town	Public Health	2/1/2026
Appearance	White	NA	F	1987	In Town	Social Science Researcher	2/1/2026
Reappointment							

Applicants

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content
Planning	White	NA	M	1981	In Town	Network engineer
Planning	White	NA	M	1986	In Town	Data Scientist
Planning	Asian	Chinese	M	1984	In Town	Business Analyst
Planning	White	NA	F	1990	In Town	Graduate Student

Board Consolidation

Racial Equity Commission and Truth Plaque Task Force

Ideal Membership:

9 members (All residents of town)

- 2- 20-year residents and person of color
- 2- 10-year residents and person of color
- 1 AHAC
- 1-EAB
- 1-ESC
- 1-Farmer’s Market Board or BIPOC business owner
- 1- Youth Seat

Currently Serving

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content	Term Expiration
REC	Black	NA	M	1990	Person of Color-10 Year Resident	Student	2/1/2025
REC	Black	NA	F	1951	Person of Color-20 year Resident	Retired	2/1/2026
REC	Black	NA	F	1960	AHAC Representative	Bookseller	2/1/2025
TPTF	No Information Collected						Does Not Apply
TPTF							
TPTF							
TPTF							
TPTF							
TPTF							
TPTF							
TPTF							
TPTF							

*REC does not currently meet quorum and there are no applicants



Board Consolidation

Recreation and Parks Commission and Art Committee

Ideal Membership:

12 members

- 10 voting (7 residents, 1–Carrboro Art Council, 1-Youth Council, 1-Senior)
- 2 non-voting (1-Chapel Hill Arts Committee, 1-Chapel Hill-Carrboro Schools Representative)
- Combining would make 12 member however there is no Chapel Hill Arts Committee member included.
- The 7 applicants would have to wait until next year for appointment.
- Only one seat would open in 2025.

Currently Serving

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content	Term Expiration
RPC	White	NA	F	1989	In Town	Carrboro Farmers Market Manager	2/1/2026
RPC	White	NA	M	1983	In Town	Outdoor recreation planner	2/1/2025
RPC	Black	African American	F	NA	In Town	Educator	2/1/2027
RPC	White	NA	F	1953	In Town	Retired teacher	2/1/2026
RPC	NA	NA	NA	NA	Youth Council Liaison		NA
RPC	NA	NA	NA	NA	School rep-non voting		NA
RPC	White	NA	M	1980	In Town	Project Manager	2/1/2026
ART	Black	NA	F	1979	In Town	Professor	2/1/2024
ART	White	NA	F	NA	In Town	Montessori Teacher	2/1/2025
ART	White	NA	F	1983	In Town	Cultural Organization Director	2/1/2025
ART	White	NA	F	1993	In Town	Program Coordinator	2/1/2024
ART	NA	NA	NA	NA	Arts Center Rep		NA
Reappointment							

Applicants

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content
ART	White	NA	Female	1977	In Town	Non-Profit Program Director
ART	Black	African American	Male	1989	In Town	Private Chef
ART	White	Non-Hispanic	Female	1947	In Town	Retired
ART	White	NA	Female	1979	In Town	Self-employed
RPC	White	NA	Female	1995	In Town	Healthy Economies Coordinator
RPC	White	NA	Female	1992	In Town	Fundraising UNC SOG
RPC	White	NA	Female	1988	In Town	Volunteer

Board Consolidation

Transportation Board and Greenways Commission (SRTS subcommittee)

Ideal Membership:

9 members (8 reside in town, 1-in town or extraterritorial planning jurisdiction, or joint planning area - All interested or expertise relevant to TAB duties

- This would leave 2 open seats for TAB
 - We have 2 applicants eligible

*Greenways Commission does not currently meet quorum

- SRTS does not have quorum requirement
 - 3 open seats
 - 1 applicant

Currently Serving

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content	Term Expiration
TAB	White	NA	F	1987	In Town	Research Specialist	2/1/2026
TAB	White	NA	M	1957	In Town	Retired/ Land Use Planning Instructor	2/1/2026
TAB	White	NA	M	1987	In Town	Software Developer	11/1/2026
TAB	White	NA	M	1979	In Town	Data Scientist	11/1/2026
TAB	Black	NA	F	1969	In Town	Attorney	2/1/2024
GC	White	NA	M	1991	In Town	Physican Assistant	2/1/2026
GC	White	NA	F	1971	In Town	Physican Assistant	2/1/2026
Reappointment							

Applicants

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content
Both	White	NA	M	1985	In Town	Planner/Program Manager
GC	White	NA	F	1998	In Town	Tutor
SRTS	Asian	South Asian	F	2010	Middle School student	

Currently Serving

Board/Commission	Race	Ethnicity	Gender	YOB	Seat Designation	Occupation/Expertise Content
SRTS	White	NA	F	1973	Parent of Middle Schooler	NA

Next Steps

- Decides on structure of advisory boards/commissions
- Decide on a timeline for implementation
 - Direct clerk how to proceed with new appointments/reappointments
- Public Engagement
 - Boards/Commissions
 - How to do with boards that do not meet quorum?
 - Community
- Town Code Amendments

Charges for Advisory Boards



Charges for Advisory Boards

Affordable Housing Advisory Commission

Meets Monthly

Section 3-24.14

Purpose

1. Review/make recommendations concerning new or revised policies regarding the Town's Affordable Housing Fund;
2. Review/make recommendations for new or revised Land Use Ordinance provisions related to the Town's Affordable Housing Goals and Strategies;
3. Review/make recommendations on Affordable Housing Funding Applications;
4. Carry out specific responsibilities that may be required in accordance with the Affordable Housing Fund Policies or the Town's Land Use Ordinance;
5. Annually review the Town's Affordable Housing goals, data and other progress indicators, and to make recommendations to prioritize or adjust activities based on such review;
6. Offer recommendations for new or specific actions the Town may pursue to increase the availability of diverse, affordable housing in Carrboro, particularly as new opportunities arise or are brought to the Commission's attention by Staff;
7. Review/Approve annual and other Staff reports
8. As needed or as requested by Town staff, to organize subcommittees focusing on specific topics or issues to help advance specific work; and
9. Identify and research affordable housing trends and issues.

• *Human Services Advisory Commission*

Meets Primarily at Budget Time

Section 3-7

Powers and Duties

1. The principal function of the commission shall be to study all funding applications received by the Town from non-departmental agencies and to make recommendations to the Town Council on these funding requests.
2. The commission shall perform such other duties as may be assigned from time to time by the Town Council.

Charges for Advisory Boards

Board of Adjustment

Shall Establish a Meeting Schedule

Section 3-22, (LUO) Chapter 15, Article III, Part II

Powers and Duties

The board of adjustment shall hear and decide:

- (1) Appeals from any order, decision, requirement, or interpretation made by the administrator, as provided in Section 15-91.
- (2) Applications for special use permits-B, as provided in Subsection 15-46(a).
- (3) Applications for variances, as provided in Section 15-92.
- (4) Applications for special exception permits, as provided in Section 15-92.1. (AMENDED 6/21/94)
- (5) Questions involving interpretation of the zoning map, including disputed district boundary lines and lot lines, as provided in Section 15-93.
- (6) Applications for major subdivisions containing between five and twelve lots. (AMENDED 7/21/87)
- (7) Any other matters the board is required to act upon by any other town ordinance.
- (8) Questions involving administrative determinations as provided in Subsection 15-93.1.

Economic Sustainability Commission

Meets at least monthly

Section 3-24.3

Powers and Duties

1. Evaluate commercial growth, development, and redevelopment to ensure projects correspond with the Town's sustainability goals and sustainability principles:
 1. Do no harm to the environment and protect natural resources.
 2. Adhere to the principles of social justice and equity in economic and community development efforts.
 3. Return strong stakeholders value.
2. Promote the development and expansion of diverse job opportunities, providing for economic opportunity and mobility
3. Administer the Revolving Loan Fund.
4. Work closely with the Town Manager for dealing with sustainability issues
5. Make studies and recommend to the Council plans, goals, and objectives relating to the growth, development, and redevelopment of the Town.
6. Recommend site-specific plans for the commercial development of various lots within the Town, showing recommended types of development for these specific lots.
7. Recommend plans for the improvement of access to and circulation within the Town by motorists (including parking), public transportation users, bicyclists, and pedestrians.
8. Upon request of the Board of Adjustment or Town Council, make recommendations to the respective board on requests for special or conditional use permits or land use ordinance text or zoning map changes.

Charges for Advisory Boards

Environmental Advisory Board

Shall Establish a Meeting Schedule

Section 15-45, (LUO) Chapter 15, Article III, Part VI

Powers and Duties

1. Advise the Town Council on policies, ordinances, and administrative procedures regarding environmental protection and the conservation of natural resources. The areas of review for the EAB include new development, solid waste, air quality, climate protection and resilience, energy conservation, solar energy, groundwater, natural resources, and other areas.
2. Provide recommendations for green building and low impact development as part of new development and redevelopment, including site planning and design, energy efficiency and renewable energy, water efficiency, materials efficiency and waste reduction, indoor environmental quality, and the minimization of pollution.
3. Adopt a set of guiding principles or goals for the EAB and review these goals periodically to determine if they are being obtained.
4. Take any other action authorized by this chapter or any other ordinance or resolution of the Town Council

Climate Action Team

Up to 4 in person meetings

Up to 4 virtual meetings to plan outreach events

At least 2 community outreach events

Special meetings as necessary

Section 3-24.18

Powers and Duties

1. Provide expertise and input on implementation of the Community Climate Action Plan and municipal Energy and Climate Protection Plan.
 - Provide feedback on the yearly environmental sustainability work plan and ongoing climate action initiatives as requested by staff.
 - Analyze climate action initiatives with particular attention to race and equity, building on the recommendation for considering social justice and equity in the Community Climate Action Plan.
2. Actively participate in the design, organization, and implementation of community outreach events. At these events, CAT members will educate and engage Carrboro residents in Town climate action initiatives.
3. One of the most important duties for CAT members will be participation in the community outreach events. CAT members shall participate in at least one outreach event each calendar year.
4. Take any other action authorized by this chapter or any other ordinance or resolution of the Town Council.



Charges for Advisory Boards

Planning Board

Shall Establish a Meeting Schedule

Section 15-25, (LUO) Chapter 15, Article III, Part I

Powers and Duties

1. Make studies and recommend to the Town Council plans, goals and objectives relating to the growth, development and redevelopment of the town and the surrounding extraterritorial planning area.
2. Develop and recommend to the Town Council policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner.
3. Make recommendations to the Town Council concerning proposed special use permits-A, and proposed land use ordinance and zoning map changes as provided by Section 15-57 and 15-322.
4. Make recommendations to the board of adjustment concerning proposed special use permits-B as provided by Section 15-56

Appearance Commission

Shall Establish a Meeting Schedule

Section 15-44, (LUO) Chapter 15, Article III, Part V

Powers and Duties

1. Initiate, promote, and assist in the implementation of programs for general community beautification within the town's planning jurisdiction.
2. Seek to coordinate the activities of individuals, agencies, organizations and groups, public and private, whose plans, activities and programs bear upon the appearance of the town and its environs.
3. Direct the attention of the mayor and the Board of Aldermen to ways in which the town government may take direct action affecting the appearance of the town and its environs.
4. Make recommendations upon any permit or other item referred to the commission by the Town Council, planning board, board of adjustment, or administrator. Without limiting the generality of the foregoing, the commission's recommendations regarding development permit applications may address the appearance or design of proposed development projects. (AMENDED 6/27/06).
5. Appoint subcommittees to advise and assist the commission in carrying out its duties



Charges for Advisory Boards

Northern Transition Area Advisory Commission

Shall Establish a Meeting Schedule

Section 15-27, (LUO) Chapter 15, Article III, Part 1

Powers and Duties

Review zoning amendment requests and special use permit applications for developments within the Northern Transition Area and make advisory recommendations on the same to the board of adjustment or Town Council, respectively. (AMENDED 6/22/21)

Initiate studies related to the special character of the Northern Study Area.

- a) Inventory of areas of cultural, archaeological, or historical significance.
- b) Inventory of open space character and scenic qualities.
- c) Inventory of agricultural uses
 1. Land in Use Value a. Horticultural b. Agricultural c. Timber
 2. Farming as business a. Large field crops b. Metro farms, specialty crops
- d) Inventory of biological value
 1. Tree species diversity, exceptional tracts of forest land
 2. Rare occurrences (i.e. Upland Depression Swamp)
 3. Wildlife a. Audubon annual bird count b. Deer population

(3) Use the studies above as the basis of its development of, and recommendations for, additional policies, objectives, goals, plans, ordinances, and administrative actions that will preserve and enhance that special character and relate to its growth.

(4) Develop and recommend to the Town Council policies, ordinances, administrative procedures and other means for carrying out plans in an efficient and coordinated manner.

(5) Track and review other studies and plans that will have an impact on the Northern Study Area – including those of the Chapel Hill Town Council, The Orange County Board of County Commissioners, and their appointed committees – and give feedback to the originating governing body.

(6) Meet annually with the Carrboro Planning Board for a joint planning session.

(7) Submit regular reports to the Orange County Board of Commissioners.

Stormwater Advisory Commission

Meets Monthly

Section 3-24.15

Powers and Duties

- (1) Investigate and advise the Town Council on policies, ordinances, best management practices, and administrative procedures regarding stormwater management;
- (2) Investigate, review and make recommendations to the Town Council for new or revised policies regarding the Town's Stormwater Management Utility and Stormwater Management Enterprise Fund;
- (3) Investigate, review and make recommendations concerning new or revised land use ordinance provisions related to stormwater management;
- (4) Review the Town's Stormwater Management Program and Plan, stormwater compliance activities, and other stormwater related plans, and make recommendations to prioritize or adjust activities;
- (5) Investigate and provide recommendations regarding stormwater runoff for new development and re-development projects when requested by the Council or staff;
- (6) Review and approve annual (and other) staff reports to the Town Council regarding the Town's stormwater management duties; and
- (7) Fulfill the Town's requirements under its NPDES Phase II stormwater permit for citizens' input of stormwater management activities; and
- (8) Organize subcommittees concerning specific topics or issues related to stormwater management as needed or as requested by Town staff.



Charges for Advisory Boards

Racial Equity Commission

No Statement of Meeting Regularity
Section 3-46

- There shall be a Racial Equity Commission to advise and work with the Town Council, Race and Equity Officer, and Town staff to educate, provide leadership, and facilitate on-going equitable engagement within the immediate and greater Carrboro community toward the goal of creating a community of inclusiveness in which political, economic, social, and cultural institutions are no longer predicated and influenced by race.

Truth Plaque Task Force

No Formal Charge in Town Code

Council Actions:

- May 5th, 2018, the Board of Alderman held a discussion regarding a possible Truth Plaque concept. Staff was directed to have an intern work with the community to gather input for the plaque, and to father oral histories of the Town's senior African-American citizens.

First mention of Task Force

- February 5th, 2019, an agenda item read that the Task force met several times in late 2018 and then again in January of 2019. During this meeting, the TPTF presented their recommendation to the Board of Aldermen which outlined their process and recommended text. The Board decided to fund the plaque to an amount of up to \$5000, with remaining funds to be allocated to future historical markers.

Charges for Advisory Boards

Parks and Recreation Commission

Shall Establish a Meeting Schedule

Section 3-29

Powers and Duties

The commission shall advise the Town Council and the administration (i.e., the Town Manager or recreation director) concerning:

- (1) The acquisition of real or personal property to be used for park or recreation purposes and the maintenance and use of all Town-owned, leased or operated parks and recreational facilities;
- (2) The operation of all recreation programs;
- (3) Future needs for the acquisition of additional recreation facilities or the expansion of recreational programs and alternative means of acquiring such facilities or operating such programs

The commission shall report to the Town Council as requested by the Council and shall undertake such studies or perform such duties as the Council may request from time to time.

Art Committee

Shall Establish a Meeting Schedule

Section 3-41.2

Powers and Duties

- (1) Recommend to the Town Council a policy for the selection of art to be displayed in or on public facilities.
- (2) Coordinate arrangements to have art work displayed on Town property, in conjunction with the staff of the Recreation and Parks Department.
- (3) Work collaboratively with the community on projects related to the arts. Members of the Arts Committee may assist in community fund raising activities, but any funds received by the committee or by members acting in their official capacity must be accounted for, and all expenditures by the committee must be made, in accordance with the provisions of the Local Government Budget and Fiscal Control Act. Such funds may be received and expended by the Town only for purposes for which the Town is statutorily authorized to expend public funds.

Charges for Advisory Boards

Transportation Advisory Board

Meets Twice Monthly

Section 3-24.2

Powers and Duties

- (a) The TAB shall conduct studies and advise and make recommendations to the Town Council concerning all matters relating to the transportation within the Town of Carrboro and the surrounding area, including, but not limited to, the need for the construction, operation, relocation, or improvement of streets, sidewalks, and bikeways, as well as the establishment and improvement of alternative methods of mass transportation.
- (b) TAB shall report to the Town Council as requested by the Council and shall undertake such studies or perform such duties as the Council may request.
- (c) TAB may adopt rules and regulations governing its procedures
- (d) From time to time, the Town Council may appoint one or more individuals to assist the TAB to carry out its transportation responsibilities with respect to a particular subject area. The Council may appoint advisory committees to consider long-range transportation plans, pedestrians or bicycle plans, infrastructure safety improvements, etc. Members of such advisory committees shall sit as nonvoting members of the TAB

Greenways Commission

Meets Quarterly

Section 3-24.9

Powers and Duties

- The commission shall recommend to the Council policies, programs, and actions that may assist the Town in safeguarding the water quality, environment and livability of the community by establishing greenways. For purposes of this section, the term “greenways” refers to unbroken chains of preserved open space surrounding stream and wildlife corridors, headwaters, water recharge areas, and significant ecosystems that also provide bicycle and pedestrian connections between neighborhoods and for the community. The commission may also encourage effective stewardship and management of such greenways and promote educational, recreational, and public health usage consistent with the protection of this resource.

Charges for Advisory Boards

Safe Routes To School

Meets Quarterly at TAB Meetings

Section 3-24.2(d)1a

Powers and Duties

The Safe Routes to School Implementation Committee shall recommend transportation projects, policies, programs, or activities that serve to increase the safety and convenience of walking and bicycling to school. The Committee shall provide guidance and support for implementing the recommendations of the adopted Safe Routes to School Action Plan and evaluating implementation progress. The Committee may provide assistance with seeking project or program funding, including applying for grants, Safe Routes to School event planning, and data collection.

Template to Guide Composing New Advisory Board Charges.

*The numbers in the town code are not really uniform but the clerk can work out the final numbering when it all comes together. You can put ideal numbering in your proposal.

**Please remember to consult the [Advisory Board Rules of Procedure](#) to make sure you are following what has been adopted.

Section 3-XX Your Advisory Board/Commission

- (a) This first section should define your membership. Your advisory board shall consist of.....
- (b) Establish terms of members
- (c) Establish how to fill vacancies for unexpired terms
- (d) Use however many letters here to define your membership
- (e) Removal from boards needs to stay the same as is stated in your parent board. This was discussed in 05/23/2023 meeting and still needs to be addressed in the public forum. There is a plan for this but will come up in later meetings. Use the removal process that is listed.

Section 3-XX.1 Meetings of Your Advisory Board

- (a) This section should lay out your meeting schedule
- (b) What means to have quorum in your board and if have one or more vacancies
- (c) The voting process
- (d) How meetings are conducted and expectations
- (e) Process with minutes
- (f) etc

Section 3-XX.2 Officers of Your Advisory Board

- (a) This section should lay out your process of electing officers
- (b) Length of terms serving as officers
- (c) What chairs and vice chairs can and cannot do

Section 3-XX.3 Powers and Duties of Your Advisory Board

- (a) This advisory board may:
 - (1) powers here
 - (2) Duties here
- (b) Your Advisory Board shall report to Town Council as requested and undertake studies.....
- (c) i.e. Town council may appoint a subcommittee for X purpose....etc

Section 3-XX.4 If you need another for Your Advisory Board



RULES OF PROCEDURE FOR TOWN OF CARRBORO BOARDS AND COMMISSIONS

ADMINISTRATIVE POLICY

Adopted 11-21-2017, Amend. 9-13-2022

Purpose: This policy for advisory boards/commissions (and for the Board of Adjustment to the extent not inconsistent with the Town’s Land Use Ordinance) (hereinafter “boards”) will provide efficient and equitable rules of procedures for all board members and staff liaisons to follow and provide general information and recommendations about how the boards conduct Town business. *(amend. 9-13-2022)*

This policy is not designed to create any additional rights or obligations, nor does it establish any procedural rights to any person that are not already provided for by law. The failure of any board member to adhere to the recommended procedures described herein shall not affect the validity of any meeting or action taken. To the extent there is conflict or any discrepancy between these procedures and the North Carolina General Statutes, case law, or Town ordinances (collectively “law”), the law shall prevail.

1. Role of Town Council Liaison

The Town Council will appoint a Board liaison(s) to each board at the organizational meeting held each election year. These appointees will serve as the elected official point of contact for the board. Board liaisons are non-voting persons who serve chiefly to listen to conversation, to clarify as necessary matters of policy or process related to a particular issue, and to fairly recount Advisory Board conversation and intent as may be needed in subsequent Town Council discussions. Board liaisons are expected to limit their participation in Advisory Board debate and discussion so as to ensure the freest environmental for citizen input, participation, and leadership. Liaisons shall encourage productive discussion but leave meeting facilitation to Advisory Board chairs and staff. Board liaisons shall not call or cancel meetings, nor amend the agenda of an Advisory Board meeting.

2. Role of Staff Liaison

Each department director will have the responsibility of designating a staff person from their department to serve as the staff liaison for each advisory board(s) managed by their department. Additional staff from that department may also provide support roles as deemed necessary by the department director. The staff liaison will be the primary contact for the advisory board members. The staff liaison is responsible for providing board-specific orientation to board members. While the staff liaison serves as staff support to the board it should be clearly noted that staff work is directed only by the department director or their supervisor. Staff liaisons should refer to their supervisor with any questions related to advisory board work. It is the responsibility of the staff liaison to develop agendas and guide the work of the advisory board, as directed by the Town Council.



3. Meeting Schedules

Boards should adopt a yearly meeting schedule each year which takes into account Town-observed holidays and other frequently observed holidays and events. Once adopted, the meeting schedule is then posted in a public notice. Boards that meet on an as-needed basis only will provide appropriate public notice at least 96 hours (4 days) in advance of each meeting. Such notice will provide the date, time, location and purpose of the meeting. In addition, appropriate public notice, as required by law, will be given for any special meeting or work session that is not included on the regular meeting schedule.

4. Meeting Agenda

The purpose of the agenda is to organize materials to be considered and to give members an opportunity to study the issues before the meeting.

Board agendas are prepared by the staff liaison based upon information received from the Town Council, department directors, staff, or items continued or approved to be on the agenda by consensus of a majority of board members during the previous meeting. Advisory board chairpersons may provide input during agenda preparation but are not required nor expected to approve agendas as provided by the staff liaison.

The staff liaison will ensure that the agenda, and all supplementary material, is available on the Town's website at least 96 hours (4 days) prior to the board meeting. No changes will be made to the agenda once it has been posted. However, the following changes may be made at the beginning of the meeting if agreed to by a majority of the members present: order, discussion of planning of events, announcements by members of the committee. Items that will require a vote and recommendation back to the Town Council may not be added to the agenda at the meeting. If the agenda is not posted prior to 96 hours of the meeting, the meeting will be cancelled, and items will be continued to the next properly posted meeting.

Items shall be placed on the agenda according to the order of business. The order of business for a regular meeting agenda follows. Agenda items may be considered in an order different from that shown on the agenda. In emergency situations, other items may be considered on the agenda.

- Call to Order: The presider (usually the chair) will always begin the meeting at the appointed time with a quorum present;
- Swearing in of witnesses, if required: A Town staff member who is a Notary Public may perform this duty in addition to other persons granted this authority by state law or other governing documents;
- Approval of previous meeting minutes: The board will adopt the minutes, as is, or with modifications by motion, second and vote of majority;
- Action and discussion items, reports, information items (including any public hearings);
- Old/New Business;
- Adjournment: The board shall adjourn meetings by motion in open session.

Some boards utilize committees to help carry out their business. The meetings of those committees



are recognized to be more informal than regular meetings, and the public notice may also serve as the agenda. Items may not be added to the agenda of a committee meeting.

7. Open Meetings Requirement

Board members shall not deliberate, vote, or otherwise take action on any matter with the intention of making it impossible for persons attending a meeting of the board to understand what is being deliberated, voted, or acted on. Board members should strive to be clear about the matters they are considering and should refrain from referencing an item by letter, number, or other designation which might be conceived as a secret device or method. The board may deliberate, vote or otherwise take action by reference to an agenda, if copies of the agenda—sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on—are available for public inspection at the meeting.

8. Quorum

Unless otherwise set forth in bylaws or other governing documents, a majority of the board, including the chair but excluding vacant seats, shall constitute a quorum. A majority is more than half of the board. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining a quorum.

9. Chair

The chair shall have the following authority:

- To act as the parliamentarian during meetings of the board;
- To preside over public meetings of the board;
- To vote upon all measures before the board;
- To be counted for quorum purposes;
- To preserve order and decorum;
- To call a brief recess at any time;
- To adjourn in an emergency.

The chair may also:

- Rule motions in or out of order;
- Determine when a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
- Answer questions of procedure.

The board may, at its discretion, elect from its membership a vice chair to serve in the chair's absence or in case of sickness of the chair or other causes which would prevent the chair from attending to his or her duties. The vice chair shall be entitled to vote on all matters and shall be considered a board member for all purposes, including the determination of whether a quorum is present.



If both the chair and vice chair are absent from a meeting, the board may elect from among its members a temporary chairperson to preside at the meeting.

The chair as the meeting presider shall follow the principles below, which were taken from “Robert’s Rules in Plain English”:

- “Be on time and start on time.”
- “Be organized. The presiding officer should have a detailed, well prepared agenda and stick to it.”
- “Be prepared. The presiding officer should be familiar with the procedural rules...”
- “Be a teacher. The presiding officer should keep the group working together by explaining procedure clearly and communicating the next order of business. If a motion is confusing, it is his [her] duty to clarify it. This may mean helping a member rephrase a motion.”
- “Be in control of the floor. The presiding officer should ‘assign’ the floor by recognizing those members who wish to speak by calling them by name. No other member may interrupt or call out remarks without being out of order. The presiding officer should remind such a member that the floor has been assigned and request that his [her] remarks be held until the floor has been assigned to him [her]. In addition, private discussion between members while another has the floor is out of order and disruptive members should be reminded of this rule.”
- “Be impartial. The presiding officer should impartially call on members wishing to speak. He [she] should give members on both sides of an issue an opportunity to speak...”
- “Be composed. The presiding officer should remain calm and objective, keeping the meeting moving.”
- “Be precise. The presiding officer should always restate the motion before taking a vote. After taking the vote, he [she] announces the result of the vote by interpreting the action taken. The presiding officer should always be certain about the results of a voice vote. He [she] may retake the vote by requesting a show of hands on his [her] own accord.”
- “Be focused. The presiding officer should not allow irrelevant discussion.
- Restate the question and, if necessary, directly request the member to
- ‘confine remarks to the pending question’.”
- “Be temperate. The presiding officer should use the gavel sparingly, tapping it once to open and close the meeting.”

10. Action by boards

Actions of the boards shall proceed by motion, unless agreed to proceed by unanimous consensus. Seconds are required to all motions. Only one motion at a time shall be allowed. Motions may be withdrawn at any time prior to a vote or in accordance with the law. Motions shall be adopted by a majority of the votes cast unless otherwise required by these rules or by the laws of North Carolina. A majority is defined as more than half of the board members present for the vote.



Every member of the board should actively participate in voting unless excused by the remaining members in accordance with state law. A member who wishes to be excused from voting shall so inform the chair, who shall take a vote of the remaining members. No member should be excused from voting except upon matters in which the member has a conflict of interest (as outlined in the North Carolina General Statutes and case law). In all other cases, a failure to vote by a member who is physically present in the meeting, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote. However, board members are encouraged to make their voting positions clear by verbalizing their votes rather than allowing their silence to represent an affirmative vote. If a vote is unclear to the chair, then it will be up to the chair to call for a vote by hand.

11. Minutes

Generally, the minutes of all boards are considered public records. The public records laws should be relied upon in determining when all records, including minutes, are deemed public records. The staff member that is designated as the secretary or liaison to the board shall be considered the custodian of the minutes and should treat such documents as public record laws require. The North Carolina Department of Cultural Resources should be referred to as a necessary guide in determining the status of all records.

Draft minutes posted in a meeting documents packet shall be watermarked “DRAFT”. Once minutes are approved, they shall be posted in the appropriate section of the website module before the next meeting’s documents are posted and sent out.

Minutes will be “summary minutes” and will not be verbatim. The law requires that all minutes be “full and accurate”. The purpose of minutes is to provide a record of the actions taken by a board and not to provide a transcript of the discussions that occurred during the meeting. The minutes can also provide evidence on behalf of the board, that the board followed proper procedures in taking its actions. If no action is taken, the minutes may simply reflect that the meeting occurred, include the subject of the meeting and that no action occurred. It is not necessary to reflect the conversations and discussions of the board. The minutes should reflect motions made and seconds, identify the movants, dissenting votes, the general summary for the dissenting vote (or minority opinion), and the order in which the items before the board are addressed. All minutes shall be in written form. Minutes should contain enough information to act as an official record of the action taken, they should serve as a guide to staff and the Board in describing what action, if any, is recommended by the board, and they should be sufficient to be submitted as legal evidence as necessary. It is not necessary to record all discussions, particularly those discussions upon which no action is taken. Minutes shall include an accurate account of all guests that speak and a summary of what they spoke about.

Minutes for the Board of Adjustment should reflect in the record all findings pertaining to each hearing, every resolution acted upon by the board, and all votes of members of the board upon any resolution or upon the final determination of any question, indicating the names of members absent or failing to vote.



The following is an outline which may serve as a template for the boards in the preparation of meeting minutes.

- Name/identity of the board;
- Date, time and location of meeting;
- Time meeting called to order;
- Names of board members in attendance and those absent;
- Statement of whether or not there was a quorum present;
- Identification of subjects for consideration;
- Motions and seconds;
- Any conflicts of interest or abstainments from voting and votes thereon;
- Vote/Action taken by board;
- Dissenting opinion;
- Time meeting adjourned.

Each board shall vote to approve their minutes at their next meeting. Board members may suggest corrections to the minutes when they are in draft form. All board member suggested corrections should comply with this policy. Board members should not propose amendments to the minutes that conflict with this policy.

If audio recordings of board meetings are created, then the staff liaison shall maintain these audio recordings in accordance with the public records laws and Town policy.

12. Committees of the Boards

The board may create committees to facilitate the efficiency and effectiveness of the board's business by researching, studying, and deliberating issues on behalf of, and at the direction of, the full board. Recommendation and reports of any committee will be made to the full board for discussion and/or recommendation.

Minutes of committee meetings shall comply with this policy.

Public notice of subcommittee meetings shall follow the agenda notice requirements of Section 4 of this policy.

13. Remote Participation by Board and Commission Members (amend. 9-13-2022)

Some or all board and commission members shall be allowed to participate remotely at its meetings and fully participate in all discussions and votes on business of the body. Said members shall be counted toward a quorum.

For members of the Board of Adjustment, remote participation shall not include participating or voting in quasi-judicial hearings, nor shall quasi-judicial hearings be held without a quorum of the members present in person, except during a State-declared State of Emergency and pursuant to the provisions of G.S. § 166A-19.24.

This section does not limit the number of scheduled meetings that a board or commission member



may participate in remotely, nor does it limit the number of board or commission members who may participate remotely in a given meeting.

These meetings conducted remotely shall provide an opportunity for the public to participate and comment during the meeting by remote methods, including email, telephone, video, and/or other methods, to the extent practical.

14. Meeting Recording

All advisory board and commission meetings shall be audio recorded. The staff liaison shall be reasonable for maintaining the recordings in accordance with the NC Public Records laws.

Audio/video media do not have a permanent life space and it would be inconvenient and difficult to continually copy audio/video minutes to ensure their permanent status. Once official meeting minutes have been adopted, the minutes become the official permanent record of the meeting.

15. Ethics

Chapter 2, Appendix B of the Carrboro Town Code “The Code of Ethics for the Town of Carrboro Board of Alderman” shall also apply to all Town of Carrboro advisory board members. Section 3-42 of the Town Code shall also apply to all members.

16. Coverage (*Adopted 11-21-17, Amend. 9-13-2022*)

This policy shall be applicable to all appointed boards and committees until such time that the policy statement is altered, modified or rescinded.

ARTICLE III

ADMINISTRATION MECHANISMS

PART I. PLANNING BOARD

Section 15-21 Appointment and Terms of Planning Board Members.

(a) There shall be a planning board consisting of eleven members. Nine members appointed by the Town Council, shall reside within the town. One member, appointed by the Orange County Board of Commissioners, shall reside within the town's extraterritorial planning area. One member, appointed by the Orange County Board of Commissioners, shall reside within the town's joint planning transition area. If the Orange County Board fails to make these appointments within ninety days after receiving a resolution from the Town Council requesting that they be made, the Town Council may make them. **(AMENDED 5/26/81; 5/27/86; 11/14/88; 9/13/94; 4/25/06; 6/22/21)**

(a1) To ensure proportional representation, the number of ETJ representatives on the planning board shall be based on the population for residents within the town's extraterritorial planning area. The population estimates for this calculation shall be updated no less frequently than after each decennial census, and pursuant to G.S. 160D-307, board representation adjusted as needed to maintain proportionality. **(AMENDED 6/22/21)**

(b) Planning board members shall be appointed for three year staggered terms, but members may continue to serve until their successors have been appointed. Vacancies shall be filled for the unexpired terms only. **(AMENDED 5/27/86; 11/14/88; 4/25/06)**

(c) The term of one of the new in-town members shall expire January 31, 2009 (this seat replaces the vacant seat of an ETJ member whose term would have expired on that date) and the term of the other new in-town member shall expire January 31, 2007 (this seat replaces the vacant seat of a transition area member whose term would have expired on that date). **(AMENDED 4/25/06)**

(d) All members may participate in and vote on all issues before the board, regardless of whether the issue affects property within the town or within the extraterritorial planning area.

(e) Members may be removed as follows: **(AMENDED 5/27/86)**

- (1) The chair shall file or cause to be filed with the town clerk an attendance report after each meeting identifying those members who were present or absent.
- (2) Unless the chair waives the requirement, members shall be removed if they are absent for three consecutive meetings or if they miss more than thirty percent of the meetings during a twelve-month period. The town clerk shall notify the chair in writing as soon as a member becomes subject to removal under this section. The chair will have ten days after receipt of such notice to waive the removal. If the chair fails to notify the town clerk in writing within ten days after receipt of such notice that the automatic removal requirement

Art. III ADMINISTRATION MECHANISMS

should be waived, the town clerk will send a removal notice to the member. This removal shall be effective on the date of such notice.

- (3) Members may also be removed by the appointing authority, after a hearing, for any good cause related to performance of duty.

Section 15-22 Meetings of the Planning Board.

(a) The planning board shall establish a regular meeting schedule and shall meet frequently enough so that it can take action in conformity with Section 15-66 (Applications to be Processed Expeditiously).

(b) The board shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas to assist with the preparation of advisory comments and recommendations for the Town Council and board of adjustment, or as otherwise directed by the Council. **(REWRITTEN 6/22/21)**

(c) Minutes shall be kept of all board procedures and the vote of every member on each issue shall be recorded.

(d) All board meetings shall be open to the public, and whenever feasible the agenda for each board meeting shall be made available in advance of the meeting.

(e) Whenever the board is called upon to make recommendations concerning a special use permit-A request, special use permit-B request, or a minor zoning amendment proposal, the planning staff shall post on or near the subject property one or more notices that are sufficiently conspicuous in terms of size, location, and content to provide reasonably adequate notice to potentially interested persons of the matter that will appear on the board's agenda at a specified date and time. Such notice(s) shall be posted at least seven days prior to the meeting at which the matter is to be considered.

Section 15-23 Quorum and Voting.

(a) A quorum for the planning board shall consist of six members if there are no vacant seats, five members if there are one or two vacant seats, and four members if there are more than two vacant seats. A quorum is necessary for the board to take official action.

(b) All actions of the planning board shall be taken by majority vote, a quorum being present.

(c) A roll call vote shall be taken upon the request of any member.

Section 15-24 Planning Board Officers.

(a) The planning board shall designate one of its members to serve as chair, one member to serve as first vice-chair and one member to serve as second vice-chair. These officers shall be

Art. III ADMINISTRATION MECHANISMS

selected annually at the board's first regular meeting in February and shall serve for terms of one year unless their terms of appointment to the board sooner expire. A member may be selected to serve as chair for not more than two consecutive full one-year terms. Vacancies shall be filled for the unexpired terms only. **(AMENDED 1/10/84; 1/27/09)**

(b) The chair, first vice-chair and second vice-chair may take part in all deliberations and vote on all issues. **(AMENDED 1/27/09)**

Section 15-25 Powers and Duties of the Planning Board.

(a) The planning board may:

- (1) Make studies and recommend to the Town Council plans, goals and objectives relating to the growth, development and redevelopment of the town and the surrounding extraterritorial planning area.
- (2) Develop and recommend to the Town Council policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner.
- (3) Make recommendations to the Town Council concerning proposed special use permits-A, and proposed land use ordinance and zoning map changes as provided by Section 15-57 and 15-322.
- (4) Make recommendations to the board of adjustment concerning proposed special use permits-B as provided by Section 15-56. **(AMENDED 6/22/21)**
- (5) Perform any other duties assigned by the Town Council.

(b) The planning board may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this chapter.

Section 15-26 Advisory Committees. **(AMENDED 10/24/06)**

(a) From time to time, the Town Council may appoint one or more individuals to assist the planning board to carry out its planning responsibilities with respect to a particular subject area. By way of illustration, without limitation, the Town Council may appoint advisory committees to consider long range transportation plans, including pedestrian and bicycle plans, housing plans, economic development plans, etc.. **(AMENDED 6/22/21)**

(b) Members of such advisory committees shall sit as nonvoting members of the planning board when such issues are being considered and shall lend their talents, energies, and expertise to the planning board. However, all formal recommendations to the Town Council shall be made by the planning board.

Art. III ADMINISTRATION MECHANISMS

(c) Nothing in this section shall prevent the Town Council from establishing independent advisory groups, committees, or commissions to make recommendations on any issue directly to the Town Council.

(d) If an advisory committee provides direct advice to the Town Council (i.e. it does not report to the planning board), a member of that board shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. **(REWRITTEN 6/22/21)**

Section 15-27 Northern Transition Area Advisory Committee. (AMENDED 5/25/99)

(a) There shall be a Northern Transition Area Advisory Committee consisting of five members, three appointed by the Orange County Board of Commissioners and two by the Town Council. If the Board of Commissioners fails to make these appointments within ninety days after receiving a resolution from the Town Council requesting that they be made, the Town Council may make them. All members shall be residents of the Northern Transition Area. For the purposes of this section, the Northern Transition Area shall include those unannexed portions of the Northern Study Area. The Northern Study Area is defined as follows:

The boundaries of this area are Carrboro's joint planning jurisdiction line to the north and Carrboro's Town limits to the south. The Carrboro/Chapel Hill joint planning jurisdiction line serves as the boundary to the east. It begins north of Eubanks Road, follows Rogers Road to Homestead, then proceeds southwest on Homestead Road to High School Road and finally turns south and east to the railroad right-of-way. A primary ridge line serves as the northwest boundary line just east of Union Grove Church Road down to Dairyland Road, where the road serves as the boundary heading southeast until it intersects, and Old NC 86 serves as the boundary then turning southeast and running along Hillsborough Road to Greensboro Street.

(b) Members of the committee shall be appointed for three year staggered terms, but members may continue to serve until their successors have been appointed. Initially the terms of all membership seats on the committee shall expire on January 31, 2000. Thereafter, one county appointee and one town appointee shall be appointed for three-year terms, one county appointee and one town appointee shall be appointed for two-year terms, and one county appointee shall be appointed for a term of one year. All members shall thereafter be appointed for terms of three years but shall be limited to no more than two consecutive three-year terms.

(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.

Art. III ADMINISTRATION MECHANISMS

(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. A member may be selected to serve as chair for not more than two consecutive full one-year terms. 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. **(AMENDED 01/27/09)**

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

(1) Review zoning amendment requests and special use permit applications for developments within the Northern Transition Area and make advisory recommendations on the same to the board of adjustment or Town Council, respectively. **(AMENDED 6/22/21)**

(2) Initiate studies related to the special character of the Northern Study Area.

a) Inventory of areas of cultural, archaeological, or historical significance.

b) Inventory of open space character and scenic qualities.

c) Inventory of agricultural uses

1. Land in Use Value

a. Horticultural

b. Agricultural

c. Timber

2. Farming as business

a. Large field crops

b. Metro farms, specialty crops

d) Inventory of biological value

1. Tree species diversity, exceptional tracts of forest land

2. Rare occurrences (i.e. Upland Depression Swamp)

3. Wildlife

a. Audubon annual bird count

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b. Deer population

- (3) Use the studies above as the basis of its development of, and recommendations for, additional policies, objectives, goals, plans, ordinances, and administrative actions that will preserve and enhance that special character and relate to its growth. **(AMENDED 6/22/21)**
- (4) Develop and recommend to the Town Council policies, ordinances, administrative procedures and other means for carrying out plans in an efficient and coordinated manner.
- (5) Track and review other studies and plans that will have an impact on the Northern Study Area – including those of the Chapel Hill Town Council, The Orange County Board of County Commissioners and their appointed committees – and give feedback to the originating governing body.
- (6) Meet annually with the Carrboro Planning Board for a joint planning session.
- (7) Submit regular reports to the Orange County Board of Commissioners.
- (8) Perform other duties as assigned by the Town Council.

Section 15-28 Reserved.

*Art. III ADMINISTRATION MECHANISMS***PART V. APPEARANCE COMMISSION****Section 15-42 Appointment and Terms of Appearance Commission.**

(a) There shall be an appearance commission consisting of nine members. Seven members, appointed by the Town Council, shall reside within the town. One member, appointed by the Orange County Board of Commissioners, shall reside within the town's extraterritorial planning area. One member, appointed by the Orange County Board of Commissioners, shall reside within the town's joint planning transition area. If, despite good faith efforts, residents of the extraterritorial planning and joint planning transition areas cannot be found to fill the seats reserved for residents of such area, then the Orange County Board of Commissioners may appoint other residents of the county (including residents of the Town of Carrboro) to fill these seats. If the Orange County Board of Commissioners fails to make these appointments within ninety days after receiving a resolution from the Town Council requesting that they be made, the Town Council may make them. **(REWRITTEN 6/22/21)**

(a1) To ensure proportional representation, the number of ETJ representatives on the board of adjustment shall be based on the population for residents within the town's extraterritorial planning area. The population estimates for this calculation shall be updated no less frequently than after each decennial census, and pursuant to G.S. 160D-307, board representation adjusted as needed to maintain proportionality. **(REWRITTEN 6/22/21)**

(b) Appearance commission members shall be appointed for three-year staggered terms, but members may continue to serve until their successors have been appointed. The terms of all seats on the appearance commission on the effective date of this subsection (whether filled or vacant) shall expire on January 31, 1987. Effective February 1, 1987, three members shall be initially appointed for three-year terms, three members for two-year terms, and three members for one-year terms. Vacancies shall be filled for the unexpired terms only. **(AMENDED 5/27/86)**

(c) Members may be removed as follows: **(AMENDED 5/27/86)**

- (1) The chair shall file or cause to be filed with the town clerk an attendance report after each meeting identifying those members who were present or absent.
- (2) Unless the chair waives the requirement, members shall be removed if they are absent for three consecutive meetings or if they miss more than thirty percent of the meetings during a twelve month period. The town clerk shall notify the chair in writing as soon as a member becomes subject to removal under this section. The chair will have ten days after receipt of such notice to waive the removal. If the chair fails to notify the town clerk in writing within ten days after receipt of such notice that the automatic removal requirement should be waived, the town clerk will send a removal notice to the member. This removal shall be effective on the date of such notice.
- (3) Members may also be removed by the appointing authority, after a hearing, for any good cause related to performance of duty.

Art. III ADMINISTRATION MECHANISMS

(d) In making appointments to the commission, the Town Council shall seek to appoint persons with impartial and broad judgment, and when possible, persons with training or experience in a design profession. As wide a range of community interests as possible should be represented on the commission. The Town Council shall seek to appoint at least one person who lives in a neighborhood preservation district, one person who lives in an historic preservation district, and three persons who have demonstrated special interest, experience, or education in history, architecture, or related fields. **(AMENDED 9/26/89, 11/21/95)**

(d1) Whenever a historic district is designated, subject to the provisions of Section 15-338 of this chapter, in the town's extraterritorial planning area, the Town Council shall appoint persons residing in the town's extraterritorial planning area to serve on the Appearance Commission to provide proportional representation as required by G.S. 160D-307. **(AMENDED 6/22/21)**

(e) Members of the Appearance Commission shall be administered an oath of office as prescribed by Section 3-35(c) and (d) of the Town Code. **(AMENDED 10/10/90)**

Section 15-43 Organization and Meetings of Appearance Commission.

(a) The appearance commission shall establish a regular meeting schedule and shall meet frequently enough so that it can take action in conformity with section 15-66 (Applications to be Processed Expeditiously).

(b) Since the commission has only advisory authority, it need not conduct its meetings strictly in accordance with the quasi-judicial procedures set forth in Articles IV and VI except when, pursuant with subsection 15-43(f), the commission is acting in its capacity as the historic district commission in accordance with Article XXI. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas. **(AMENDED 6/22/21)**

(c) Minutes shall be kept of all board procedures and the vote of every member on each issue shall be recorded.

(d) All commission meetings shall be open to the public, and whenever feasible, the agenda for each board meeting shall be available in advance of the meeting.

(e) A quorum shall be present for the commission to take official action, and all actions shall be taken by majority vote. A quorum shall consist of four members if all seats on the Appearance Commission are filled and three members if there are one or more vacancies on the board. **(AMENDED 6/25/19)**

(f) The appearance commission shall select one of its members to serve as chair and one member to serve as vice-chair when the commission exercises the powers and duties of the appearance commission. The appearance commission shall select one of its members to serve as chair and one member to serve as vice-chair when exercising the powers and duties of the neighborhood preservation district commission or the historic district commission. The commission may, but need not, choose the same members to serve as officers in these two different

Art. III ADMINISTRATION MECHANISMS

capacities. These officers will be chosen annually at the commission's first meeting in March and shall serve for terms of one year unless their terms of appointment to the commission sooner expire. Vacancies shall be filled for the unexpired term only. A member may be selected to serve as chair in either capacity for not more than two consecutive full one-year terms. The chairman and vice-chairman may take part in all deliberations and vote on all issues. **(AMENDED 1/10/84; 9/26/89; 11/21/95; 1/27/09)**

Section 15-44 Powers and Duties of Appearance Commission.

- (a) The appearance commission may:
- (1) Initiate, promote, and assist in the implementation of programs for general community beautification within the town's planning jurisdiction.
 - (2) Seek to coordinate the activities of individuals, agencies, organizations and groups, public and private, whose plans, activities and programs bear upon the appearance of the town and its environs.
 - (3) Direct the attention of the mayor and the Board of Aldermen to ways in which the town government may take direct action affecting the appearance of the town and its environs.
 - (4) Make recommendations upon any permit or other item referred to the commission by the Town Council, planning board, board of adjustment, or administrator. Without limiting the generality of the foregoing, the commission's recommendations regarding development permit applications may address the appearance or design of proposed development projects. **(AMENDED 6/27/06).**
 - (5) Appoint subcommittees (consisting of commission members) or advisory groups (consisting of commission members, persons who are not commission members or any combination thereof) to advise and assist the commission in carrying out its duties.
 - (6) Take any other action authorized by this chapter or any other ordinance or resolution of the Town Council.
- (b) The appearance commission shall report orally or in writing, as requested by the board, at least quarterly to the mayor and Town Council. It shall submit its requested budget of funds needed for operation during the ensuing fiscal year to the town manager no later than April 15. All accounts and funds of the commission shall be administered in accordance with the requirements of the Municipal Fiscal Control Act.
- (c) The appearance commission is hereby authorized to receive contributions from private agencies, foundations, organizations, individuals, the state or federal government, or any other source, in addition to any sums which may be appropriated for its use by the Town Council. It may

Art. III ADMINISTRATION MECHANISMS

accept and disburse such contributions for special purposes or projects, subject to any specified conditions which it deems acceptable, whether or not such projects are included in the approving budget.

(d) The appearance commission may adopt rules and regulations governing its procedures and operations not inconsistent with the provisions of this chapter.

(e) The appearance commission shall exercise all the powers and duties of the neighborhood preservation district commission as set forth in Article XXI, Part 1, of this chapter. **(AMENDED 9/26/89)**

(f) The appearance commission shall exercise all the powers and duties of the historic district commission as set forth in Article XXI, Part 2 of this chapter. **(AMENDED 11/21/95)**

JOINT ADVISORY BOARD
AGENDA ITEM ABSTRACT

ITEM NO. _____

MEETING DATE: April 4, 2024

TITLE: Land Use Ordinance Text Amendments Relating to Cafes and Residential Density in Certain Zoning Districts

DEPARTMENT: Planning	PUBLIC HEARING: YES ___ NO_X_
ATTACHMENTS: A. Recommendation Template B. Draft LUO Ordinance C. Application D. Staff Memo	FOR INFORMATION CONTACT: Patricia McGuire -- 918-7327 Christina Moon – 918-7325

PURPOSE

The purpose of this agenda item is to consider text amendments to the Land Use Ordinance that would add a new restaurant use for neighborhood cafés and provide for additional residential density in certain zoning districts. The Town Council has set a public hearing for April 23, 2024, and has requested advisory board review prior to the hearing.

INFORMATION

The Town has received a text amendment request from Heather Washburn of Calico Studio, to modify the Land Use Ordinance to increase in the amount of residential density in the O Zoning District (Office, 7,500 square feet per dwelling unit) and to allow for the creation of a new type of restaurant land use selling coffee/tea products prepared on site and baked goods prepared off-site. The text amendment request is to support a pending application for a major modification to an existing special use permit-A for property at 603 Jones Ferry Road.

Background

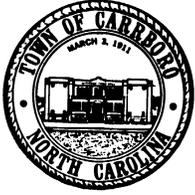
On June 26, 2018, the Town Council approved a proposal for a small mixed-use project at 603 Jones Ferry Road. The project allowed for the development of four live-work units consisting of 1,200-square-foot office space on the ground floor and 1,200 square-foot residential units above. Ms. Washburn is seeking to purchase the 1.10 acre (47,916 square foot) property and request a major modification to the permit to allow for approximately 14 residential units, including a combination of 500-1000 square foot live-work units, and a small café space.

A draft ordinance (*Attachment B*) has been prepared. If adopted the Land Use Ordinance would be amended to allow for an increase in residential density in the O and O/A districts subject to certain criteria. In addition, a new restaurant use category would be added to the Permissible Use Table to allow for a coffee-house type use which will allow for the brewing of beverages on site and the sale of prepared foods made off-site.

A public hearing has been set for April 23rd. The Town Council must receive public comments before adopting amendments to the Land Use Ordinance. Orange County and Planning Board review is also needed. The Council has also referred the item to the Appearance Commission, Transportation Advisory Board, the Environmental Advisory Board, Economic Sustainability Commission, and Affordable Housing Advisory Commission.

RECOMMENDATION

Staff recommends that Advisory Boards review the draft ordinance (*Attachment B*) and consider adopting a recommendation for inclusion in the public hearing materials for April 23rd. A recommendation template has been provided for the boards to use (*Attachment A*).



TOWN OF CARRBORO

301 West Main Street, Carrboro, North Carolina 27510

RECOMMENDATION

THURSDAY, APRIL 4, 2024

Land Use Ordinance Text Amendment Relating to Cafes and Residential Density in Certain Zoning Districts

Motion was made by _____ and seconded by _____ that the _____ recommends that the Town Council _____ the draft ordinance.

VOTE:

AYES: ()

NOES: ()

ABSTENTIONS: ()

ABSENT/EXCUSED: ()

Associated Findings

By a unanimous show of hands, the _____ membership indicated that no members have any financial interests, nor any close familial, business or other associational relationship to the landowner of the property subject to a rezoning petition that would pose a conflict of interest.

Motion was made by _____ and seconded by _____ that the _____ of the Town of Carrboro finds the proposed text amendment _____ consistent with the Town of Carrboro 2022-2042 Comprehensive Plan, Affordable Housing, Economic Sustainability and Land Use strategies noted below:

- Affordable Housing Strategy 1.1: Increase development of for-sale affordable housing units for households earning up to 80% of AML.
- Affordable Housing Strategy 2.3 Ease the pressure on rental prices by increasing affordable rental housing stock, particularly in high-transit areas.
- Economic Sustainability Strategy 2.2: Strengthen other business districts and commercial areas in Carrboro’s neighborhoods.
- Economic Sustainability Strategy 3.4: Support business opportunities and unique ownership models.
- Land Use Strategy 2.5: Fully evaluate and reduce housing density restrictions to slow the increase of housing prices and diversity housing stock.

Furthermore, the _____ of the Town of Carrboro finds the proposed text amendment, is reasonable and in the public interest because of the specific criteria required: public hearings for restaurant uses in less intensive commercial districts and, mixed use and affordable housing associated with increased residential density.

VOTE:

AYES: ()

ABSENT/EXCUSED: ()

NOES: ()

ABSTENTIONS: ()

(Chair)

(Date)

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE RELATING TO
CAFES AND RESIDENTIAL DENSITY IN CERTAIN ZONING DISTRICTS.

****DRAFT 3-13-2024****

THE TOWN COUNCIL OF THE TOWN OF CARRBORO ORDAINS:

Section 1. Article II, Section 15-15 Definition of Basic Terms of the Carrboro Land Use Ordinance is amended by the addition of a new definition, in appropriate alphabetical order, that reads as follows:

NEIGHBORHOOD CAFÉ. A retail business that sells principally coffee and tea along with baked goods and similar foods prepared off site.

Section 2. Article X, Section 15-146 Table of Permissible Uses is by adding a new use classification, 8.900, Neighborhood Cafe, and by adding a “ZA(l)” under the columns for the B-1C, B-1G, HR-CC, O, and O/A districts, and an “A” under the columns for the B-2, B-3, B-3T, B-5, and HR-R districts.

Section 3. Article X, Section 15-147 Use of the Designations A, B, Z in Table of Permissible Uses is amended by rewriting subsection (i) to read as follows:

(i) When used in connection with 8.100, 8.200, 8.500 and 8.600 uses, the designation “ZA(l)” means that a zoning permit must be obtained if the total area within a development to be used for this purpose does not exceed 1,500 square feet and the use is to take place in a building in existence on the effective date of this subsection while a special use permit-A must be obtained whenever the total area to be used for this purpose is equal to or exceeds 1,500 square feet.

When used in conjunction with 8.900 uses, the designation “ZA(l)” means that a zoning permit must be obtained if the total area within a development to be used for this purpose does not exceed 1,000 square feet of gross floor area and a special use permit-A must be obtained whenever the total area to be used for this purpose exceeds 1,000 square feet of gross floor area or the use is proposed within a new building.

Section 4. Article XII, Sub-section 15-182 Residential Density is amended with the addition of a new subsection (j) that reads as follows:

(j) Notwithstanding the foregoing, the minimum square feet per dwelling unit required shall be 3,000 square feet within the O and O/A districts so long as such units are included within a vertically integrated, multi-family residential and mixed-use development that meets the following criteria:

- a. Property location has frontage along an arterial street.
- b. Development includes at least 500 gross square feet of building area dedicated to non-residential uses.
- c. Development includes at least 15 percent affordable housing units that meet the affordable criteria specified in Sections 15-54.1 and 15-182.4

Section 5. Article XVIII, Section 15-291(g) is amended by adding use category 8.900 “Neighborhood Cafe” to Part I of the Table of Parking Requirements and assigning a parking

Attachment B

requirement of 1 space for per every 200 square feet of gross floor area, and 1 space for every eight outside seats.

Section 6. Article XVIII, Section 15-291(h) is amended by adding use category 8.900 “Neighborhood Cafe” to the Table of Bicycle Parking Standards assigning one space per 10 presumptively required auto spaces, with a minimum of 5 spaces.

Section 7. All provisions any town ordinance in conflict with this ordinance are repealed.

Section 8. This ordinance shall become effective upon adoption.

APPENDIX A – 3

LAND USE ORDINANCE AMENDMENT REQUEST FORM

TOWN OF CARRBORO



LAND USE ORDINANCE AMENDMENT REQUEST

"Dear Potential Business Operator:

Please be advised that it may be necessary to meet with several members of Town staff as well as outside agencies to identify and fully understand all rules, regulations, and policies applicable to your business."

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

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

- 1) **The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):**
15-146 Table of Permissible Uses, Use Category 8.000, allows restaurants in some zoning districts...but not in the O (office) zoning district

- 2) **The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):**
Creation of a new Use Category 8.900: Neighborhood Coffee Shop with a maximum floor area of 1,000 sf, located within a vertically oriented mixed use building with a residential primary use, selling only beverages along with baked goods prepared off site.
The Use Table would be amended to allow this use as a "ZA " Use (Zoning Permit from Town Council) and in the following Districts: B-1C, B-1G, O and O/A. Also as an "A" (Allowed) use in HR-CC, B-2 and B-5, and also a "Z" (Admin. Zoning Permit) in the B-4 District.

- 3) **State the reasons for the proposed amendment:**
Small local gathering places such as coffee shops are a critical component of creating walkable "third place" destinations in residential areas, particularly when they can be combined in a vertical mixed use residential building. These would allow the ability to have social interaction, organic co-working, and a less car-dependent location.

SIGNATURE:  Heather Washburn
applicant {print}

ADDRESS: 1155 Smith Level Road
Chapel Hill, NC 27516

TELEPHONE NUMBER: 617.869.9646

TOWN OF CARRBORO



LAND USE ORDINANCE AMENDMENT REQUEST

"Dear Potential Business Operator:

Please be advised that it may be necessary to meet with several members of Town staff as well as outside agencies to identify and fully understand all rules, regulations, and policies applicable to your business."

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

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

- 1) **The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):**
15-182 (a) Residential Density - requires a minimum of 7,500 sf of land area per Dwelling Unit, for Multi-Family and Duplex uses in an O (Office) Zoning District.
- 2) **The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):** The intent would be to allow less land area per unit in specific zoning districts if the proposed project is vertically integrated, adjacent to a transit route, and uses the affordable housing density bonus. Suggested language:

Subject to the other provisions of this section and the provisions of Section 15-186 (Cluster Subdivisions), 15-187 (Architecturally Integrated Subdivisions), 15-182.1 (Density in R-SIR Zoning), **and 15-182 (j)**, every lot developed for residential purposes shall have the number of square feet per dwelling unit indicated in the following table. In determining the number of dwelling units permissible on a tract of land (by dividing the total number of square feet the tract contains by the minimum per dwelling unit), fractions shall be dropped.

Further, add subparagraph (j) to 15-182 with the following language:

(j) Within the zoning districts listed below, residential units that are incorporated into a vertical mixed use building with at least 500 sf of non-residential uses, adjacent to a transit corridor and commits to using the Affordable Housing Density Bonus, may be developed for multi-family residential purposes at a density such that such area contains at least the following number of square feet for each dwelling unit constructed thereon:

Zone	Minimum Square Feet per Dwelling Unit
B-2	3,000
B-3	3,000
B-3-T	3,000
CT	3,000
O	3,000
O/A	3,000

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

Greater density in vertically integrated residential projects will encourage walkable communities, especially where affordable housing is provided and proximate to Public Transportation. This should be encouraged in in non-residential zones in order to achieve the Town's goals of providing denser, affordable walkable communities in a manner which makes housing accessible to more residents.

SIGNATURE:  Heather Washburn
applicant {print}

ADDRESS: 1155 Smith Level Road
Chapel Hill, NC 27516

TELEPHONE NUMBER: 617.869.9646



TOWN OF CARRBORO

NORTH CAROLINA

TRANSMITTAL

PLANNING DEPARTMENT

DELIVERED VIA: HAND MAIL FAX EMAIL

To: **Advisory Boards**

From: **Tina Moon, Planning Administrator**

Date: **April 4, 2024**

Subject: **Text Amendment Relating to Cafes and Residential Density in Certain Zoning Districts**

Overview

Heather Washburn of Calico Studio has submitted two requests for Land Use Ordinance text amendments. The first, to establish a new restaurant land use category for the sale of coffee and other beverages and foods prepared off-site, and the second, to modify the density and dimensional regulations for the Office Zoning District to allow for greater residential density. The requests are in association with a proposal for a major modification to the special use permit-A for 603 Jones Ferry Road. The Town Council approved a special use permit-A for a small mixed-use project at 603 Jones Ferry Road on June 26, 2018, for the development of four live-work units consisting of 1,200-square-foot office space on the ground floor and 1,200 square-foot residential units above ([Town of Carrboro - Meeting of Board of Aldermen on 6/26/2018 at 7:30 PM \(legistar.com\)](#)). Ms. Washburn is seeking to modify the proposal to allow for approximately 14 live-work units, 500-1000 sf in size and a community café of approximately 500-1000 sf. Advisory boards received a presentation on a concept plan for the new proposal on March 21, 2023 (Planning Board agenda materials may be found here: [03022023-4223 \(carrboronc.gov\)](#)). In order for the major modification to move forward, amendments to the Land Use Ordinance are needed.

Draft Ordinance

A draft ordinance, *Amending the Carrboro Land Use Ordinance Relating to Cafes and Residential Density in Certain Zoning Districts*, has been prepared. If adopted, the Land Use Ordinance would be modified in the following ways:

1. A definition for “Neighborhood Café” would be added for the definition section of the ordinance in Article II, Section 15-15.

2. The new use would be added to the Table of Permissible Uses in Article X, Section 15-146, as an allowable use for districts B-1C, B-1G, B-2, B-3, B-3T, B-5, O, O/A, HR-CC, and HR-R. Of note, during the development of the Historic Rogers Road zoning concepts in 2019-2020, Rogers Road residents expressed interest in having an opportunity for a small restaurant use or coffee shop.
3. Article X, Section 15-147(i) would be rewritten to assign permitting requirements based on the district and the proposed size (sf) of the Café as shown in the table below.

Permit Requirement for Neighborhood Café based per Zoning District

District	Zoning Permit (Staff Approval)	Special Use Permit-A (Town Council Public Hearing)
B-1C (Town Center Business)	Total area does not exceed 1000 sf of gross floor area	Exceeds 1000 sf and/or in new building.
B-1G (General Business)	Total area does not exceed 1000 sf of gross floor area	Exceeds 1000 sf and/or in new building.
B-2 (Fringe Commercial)	N/A	A
B-3 (Neighborhood Business)	N/A	A
B-3T (Transition Area Business)	N/A	A
B-5 (Watershed Commercial)	N/A	A
O (Office)	Total area does not exceed 1000 sf of gross floor area	Exceeds 1000 sf and/or in new building.
O/A (Office/Assembly)	Total area does not exceed 1000 sf of gross floor area	Exceeds 1000 sf and/or in new building.
HR-CC (Historic Rogers Road-Community Commercial)	Total area does not exceed 1000 sf of gross floor area	Exceeds 1000 sf and/or in new building.
HR-R (Historic Rogers Road-Residential)	N/A	A

4. The parking tables in Article XVIII, Section 15-15-291(g) and 15-291(h) would be amended to assign parking standards for vehicles and bicycles. The proposed standards are roughly half of the standards for restaurant use (use category 8.100) and restaurants with outdoor seating (use category 8.200). Parking standards are needed for new uses in standalone buildings and/or in locations that necessitate some patrons driving. For uses subject to special use permit approval, the existing provisions in Section 15-292 relating to flexibility in the administration of parking standards would be applicable so applicants could request a lower parking standard if desired.
5. Section 15-182 of Article XII, Density and Dimensional Regulations, the Land Use Ordinance would be amended to allow for an increase in residential density in the O and O/A districts (from 7,500 square feet per dwelling unit to 3,000 square feet per dwelling unit) subject to the following:
 - o Property location has frontage along an arterial street.
 - o Development includes at least 500 gross square feet of building area dedicated to non-residential uses.
 - o Development includes at least 15 percent affordable housing units that meet the affordable criteria specified in Sections 15-54.1 and 15-182.4.

Consistency with Adopted Plans/Policies

Carrboro Connects 2022-2042 Comprehensive Plan provides goals, strategies, and projects that are expected to guide the Town’s growth and development. Staff has identified the following sections of the Carrboro Connects Comprehensive Plan as relevant to the draft ordinance.

Chapter	Staff Comments	Applicable Strategies
Affordable Housing	The increase in residential density in the O and O/A districts is associated with the inclusion of affordable housing for rent or for sale depending on the proposal.	Consistent with: 1.1, 2.3 Inconsistent with: - Inconclusive: 4.4
Climate Action & Environment	Not applicable	N/A
Transportation & Mobility	Not applicable. The draft ordinance requires frontage on arterial streets which are more likely to have transit for the increase in density, but this is related to land use rather than changes to the transportation system.	N/A
Green Stormwater Infrastructure, Water, & Energy	Not applicable	N/A
Economic Sustainability	The draft ordinance increases opportunities for mixed-use at a small scale, which supports business opportunities and unique ownership models.	Consistent with: 2.2 & 3.4 Inconsistent with: - Inconclusive:-
RPCR	Not applicable	N/A
Land Use	Fully evaluate and reduce housing density restrictions to slow the increase of housing prices and diversify housing stock.	Consistent with: 2.5 Inconsistent with: - Inconclusive: -

Requested Action

Advisory Boards are asked to review the draft ordinance and prepare a recommendation to be included in the public hearing packet. A recommendation template is provided for assistance. Board members should recommend approval or denial and comment on whether the draft ordinance appears to be consistent with the Comprehensive Plan and/or other adopted plans. Board members may recommend edits to the draft ordinance and/or provide overarching statements as part of their remarks.