APPEARANCE COMMISSION
AGENDA

March 5th, 2020

7:30 PM **Town Hall, Room 100**

(Please note that all times are approximate)

7:30- 8:00 I. Joint Review items:

A. Land Use Ordinance Text Amendment Relating to Historic Rogers Road Community
B. Scope of Duties and Possible Adjustments for Environmental Advisory Board, Planning Board and Appearance Commission

7:00- 8:10 II. Review of Circle K sign for 500 Jones Ferry

8:10- 9:00 III. Continued Discussion of Downtown Improvement Purpose

JOINT ADVISORY BOARDS

ITEM NO._____

AGENDA ITEM ABSTRACT

MEETING DATE: March 5, 2020

TITLE: Consideration of Land Use Ordinance Amendments Relating to the Historic Rogers Road Neighborhood

DEPARTMENT: Planning	**PUBLIC HEARING: YES ___ NO_X_**
ATTACHMENTS: **A** Recommendation Template **B** Draft LUO Ordinance	**FOR INFORMATION CONTACT:** Christina Moon – 918-7325 Patricia McGuire -- 918-7327 Marty Roupe – 919-918-7333

PURPOSE

The purpose of this agenda item is for advisory boards to consider a draft amendment to the Land Use Ordinance that would establish a mixed-use zoning district for the Historic Rogers Road Neighborhood. The Town Council has set a public hearing for March 24, 2020, and has requested advisory board review prior to the hearing.

INFORMATION

A draft ordinance has been prepared to establish a new mixed-use zoning classification for the Historic Rogers Road neighborhood, which if adopted, would provide a greater range of uses, including opportunities for flex-space and live-work space as well as major home occupations. As currently written, the district would be available as a general district or as a conditional district. Adoption of the text amendment, under consideration for March 24th, would only add the districts to the Land Use Ordinance (LUO); a subsequent rezoning would be required to apply the district to property in the Historic Rogers Road community.

Background

At the April 2019, joint advisory board review meeting, advisory boards received a presentation from Renaissance Planning on the development of planning concepts designed to help implement the Historic Rogers Road neighborhood's "Mapping Our Community Future" report. (Link to the report: http://www.townofcarrboro.org/DocumentCenter/View/5936/Mapping-Our-Communitys-Future-Report.) Renaissance Planning was one of two consultant firms hired by Chapel Hill and Carrboro to develop land use/zoning concepts based on the 2016 report and to facilitate meetings and drop-in sessions to seek additional input from community residents. The collaborative effort yielded text amendments for both towns to establish new zoning districts, a residential district with slightly higher density (up to three lots per acre) and a mixed-use district.

At the June 18th, public hearing the Board of Aldermen adopted only the part of the draft ordinance that created the residential district (HR-R). As part of a separate agenda item, at the same meeting, the Board adopted a map amendment to rezone all thirty neighborhood properties

HR-R. (June 18th meeting materials may be found at the following link: https://carrboro.legistar.com/LegislationDetail.aspx?ID=3985247&GUID=0D716EA5-CFF5-455C-9A6F-72DA40A48F42&Options=&Search=.) During the deliberation, the Board asked a number of questions and directed staff to prepare for a future meeting, a draft ordinance that would create a HR-MU district with some modifications. On February 11, 2020, staff provided the, now, Town Council with a follow up report, including a revised draft ordinance. The Council set a public hearing for March 24th and referred the matter to advisory boards for recommendations. (Meeting materials may be found at the following link: (https://carrboro.legistar.com/LegislationDetail.aspx?ID=4327995&GUID=67D76C59-3931-44DF-A0A3-F9E31B2B7C4A&Options=&Search=.)

The key changes are as follows:

- The ordinance, if adopted, would establish a Historic Rogers Road Mixed Use District as a general district and as a conditional district.
- A HR-MU district must include a minimum of 16 acres. Once rezoned, the district can be recombined or subdivided into smaller lots as part of an approved development.
- Most land uses would require a conditional use permit (CUP).
- The undisturbed buffer along the perimeter of a HR-MU district and boundary line building setbacks have been increased to 50 feet.
- Nonresidential buildings can be no larger than 6000 gross square feet. (This maximum may be subject to further discussion.)

The Council has requested that the Planning Board, Appearance Commission, Transportation Advisory Board, Economic Sustainability Commission and Northern Study Area Advisory Commission review of the draft ordinance based on their areas of expertise and provide comments.

RECOMMENDATION

Staff recommends that advisory boards review the draft ordinance (*Attachment B*) and adopt a recommendation for inclusion in the public hearing materials for March 24, 2020. A recommendation template has been provided for the boards to use (*Attachment A)*.

Attachment A

TOWN OF CARRBORO

_____

301 West Main Street, Carrboro, North Carolina 27510

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

THURSDAY, MARCH 5, 2020

Land Use Ordinance Text Amendment Relating to the Historic Rogers Road Community

Motion was made by _____ and seconded by _____ that the _____ of the Town of Carrboro recommends that the Board of Aldermen _____ the draft ordinance.

VOTE:
AYES: ( )
ABSENT/EXCUSED: ( )
NOES: ( )
ABSTENTIONS: ( )

Associated Findings

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

Motion was made by _____ and seconded by _____ that the _____ of the Town of Carrboro finds the proposed text amendment, _____ consistent with the provisions in *Carrboro Vision2020* to promote diverse housing options with regard to type and size, the *Facilitated Small Area Plan for Carrboro's Northern Study Area* to allow for opportunities for commercial uses at a community-scale, and the four principals of the "Rogers Road: Mapping our Community's Future" report.

Furthermore, the _____ of the Town of Carrboro finds the proposed text amendment, prepared in response to a community initiative with considerable public input from the residents it is intended to serve is in the public interest.

VOTE:
AYES: ( )
ABSENT/EXCUSED: ( )
NOES: ( )
ABSTENTIONS: ( )

_____ _____
(Chair) (Date)

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO ESTABLISH HISTORIC ROGERS ROAD MIXED USE DISTRICT AND ASSOCIATED DEVELOPMENT STANDARDS

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THE CARRBORO TOWN COUNCIL ORDAINS:

Section 1. The Carrboro Land Use Ordinance is amended by modifying Section, 15-136.1 Historic Rogers Road District Established, to read as follows:

Section 15-136.1 Historic Rogers Road Districts Established

(a) The Historic Rogers Road districts, HR-R (residential) and HR-MU (mixed use), are established to implement the goals and recommendations of the *Mapping Our Community's Future* community planning effort, completed in May 2016. The intent of *Mapping Our Community's Future* and the HR Districts is to:

1) Create opportunities for long-term residents to continue living in the community and to age in place;
2) Preserve the socioeconomic and cultural diversity of the neighborhood;
3) Increase physical connections within the neighborhood, including for pedestrians and bicyclists;
4) Respect and protect the natural character of the neighborhood;
5) Ensure that new development is consistent with neighborhood character and the vision that residents have developed for its future;
6) Provide greater residential housing choice, affordability, and diversity;
7) Increase economic opportunities within the neighborhood;
8) Increase recreational resources within the neighborhood; and
9) Ensure that new development is adequately served by infrastructure, including streets, sidewalks, and utilities.

(b) The HR-R zoning district is designed to protect and preserve the character of existing lower-density areas (minimum lot size 14,520 square feet, or no more than three lots per acre) within the neighborhood while providing for compatible new development, including new housing choice options, and increased home occupation opportunities for residents.

(c) The HR-MU district is designed to provide for a broader range of housing and employment options by concentrating new development into nodes which will balance providing areas for desired new uses while protecting the overall neighborhood character. Uses appropriate in the HR-MU district include live-work units, flex space, and low-intensity neighborhood-serving establishments such as healthcare, assisted living, elder care, child care, and recreation facilities. Property proposed for rezoning to HR-MU district shall include no

less than sixteen contiguous acres. The development of an HR-MU district may include the recombination of existing lots and/or the subdivision of new lots that meet the density and dimensional standards outlined in Article XII.

Section 2. Section 15-141.4(a) of the Carrboro Land Use Ordinance is amended to read as follows:

(a) Conditional zoning districts are zoning districts in which the development and use of the property so zoned are governed by the regulations applicable to one of the general use zoning districts listed in the Table of Permissible Uses, as modified by the conditions and restrictions imposed as part of the legislative decision creating the district and applying it to the particular property. Accordingly, the following conditional zoning districts may be established:

R-20-CZ, R-15-CZ, R-10-CZ, R-7.5-CZ, R-3-CZ, R-2-CZ, R-R-CZ, R-S.I.R.-CZ, and R-S.I.R.-2-CZ

B-1(C)-CZ, B-1(G)-CZ, B-2-CZ, B-3-CZ, B-3-T-CZ, B-4-CZ, CT-CZ, O-CZ, OACZ, M-1-CZ, M-2-CZ **(AMENDED 4/27/10; 06/23/15; 10/23/18)**

There may also be established a HR-MU-CZ zoning district, pursuant to the purpose statement and criteria described in Section 15-136.1.

Section 3. Article II Section 15-15 Definitions of Basic Terms is amended by modifying the existing definition of Home Occupation, Major to add a reference the HR-MU district as follows:

Home Occupation, Major. A Major Home Occupation is an accessory business use of a residentially-zoned property, that meets one or more of the following criteria: (i) employs up to four non-resident employees, who may work on site; (ii) utilizes outdoor storage of materials, supplies, products, or machinery; or (iii) generates noise, vibration, dust, odor, light, or glare that is visible from neighboring properties or the public right-of-way at any hour of the day. Examples of Major Home Occupations include: lawncare or landscaping services, woodworking shops, small engine repair, appliance repair, metalworking, and any home business with more than one non-resident employee. Major home occupation uses are only permissible with a zoning permit in the HR-R and HR-MU districts, and are subject to the performance standards specified in Section 15-176.9.

Section 4. Section 15-146 (Table of Permissible Uses) is amended by adding one new column labelled HR-MU with permissible use classifications as shown in the attached Exhibit 'A.' The letters "Z," "S," "C," "SC," and "ZS," and the symbol "*" have the meanings described for all uses as provided in applicable subsections of Section 15-147.

Section 5. Section 15-176.9 Special Standards for Historic Rogers Road District, is amended to include the HR-MU District as follows:

Section 15-176.9 Special Standards for Historic Rogers Road Districts.

(a) All applicable provisions of the Carrboro Land Use Ordinance not specifically exempted or modified by this section shall apply to the HR-R and HR-MU districts.

(b) In both the HR-R and HR-MU districts, the maximum size of any single-family dwelling constructed after the effective date of this section shall be 2,000 square feet of heated floor area; the maximum size of any duplex or triplex dwelling unit constructed after the effective date of this section shall be 1,200 square feet of heated floor area. Any dwelling unit in existence on the effective date of this subsection containing 2,000 square feet or greater of heated floor area may be increased by a maximum of 25% of the existing heated floor area or 500 square feet whichever is greater, but with a maximum size of 2,500 square feet at any time. Any dwelling unit in existence on the effective date of this subsection containing less than 2,000 square feet of heated floor area may be expanded up to a maximum size of 2,000 square feet of heated floor area or 25% whichever is greater.

(c) In the HR-MU district the maximum size of the building footprint for any building containing any nonresidential uses shall not exceed 6,000 square feet.

(d) An undisturbed buffer, of no less than 50 feet, shall be maintained along the perimeter of the entire HR-MU district.

1. The buffer shall consist of existing vegetation and/or new plantings to meet the requirements in Section 15-307(1) for an Opaque Type A screen.
2. This area shall remain undisturbed except for the removal of noxious weeds and trees determined to be diseased by a Certified Arborist, and the installation of new plantings as required by the standards for a Type A screen described in subsection (c)(1) above.

(e) Development within the HR-MU district shall be subject to the screening requirements of Section 15-306, to provide sufficient screening between uses, so long as a Type A screen is retained at the boundary line of any parcel in the HR-MU district where that parcel adjoins an adjacent property outside of the district.

(f) As set forth in the Table of Permissible Uses, Major Home Occupations are permissible only in the HR-R and HR-MU districts, subject to the following standards:

1. Must be conducted by a person who resides on the same lot.
2. Major Home Occupations shall only be located on lots a minimum of one acre in size.
3. No more than 50% of the heated square footage of the home shall be used for business purposes. This calculation does not include accessory structures in the total square footage calculation for the home; such structures shall be limited to a maximum size of 150% of the home, but in no case shall exceed 2,000 gross square feet.
4. The maximum number of trips per day to or from the business shall not exceed 50.
5. The on-premises sale and delivery of goods which are not produced on the premises is prohibited, except in the case of the delivery and sale of goods incidental to the provision of a service.
6. No more than three business-associated vehicles shall be parked on-site.
7. Business-associated vehicles shall be limited to vehicles allowed under a Class C license.
8. Parking for vehicles associated with the business, including employee and visitor vehicles shall be provided on-site, pursuant to the requirements in Section 15-291.

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9. If more than three parking spaces are provided for business-associated vehicles and / or employees and visitors, then the additional spaces above three must be screened by a Type A buffer.
10. All business activities shall be a minimum of 60 feet from all lot lines or within a fully enclosed building.
11. All noise, dust, vibration, odor, light, and glare-producing activities shall be located a minimum of 60 feet from all lot lines, and any activity that results in noise, vibration, dust, odor, light, or glare shall only occur between the hours of 8 AM and 6 PM.
12. Any outdoor storage of materials, supplies, products, or machinery (excluding functional vehicles associated with the business) shall be screened with a Type A screen as described in LUO Section 15-307.

(g) Any Land Use Category 8.100 use located in the HR-MU district is limited to 2,000 square feet heated floor area and may only conduct business between the hours of 6 am and 9 pm.

(h) For proposed developments within the HR-MU District, a phasing plan must be incorporated into the project which mandates that at least fifteen percent (15%) of the uses must be nonresidential and at least fifteen percent (15%) of the uses must be residential. The phasing plan must ensure that the nonresidential portions are completed prior to or in conjunction with the residential portions of each phase.

Section 6. Section 15-181 Minimum Lot Size Requirements, subsection (a) is revised with the addition of minimum lot size requirements for the HR-MU zoning district as follows:

ZONE	**MINIMUM SQUARE FEET**
HR-MU	7,500

Section 7. Section 15-182 Residential Density, subsection (a) is revised with the addition of residential density requirements for the HR-MU zoning district, as follows:

ZONE	**Minimum Square Feet Per Dwelling Unit, Multi-Family, Triplex and Duplex**
HR-MU	7,500

Section 8. Section 15-182.3 Residential Density of Major Developments in Certain Districts, subsection (a) is amended to read as follows:

(a) Notwithstanding the provisions of Section 15-182, when any tract of land within the R-10, R-15, R-20, RR, HR-R and HR-MU districts is developed under circumstances requiring the issuance of a special or any tract within the R-10, R-15, R-20, RR, HR-R or HR-MU requiring the issuance of conditional use permit, the maximum number of dwelling units that may be placed on that tract shall be determined in accordance with the provisions of this section.

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Section 9. Section 15-183 Minimum Lot Widths, subsection (b) is revised with the addition of minimum lot width requirements for the HR-MU zoning district, as follows:

ZONE	**Lot Width**
HR-MU	50

Section 10. Subsection 15-184 Building Setback Requirements, subsection (a) is revised with the addition of setback requirements for the HR-MU zoning district, as follows:

ZONE	**Minimum Distance from Street Right of Way Line**		**Minimum Distance from Street Centerline**		**Minimum Distance from Lot Boundary Line**
	Building	Freestanding Sign	Building	Freestanding Sign	Building and Freestanding Sign
HR-MU	50	20	70	50	50

Section 11. The table included in Subsection 15-185 (a) (2) is amended by the addition of information on the maximum building height for the HR-MU zoning district, as follows:

ZONE	**Maximum Height**
HR-MU	40’

Section 12. Article XVII Signs, Section 15-271(e) is amended to read as follows:

(e) Signs for home occupations and major home occupations shall be permitted subject to the following provisions:

1. A lot that houses a legally-established home-based occupation as an accessory use may have up to one wall-mounted sign with a maximum area of 4 square feet. In the HR-R and HR-MU districts, legally-established major home occupations may have up to one wall-mounted sign with a maximum area of 8 square feet.
2. Signs must be non-illuminated.
3. Signs shall comply with the standards of Sections 15-271, Permit Required for Signs, 15-275, Computation of Sign Area, and 15-282, Miscellaneous Requirements.

Section 13. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 14. This ordinance shall become effective upon adoption

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Exhibit 'A' - TABLE OF PERMISSIBLE USES

Historic Rogers Road Zoning District Additions - 2/21/2020

DESCRIPTION	HR MU
1.000 Residential	
1.100 Single Family Residences	
1.110 Single Family Detached One Dwelling Unit Per Lot	
1.111 Site Built/Modular	Z
1.112 Class A Mobile Home	Z
1.113 Class B Mobile Home	
1.120 Single Family Detached More Than One Dwelling Unit Per Lot	
1.121 Site Built/Modular	*
1.122 Class A Mobile Home	*
1.123 Class B Mobile Home	
1.200 Two-Family Residences	
1.210 Two-Family Conversion	*
1.220 Primary Residence with Accessory Apartment	* *
1.230 Duplex	
1.231 Maximum 20% units > 3 bedrms/du	*
1.232 No bedroom limit	
1.240 Two Family Apartment	
1.241 Maximum 20% units > 3 bedrms/du	*
1.242 No bedroom limit	
1.300 Multi-Family Residences	
1.310 Multi-Family Conversion	
1.320 Multi-Family Townhomes	
1.321 Maximum 20% units > 3 bedrms/du	C
1.322 No bedroom limit	
1.330 Multi-Family Apartments	
1.331 Maximum 20% units > 3 bedrms/du	
1.332 No bedroom limit	
1.340 Single-Room Occupancy	
1.350 Triplex	C
1.400 Group Homes	
1.410 Fraternities, Sororities, Dormitories and Similar Housing	
1.420 Boarding Houses, Rooming Houses	
1.430 Adult Care Home, Class A	C
1.440 Adult Care Home, Class B	C
1.450 Child Care Home, Class A	C
1.460 Child Care Home, Class B	C
1.470 Maternity Home	C

* denotes "ZSC" Permits

Exhibit 'A' - TABLE OF PERMISSIBLE USES

Historic Rogers Road Zoning District Additions - 2/21/2020

DESCRIPTION	HR MU
1.480 Nursing Care Home	C
1.500 Temporary Residences	
1.510 Tourist Homes and other Temporary Residences Renting Rooms for Relatively Short Periods of Time	
1.600 Homes Emphasizing Services, Treatment or Supervision	
1.610 Temporary Homes for the Homeless	
1.620 Overnight Shelters for Homeless	
1.630 Senior Citizen Residential Complex	
1.700	
1.800	
1.900 Home Occupation	Z
1.910 Major Home Occupation	Z
2.000 Sales and Rental of Goods, Merchandise and Equipment	
2.100 No Storage or Display of Goods Outside Fully Enclosed Building	
2.110 High-Volume Traffic Generation	
2.111 ABC Stores	
2.112 Specialty High Volume Retail	
2.120 Low-Volume Traffic Generation	
2.130 Wholesale Sales	
2.140 Drive-In Windows	
2.150 Retail Sales with Subordinate Manufacturing and Processing	
2.200 Display of Goods Outside Fully Enclosed Building	
2.210 High-Volume Traffic Generation	
2.220 Low-Volume Traffic Generation	
2.230 Wholesale Sales	
2.240 Drive-In Windows	
2.300 Storage of goods outside fully enclosed building	
2.310 High-volume traffic generation	
2.320 Low-volume traffic	
2.330 Wholesale Sales	

* denotes "ZSC" Permits

Exhibit 'A' - TABLE OF PERMISSIBLE USES

Historic Rogers Road Zoning District Additions - 2/21/2020

DESCRIPTION	HR MU
2.340 Drive-in Windows	
3.000 Office, Clerical, Research and Services Not Primarily Related to Goods or Merchandise	
3.100 All operations conducted entirely Within Fully Enclosed Building	
3.110 Operations designed to attract and serve customers or clients on the premises, such as the office of attorneys, physicians, other professions, insurance and stock brokers, travel agents, government office buildings, etc.	C
3.120 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use	C
3.130 Office or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area	C
3.140 Watershed research	
3.150 Copy Centers/Printing Operatio	C
3.200 Operations conducted within or outside fully enclosed buildings	
3.210 Operations designed to affect and serve customers or clients on the premises	
3.220 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use	
3.230 Banks with drive-in window	
3.240 Watershed research	
3.250 Automatic Teller Machine, Freestanding	
3.260 Social Service Provider with Dining	
4.000 Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods,	

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Exhibit 'A' - TABLE OF PERMISSIBLE USES

Historic Rogers Road Zoning District Additions - 2/21/2020

DESCRIPTION	HR MU
Merchandise and Equipment	
4.100 All operations conducted entirely within fully enclosed buildings	C
4.200 Operations conducted within or outside fully enclosed buildings	
5.000 Educational, Cultural, Religious, Philanthropic, Social, Fraternal Uses	
5.100 Schools	
5.110 Elementary and secondary (including associated grounds and athletic and other facilities)	C
5.120 Trade or vocational school	
5.130 College	
5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school buildings) school or secondary	C
5.300 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities)	
5.310 Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet	
5.320 Located within any permissible structures	
5.400 Social, fraternal clubs and lodges, union halls, and similar uses	
6.000 Recreation, Amusement, Entertainment	
6.100 Activity conducted entirely within building or substantial structure	
6.110 Bowling alley, skating rinks, indoor tennis and squash courts, billiards and pool halls, indoor athletic and exercise facilities and similar uses.	
6.120 Movie Theaters	
6.121 Seating capacity of	

* denotes "ZSC" Permits

Exhibit 'A' - TABLE OF PERMISSIBLE USES

Historic Rogers Road Zoning District Additions - 2/21/2020

DESCRIPTION	HR MU
not more than 300	
6.122 Unlimited Seating Capacity	
6.130 Coliseums, stadiums, and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1000 people	
6.140 Community Center--a Town sponsored, non-profit indoor facility providing for one or several of various type of recreational uses. Facilities in a Community Center may in-clude, but are not limited to gymnasia, swimming pools, indoor court areas, meeting/ activity rooms, and other similar uses	
6.150 Electronic Gaming Operations	
6.200 Activity conducted primarily outside enclosed buildings or structures.	
6.210 Outdoor recreational facilities developed on private lands, without Town sponsorship or investment, such as golf and country clubs, swimming or tennis clubs, etc. and not constructed pursuant to a permit authorizing the construction of a residential development.	
6.220 Outdoor recreational facilities developed on public lands, or on private lands with swimming pools, parks, etc., not con-structed pursuant to a permit authorizing the construction of another use such as a school	
6.221 Town of Carrboro owned and operated facilities.	
6.222 Facilities owned and operated by public entities other than the Town of Carrboro	
6.230 Golf driving ranges not accessory to golf course, par 3 golf courses, miniature golf course, skateboard parks,	

* denotes "ZSC" Permits

Exhibit 'A' - TABLE OF PERMISSIBLE USES

Historic Rogers Road Zoning District Additions - 2/21/2020

	DESCRIPTION	HR MU
	water slides, and similar uses.	
6.240	Horseback riding stables (not constructed pursuant to permit authorizing residential development)	
6.250	Automobile and motorcycle racing tracks	
6.260	Drive-in Movie Theaters	
7.000	**Institutional Residence or Care of Confinement Facilities**	
7.100	Hospitals, clinics, other medical (including mental health) treatment facilities in excess of 10,000 square feet of floor area	
7.200	Nursing care institutions, intermediate care institutions, handicapped, aged or infirm institutions, child care institutions	
7.300	Institutions (other than halfway houses) where mentally ill persons are confined	
7.400	Penal and Correctional Facilities	
8.000	**Restaurants (including food delivery services), Bars, Night Clubs**	
8.100	Restaurant with none of the features listed in use classification below as its primary activity	C
8.200	Outside Service or Consumption	
8.300	Drive-in (service to and consumption in vehicle on premises)	
8.400	Drive Through Windows (service directly to vehicles primarily for off-premises consumption)	
8.500	Carry Out Service (food picked up inside of off-premises consumption)	
8.600	Food Delivery	
8.700	Mobile prepared food vendors	
9.000	**Motor Vehicle-Related Sales and Service Operations**	
9.100	Motor vehicle sales or rental of sales and service	
9.200	Automobile service stations	
9.300	Gas sales operations	
9.400	Automobile repair shop or body shop	
9.500	Car wash	
10.000	**Storage and Parking**	
10.100	Independent automobile parking lots or garages	

* denotes "ZSC" Permits

Exhibit 'A' - TABLE OF PERMISSIBLE USES

Historic Rogers Road Zoning District Additions - 2/21/2020

DESCRIPTION	HR	MU
10.200 Storage of goods not related to sale or uses of those goods on the same lot where they are stored		
10.210 All storage within completely enclosed structures		
10.220 Storage inside or outside completely enclosed structures		
10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot		
11.000 Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards		
12.000 Services and Enterprises Related to Animals		
12.100 Veterinarian		
12.200 Kennel		
13.000 Emergency Services		
13.100 Police Stations		
13.200 Fire Stations		
13.300 Rescue Squad, Ambulance Service		
13.400 Civil Defense Operation		
14.000 Agricultural, Silvicultural, Mining, Quarrying Operations		
14.100 Agricultural operations, farming		
14.110 Excluding livestock		
14.120 Including livestock		
14.200 Silvicultural operations		
14.300 Mining or quarrying operations, including on-site sales of products		
14.400 Reclamation landfill		
15.000 Miscellaneous Public and Semi-Public Facilities		
15.100 Post Office		
15.200 Airport		
15.300 Sanitary landfill		
15.400 Military reserve, National Guard centers		
15.500 Recycling materials collection operations		
15.510 Using collection facilities other than motor vehicles		
15.520 Aluminum recycling using motor vehicles		

* denotes "ZSC" Permits

Exhibit 'A' - TABLE OF PERMISSIBLE USES

Historic Rogers Road Zoning District Additions - 2/21/2020

DESCRIPTION	HR MU
15.600 Public utility service complex	
15.700 Cable Television Signal Distribution Center	
15.750 Data Service Provider Facility	
15.800 Town-owned and/or Operated Facilities and Services	
15.810 Town-owned and/or Operated Public Parking Lot	
15.820 All other town-owned and/or operated facilities and services	
16.000 Dry Cleaner, Laundromat	
16.100 With drive-in windows	
16.200 Without drive-in windows	
17.000 Utility Facilities	
17.100 Neighborhood	
17.200 Community or regional	
17.300 Cable Television Satellite Station	
17.400 Underground Utility Lines	
17.410 Electric Power Lines & Gas Lines	
17.420 Other Underground Lines	
17.500 Solar Array	
17.501 Solar Array Facility, Level 1	
17.502 Solar Array Facility, Level 2	
17.503 Solar Array Facility, Level 3	
18.000 Towers and Related Structures	
18.100 Towers and antennas fifty feet tall or less	C
18.200 Towers and antennas attached thereto that exceed 50 feet in height, and that are not regarded as accessory to residential users under 15-150(c)(5)	
18.300 Antennas exceeding 50 feet in height attached to structures other than towers, [other than accessory uses under 15-150(c)(5)]	
18.400 Publicly-owned towers and antennas of all sizes that are used in the provision of public safety services	
19.000 Open Air Markets and Horticultural Sales	
19.100 Open air markets (farm and craft markets, flea markets, produce markets)	
19.200 Horticultural sales with outdoor display	
19.300 Seasonal Christmas or pumpkin sales	
20.000 Funeral Homes	

* denotes "ZSC" Permits

Exhibit 'A' - TABLE OF PERMISSIBLE USES

Historic Rogers Road Zoning District Additions - 2/21/2020

DESCRIPTION	HR MU
21.000 Cemetery and Crematorium	
21.100 Town-owned cemetery	
21.200 All other cemeteries	
21.300 Crematorium	
22.000 Day Care	
22.100 Child Day Care Home	C
22.200 Child Day Care Facility	C
22.300 Senior Citizens Day Care, Class A	C
22.400 Senior Citizens Day Care, Class B	C
23.000 Temporary structure or parking lots used in connection with the construction of a permanent building or for some non-recurring purpose	
23.100 Temporary structures located on same lot as activity generating need for structure	C
23.200 Temporary parking facilities located on or off-site of activity generating need for parking	
24.000 Bus Station	
25.000 Commercial Greenhouse Operations	
25.100 No on-premises sales	
25.200 On-premises sales permitted	
26.000 Subdivisions	
26.100 Major	C
26.200 Minor	C
27.000 Combination Uses	C
28.000 Planned Unit Developments	
29.000 Special Events	C
30.000 Planned Industrial Development	
31.000 Off-Premises Signs	
32.000 Village Mixed Use Development	
33.000 Office/Assembly Planned Development	
34.000 Temporary Lodging	
34.100 Hotels and Motels	
34.200 Bed and Breakfast	C

* denotes "ZSC" Permits

Attachment A

TOWN OF CARRBORO

_____

301 West Main Street, Carrboro, North Carolina 27510

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

THURSDAY, MARCH 5, 2020

Land Use Ordinance Text Amendment Relating to the Historic Rogers Road Community

Motion was made by _____ and seconded by _____ that the _____ of the Town of Carrboro recommends that the Board of Aldermen _____ the draft ordinance.

VOTE:
AYES: ( )
ABSENT/EXCUSED: ( )
NOES: ( )
ABSTENTIONS: ( )

Associated Findings

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

Motion was made by _____ and seconded by _____ that the _____ of the Town of Carrboro finds the proposed text amendment, _____ consistent with the provisions in *Carrboro Vision2020* to promote diverse housing options with regard to type and size, the *Facilitated Small Area Plan for Carrboro's Northern Study Area* to allow for opportunities for commercial uses at a community-scale, and the four principals of the "Rogers Road: Mapping our Community's Future" report.

Furthermore, the _____ of the Town of Carrboro finds the proposed text amendment, prepared in response to a community initiative with considerable public input from the residents it is intended to serve is in the public interest.

VOTE:
AYES: ( )
ABSENT/EXCUSED: ( )
NOES: ( )
ABSTENTIONS: ( )

_____ (Chair)

_____ (Date)

Town of Carrboro

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

Legislation Details (With Text)

File #:	20-102	**Version:**	1	**Name:**	
Type:	Agendas			**Status:**	Agenda Ready
File created:	1/29/2020			**In control:**	Board of Aldermen
On agenda:	2/4/2020			**Final action:**	
Title:	Scope of Duties and Possible Adjustments for Environmental Advisory Board, Planning Board and Appearance Commission PURPOSE: The purpose of this agenda item is to consider adjustments to the duties and titles of noted Town advisory boards in conjunction with shifting Climate Action Plan implementation to the Town Manager's office.				
Indexes:					
Code sections:					
Attachments:	1. Attachment A - Resolution, 2. Attachment B - BoardSeparationEAB 9-2019, 3. Attachment C - Town Code and LUO Excerpts - Advisory Boards, 4. Attachment D - Advisory Boards Scope				

Date	Ver.	Action By	Action	Result

TITLE:
Scope of Duties and Possible Adjustments for Environmental Advisory Board, Planning Board and Appearance Commission

PURPOSE: The purpose of this agenda item is to consider adjustments to the duties and titles of noted Town advisory boards in conjunction with shifting Climate Action Plan implementation to the Town Manager's office.

DEPARTMENT: Town Manager, Planning

CONTACT INFORMATION: David Andrews, 919-918-7315; dandrews@townofcarrboro.org <mailto:dandrews@townofcarrboro.org>; Patricia McGuire - 919-918-7327, pmcguire@townofcarrboro.org <mailto:pmcguire@townofcarrboro.org>;

INFORMATION: The Environmental Advisory Board (EAB) has indicated that they spend too much of their time on development plan review. A memo describing their request for a change in their duties is attached (*Attachment B*). It has been suggested by some on Council that a new commission be developed to focus solely on the Community Climate Action Plan and reassign environmental plan review to other advisory boards.

Staff have considered strategies that would allow the EAB to focus exclusively on Community Climate Action Plan Implementation Commission and have the existing EAB members that are interested become members of that Commission, while clarifying the responsibilities of the other advisory boards that would focus on those areas. Existing Town Code/Land Use Provisions related to the advisory board/commissions are provided as *Attachment C*. A summary table showing changes to the three advisory boards is attached (*Attachment D*). Should the Council wish to proceed with changes as outlined in the summary table, staff would proceed with preparing text amendments for consideration. A possible for moving forward anticipates a request to set in late February and a public hearing in late March.

FISCAL & STAFF IMPACT: Amendments to the Land Use Ordinance are involved in the reconfiguration of advisory board structures. Advertising and attorney time, staff and advisory board review are involved.

RECOMMENDATION: Staff recommends that the Carrboro Town Council receive the information and direct staff regarding moving forward with scheduling amendments as noted. A draft resolution is attachment (*Attachment A*).

Attachment A

A RESOLUTION REGARDING THE SCOPE OF DUTIES AND POSSIBLE ADJUSTMENTS FOR THE ENVIRONMENTAL ADVISORY BOARD, PLANNING BOARD AND APPEARANCE COMMISSION

WHEREAS, the Carrboro Town Council has considered possible adjustments to the duties and titles of advisory boards in conjunction with the implementation of the Climate Action Plan; and

WHEREAS, information on the existing and possible new scope of duties for these boards has been provided.

NOW, THEREFORE BE IT RESOLVED that the Carrboro Town Council provides the following direction:

_____

_____

_____

_____

_____

_____

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_____

_____

_____

_____

_____

This is the 4th day of February in the year 2020.

MEMO TO THE CARRBORO BOARD OF ALDERMEN FROM THE CARRBORO ENVIRONMENTAL ADVISORY BOARD (EAB) FOR THE BOARD OF ALDERMEN (BOA)TO ADVISE ON BOARD STRUCTURE.

Forward

Climate change has increased the global average surface temperature by more than 1.00 degree Celsius (1.8 degrees Fahrenheit) since 1880.

Climate change is expected to increasingly impact North Carolina's temperatures, precipitation and sea level with harmful consequences in coming years.

Climate change and global average temperature increases are primarily due to human-caused fossil fuels emissions, including coal, oil and natural gas, according to the United Nations Intergovernmental Panel on Climate Change, National Academy of Sciences, American Meteorological Society, United States Environmental Protection Agency, United States Department of Defense, and numerous other leading scientific, academic and governmental authorities both in the United States and internationally.

A final agreement of the United Nations Conference of Parties (COP21), which included the United States and a total of 195 nations, was reached in Paris, France on December 12, 2015, that states the aim is to "holding the increase in the global average temperature to well below 2 degrees Celsius above preindustrial levels and pursuing efforts to limit the temperature increase to 1.5 degrees Celsius above preindustrial levels" and entered into force on November 4, 2016.

Scientists have concluded the concentration of carbon dioxide, the leading greenhouse gas, in the Earth's atmosphere is often over 410 parts per million (ppm) and will likely stay above this level for the indefinite future for the first time in millions of years.

Eighteen of the nineteen hottest years on record have occurred in the twenty-first century with 2016 the hottest year on record, 2015 the second hottest, 2017 the third hottest and 2018 the fourth hottest.

An increase in the global average temperature is having and will continue to increasingly have major adverse impacts, if not stopped by eliminating the use of fossil fuels, on both the natural and human-made environments due to longer, more intense heat waves, prolonged droughts, spread of infectious diseases, rising sea levels, ocean acidification, wildfires, and more intense and frequent extreme weather events.

These physical effects are expected to lead to water scarcity, food insecurity, increasing numbers of refugees, increased poverty, and the mass extinction of species.

Studies completed by the International Monetary Fund (IMF), the Risky Business Project, Duke University, and others point to the severe economic costs of climate change and continuing use of fossil fuel, estimating billions of dollars a year in costs nationally and trillions globally.

Leading economists, policy experts, and business leaders conclude that transitioning to a clean energy economy available for all would create millions of green jobs nationally, improve health

and living standards, and boost economic growth in coming years.

Low-income communities and communities of color in North Carolina and the United States are inordinately exposed to pollution, that causes serious health problems such as cancer and asthma, from fossil fuels, including the dirtiest coal-fired power plants which produce coal ash, and need to be empowered and have access to educational tools and an awareness of climate issues.

A Stanford University and University of California-Berkeley study concludes the United States energy supply could be based entirely on renewable energy by the year 2050 using current technologies and 80% renewable energy by 2030 while creating numerous green jobs.

Municipalities, organizations, businesses, and academic institutions throughout the world have set a goal to achieve carbon or climate neutrality by 2050 or earlier.

Some communities in California, in Iowa, and in Vermont currently generate over 90% of their electricity from renewable sources.

Over 1,000 mayors have joined the U.S. Conference of Mayors Climate Protection Agreement since 2005 to commit to significantly reduce carbon emissions in their cities to combat climate change.

Over 600 American colleges and universities have made a commitment to reduce greenhouse gases, including Appalachian State University, Blue Ridge Community College, Carteret Community College, Catawba College, Central Carolina Community College, Davidson College, Duke University, Elizabeth City State University, Fayetteville State University, Guilford College, North Carolina Central University, Queens University of Charlotte, Southeastern Community College, University of North Carolina at Chapel Hill, University of North Carolina at Charlotte, University of North Carolina at Greensboro, University of North Carolina at Pembroke, Wake Technical Community College, and Warren Wilson College.

North Carolina installed 1,140 MW of solar electric capacity in 2015, ranking it second nationally; nearly $1.7 billion was invested on solar installations in North Carolina, a 159% increase over the previous year; there are currently more than 200 solar companies at work throughout the value chain in North Carolina, the state companies employing some 6,000 people; North Carolina ranks third in the nation in installed solar capacity, enough to power 260,000 homes. solar photovoltaic system prices in the U.S. have dropped by 66% since 2010.

North Carolina has more offshore wind energy potential than any other Atlantic state.

The Global Carbon Project predicts there will be a 2.7 percent rise in global carbon emissions in 2019 compared with a 1.6 percent increase last year and this increase in emissions constitutes a record high, dashing hopes that such pollution could finally be coming to a standstill.

The Fourth National Climate Assessment, released in November, 2018 reports global carbon emissions that threaten higher temperatures, stronger storms, increased flooding and longer, more intense droughts.

The IPCC Special Report on Global Warming of 1.5C reports drastic consequences with current levels of greenhouse gas emissions but affirms that these impacts could be minimized by

developing the political will to cut greenhouse gas emissions 45% by 2030 and to nearly zero by 2050.

The Town of Carrboro Board of Alderman, on July xx, 2019, in response to the climate emergency as outlined above, passed a “Resolution Regarding Climate Action Goals and Budget Plan” which added additional duties to the charge of the Environmental Advisory Board (EAB) and staff to “to recommend changes as may be needed to achieve goals defined in the 2009 climate resolution cited above, recognizing the latest science and historical responsibilities for climate change;” “to identify substitutions to or additional activities or projects and their estimated CO2 reductions;” and “recommend such changes to include within the Town’s Climate Plans, in order to more effectively reach the Town’s climate reduction goals, while also recognizing principles of racial equity and climate justice.”

For approximately the last year, the EAB has had difficulty in meeting its basic function of performing development reviews within reasonable meeting lengths and without special meetings.

The EAB dedicated three additional meetings (June 19, July 25 and August 22, 2019) to climate change without performing legacy EAB functions such as design review, and utilized the entire meetings just for that topic. The meeting on September 5, 2019 was almost completely taken up by Joint Review and drafting design review comments and Climate Action Plan discussion had to be deferred.

The implementation of the community input and action plans of Community Climate Action Plan (CCAP) and Environmental and Climate Action Plan (ECAP) will require additional duties on EAB members.

The EAB has developed several alternative structures and meeting schedules including, but not limited to:

a) Break the Board into two separate boards – one focusing on honing and implementing the ECPP and CCAP and the other focusing on the legacy EAB functions of design reviews, with a possibility of one or more liaisons between boards; or
b) Increase the size of the EAB and implement a subcommittee on Climate Change; or
c) Increase the meeting length and frequency as well as investigating methods and procedures for the EAB to work more efficiently.

Additional meetings or lengthened meetings would require additional staff resources.

There are concerns on the EAB, and based on preliminary polling, almost all members would want to go to a separate climate board, leaving the EAB unable to hold a quorum for design reviews.

Some of the existing EAB members have family or other outside responsibilities that could limit their participation in both boards or a subcommittee.

Due to the labor-intensity of implementation of the plans may need for small financial incentives from grants or general funds to entice for volunteer coordinators to implement the community action portions of the CCAP.

Conclusion

The EAB requests guidance from the Board of Alderman with respect to:

1) Consideration of creating a new Board which conforms with Town Code and applicable Town procedures for implementation of the ECAP and CCAP
2) Input concerning Board preferences for EAB organization going forward

EXCERPTED COPY ** 1-31-2020**

Section 3-21. Planning Board (Amend. 9/25/79)
There shall be a planning board, whose establishment, powers and duties are provided for in Chapter 15, Article III, Part I of this code.

Section 3-23. Appearance Commission (Amend. 9/25/79)
There shall be an appearance commission, whose establishment, powers and duties are provided for in Chapter 15, Article III, Part V of this code.

Article V

CARE AND PROTECTION OF
TREES

Section 7-36 Purpose, Intent and Scope of Article

(a) The Board finds that:

n pr

(1) Trees are prove oducers of oxygen, a necessary element for the survival of men and women;

(2) Trees appreciably reduce the ever-increasing environmentally dangerous carbon dioxide content of the air and play a vital role in purifying the air that we breathe;

(3) Trees precipitate dust and other particulate air-borne pollutants from the air and create temporary conditions of narcosis allowing air-borne pollutants to settle to the ground;

(4) Trees transpire considerable amounts of water each day and thereby purify the air much like the air-washer devices used on commercial air conditioning systems;

(5) Trees have an important role in neutralizing waste water passing through the ground from the surface to ground water tables and lower aquifers;

(6) Trees through their root systems stabilize the ground water tables and play an important effective part in community-wide soil conservation, erosion control and flood control;

(7) Trees are an invaluable physical, aesthetic and psychological counter point to the urban setting, making urban life more comfortable by providing shade and cooling the air and land, reducing noise levels and glare, and breaking the monotony of human developments on the land; and

(8) The need for trees is particularly acute and trees are especially valuable

along public rights-of-way and other town-owned property.

(b) Based upon the findings set forth in subsection (a), the board declares that it is not only desirable but essential to the health, safety and welfare of all the citizens of the Town of Carrboro, present and future, to protect present trees and to encourage the propagation of trees along the public rights-of-way and other town-owned property, and the provisions of this article are designed to accomplish this objective.

(c) The provisions of this article apply to all areas within 30 feet of the center line of a public street, or to the right-of-way line, whichever embraces more area, as well as all other town- owned property. For purposes of this article, these areas shall be referred to collectively as "public property."

Section 7-37 Tree Board

(a) The Carrboro Appearance Commission shall henceforth also act and function as the Carrboro Tree Board.

(b) The Tree Board shall be empowered to:

(1) Develop and administer a comprehensive tree program;

(2) Recommend needed ordinances to properly regulate tree planting, maintenance and removal;

(3) Develop and prepare a long-range management plan that deals with existing and planned or proposed trees and shrubs on public property (master street tree plan) to be adopted by the Town Council;

(4) Develop and implement annual work plans (annual street tree plan) to be adopted by the Town Council; and

(5) Designate one of its members to advise and assist the administrator in implementing this article

Section 7-38 Permits

(a) No person, without a written permit issued by the administrator, may plant, cut down, remove, destroy, severely prune (including the root system) or treat with a view to its preservation from disease or insects, any tree or shrub on public property.

(b) No person, without a written permit issued by the administrator, may place or maintain upon the ground on public property any stone, cement or other impervious matter or substance in such a manner as to obstruct the free access of air and water to the roots of any tree or shrub in such place.

(c) The administrator shall issue the permit required by subsections (a) or (b) within 10 days of a request for such permit unless he/she finds that:

(1) With respect to the planting of a tree or shrub, the proposed planting is inconsistent with the master street tree plan or the annual street tree plan;

(2) With respect to the proposed treatment of a tree or shrub, the proposed treatment poses a danger to other trees or shrubs on public property or a danger to the public health or safety;

(3) With respect to the cutting down or removal of trees or shrubs, such actions would be inconsistent with the master street tree plan or the annual street tree plan and other means are reasonably available to achieve the legitimate objectives sought to be accomplished by the removal of such trees or shrubs.

(4) With respect to the placement of stone, cement or other impervious matter around trees or shrubs, such actions would be inconsistent with the master street tree plan or the annual street tree plan by posing a substantial danger to existing or proposed trees or shrubs, and other means that are reasonably available to achieve the legitimate sought to be accomplished by such actions.

Section 7-39 Additional Measures to Protect Trees and Shrubs

(a) It shall be the responsibility of the person in charge of the erection, repair, alteration or removal of any building or structure to place a guard around any tree on public property so as to prevent injury to such tree. As provided in Section 7-38, if such severe pruning or removal of any tree is necessary, a written permit shall be obtained.

(b) No person may attach any rope or wire to any tree or shrub or to the guard or stake intended for the protection of such tree or shrub on public property, except for the purpose of protecting such tree or shrub or the public.

(c) Trees or shrubs that are diseased or that have an infectious condition that endanger other trees or shrubs on public property or that otherwise pose a danger to the public health or safety shall be removed by the owners of the property on which such trees are located within 10 days after being notified by the administrator of such condition. Such trees are declared to be a public nuisance, and if not corrected by the responsible person within the time specified herein, the town may summarily abate any such nuisance that is located on town property on a public right-of-way.

(d) Any person aggrieved may appeal any decision of the administrator to the board of adjustment in accordance with the procedures specified for appeals set forth in Chapter 15 of the Town Code.

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 Board of Aldermen, 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 Board of Aldermen requesting that they be made, the Board of Aldermen may make them. **(AMENDED 5/26/81; 5/27/86; 11/14/88; 09/13/94; 4/25/06)**

(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 05/27/86; 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 05/27/86)**

(1) The chairman 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 chairman 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 chairman in writing as soon as a member becomes subject to removal under this section. The chairman will have ten days after receipt of such notice to waive the removal. If the chairman 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.

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) Since the board has only advisory authority, it need not conduct its meetings strictly in accordance with the quasi-judicial procedures set forth in Articles IV, V, and VI. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.

(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 conditional use permit request, special use permit 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 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 01/10/84; 01/27/09)**

(b) The chair, first vice-chair and second vice-chair may take part in all deliberations and vote on all issues." **(AMENDED 01/27/09)**

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

(a) The planning board may:

(1) Make studies and recommend to the Board of Aldermen 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 Board of Aldermen policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner.

(3) Make recommendations to the Board of Aldermen concerning proposed conditional use permits and proposed land use ordinance and zoning map changes as provided by Section 15-57 and 15-322.

(4) Perform any other duties assigned by the Board of Aldermen.

(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 Board of Aldermen 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 Board of Aldermen may appoint advisory committees to consider the thoroughfare plan, bikeway plans, housing plans, economic development plans, etc.

(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 Board of Aldermen shall be made by the planning board.

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

(d) If an advisory committee provides direct advice to the Board of Aldermen (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.

PART V. APPEARANCE COMMISSION

Section 15-42 Appointment and Terms of Appearance Commission

(a) There shall be an appearance commission, which shall consist of nine members appointed by the Board of Aldermen. All members of the commission shall either reside, own property, or operate a business within the town's planning jurisdiction.

(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 chairman 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 chairman 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 chairman in writing as soon as a member becomes subject to removal under this section. The chairman will have ten days after receipt of such notice to waive the removal. If the chairman 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.

(d) In making appointments to the commission, the Board of Aldermen 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 Board of Aldermen 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 09/26/89, 11/21/95)**

(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. However, it shall conduct its meetings so as to obtain necessary information and to promote the full and free exchange of ideas.

(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 06/25/19)

(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 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; 01/27/09)**

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 Board of Aldermen, 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 06/27/06).**

(5) Appoint subcommittees (consisting of commission members) or advisory groups (consisting of commission members, persons who are not non- 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 Board of Aldermen.

(b) The appearance commission shall report orally or in writing, as requested by the board, at least quarterly to the mayor and Board of Aldermen. 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 Board of Aldermen. It may 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 09/26/89)**

(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)**

PART VI. ENVIRONMENTAL ADVISORY BOARD (AMENDED 02/20/96)

Section 15-45 Appointment and Terms of Environmental Advisory Board

(a) There shall be an Environmental Advisory Board (EAB), which shall consist of seven members appointed by the Board of Alderman. All members of the EAB shall either reside, own property, or operate a business within the town's planning jurisdiction.

(b) EAB members shall be appointed for three year staggered terms, but members may continue to serve until their successors have been appointed. The initial terms of all members shall expire on January 31, 1996. Effective February 1, 1996, three members shall be appointed for three year terms, two members for two year terms, and two members for one year terms. Vacancies shall be filled for the unexpired terms only.

(c) Members may be removed as follows:

(1) The chair shall file or caused to be filed with the town clerk an attendance report after each meeting identifying those members who are 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 30% 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 requirements should be waived, the town clerk will send the removal notice to the member. This removal shall be effective on the date of such notice.

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

Section 15-45.1 Organization and Meetings of EAB

(a) The EAB shall establish a regular meeting schedule. All meetings shall be open to the public and notification of such meetings shall conform to the requirements of the Open Meetings Law.

(b) A quorum shall be present for the EAB 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 EAB are filled and three members if there are one or more vacancies on the board.

(c) The EAB shall select one of its members to serve as chair and one member to serve as vice-chair. These officers will be chosen annually at the EAB's first meeting in March and shall serve for terms of one year unless their terms of appointment to the EAB sooner expire. Vacancies shall be filled for the unexpired term only. A member may be selected to serve as chair for not more than two consecutive full one-year terms. The chair and vice-chair may take part in all deliberations and vote on all issues. **(AMENDED 01/27/09)**

Section 15-45.2 Powers and Duties of the EAB (REPEALED 5/11/99) (AMENDED 02/25/14) (AMENDED 10/24/17)

The Environmental Advisory Board may:

(a) Advise the Board of Aldermen 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.

(b) 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.

(c) Adopt a set of guiding principles or goals for the EAB and review these goals periodically to determine if they are being obtained.

(d) Take any other action authorized by this chapter or any other ordinance or resolution of the Board of Alderman.

ARTICLE XXI
(AMENDED 09/26/89)

NEIGHBORHOOD PRESERVATION

PART I. NEIGHBORHOOD PRESERVATION

Section 15-330 Neighborhood Preservation District Commission.

The appearance commission established under Article III, Part V, of this chapter is hereby designated as the neighborhood preservation district commission and shall exercise all duties and responsibilities conferred upon the neighborhood preservation district commission.

Section 15-331 Powers and Duties of the Neighborhood Preservation District Commission.

(a) The neighborhood preservation district commission shall seek to promote, enhance and preserve the character and heritage of neighborhood preservation districts and to this end may:

(1) Undertake an inventory of areas of cultural or historical significance within the jurisdiction of the town to identify for all public officials and public bodies those characteristics which define significant areas within the jurisdiction;

(2) Recommend to the Board of Aldermen areas to be designated or removed from designation by ordinance as neighborhood preservation districts;

(3) Conduct an educational program with respect to the special character of neighborhood preservation districts;

(4) Prepare or review studies and plans for consideration by the governing bodies in taking action that affects the preservation and enhancement of such districts;

(5) Recommend to the Board of Aldermen such action as will enhance and preserve the special character of neighborhood preservation districts;

(6) Cooperate with public and private officials, organizations, agencies, and groups which are concerned with and have an impact upon neighborhood preservation districts;

(7) Submit annually to the Board of Aldermen a written report of its activities and identify activities, including violations of ordinances and plans, that affect the district.

(8) As described in Section 15-332, review all applications for zoning, sign, special use, or conditional use permits within a district, and all building permits required for any work involving the construction, removal, or alteration of an exterior feature of a building within a district, and at the commission's discretion exercise authority to delay the issuance of such permits.

(b) All accounts and funds of the commission shall be administered in accordance with the requirements of the Local Government Budget and Fiscal Control Act.

Section 15-332 Review Process For Certain Projects Within A Neighborhood Preservation District; Delay of Permit Issuance.

(a) The neighborhood preservation district commission shall review (i) all applications for zoning, sign, special use and conditional use permits required for development within a neighborhood preservation district, as well as (ii) all applications for building permits

for any work involving the construction, removal, or alteration of an exterior feature of a building within a neighborhood preservation district under circumstances where no zoning, sign, special use or conditional use permit is required for such work. Notwithstanding the foregoing, no review by the neighborhood preservation district commission shall be required when mobile homes are moved in or out of a mobile home park. (AMENDED 02/01/00)

(b) For purposes of this section, “exterior features” shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. Exterior features shall not include color.

(c) Whenever a completed application is made for the permits described in subsection (a) above, the application shall be referred to the neighborhood preservation district commission.

(d) No zoning, sign, special use, conditional use or building permit, the application for which is referred to the neighborhood preservation district commission pursuant to subsections (a) and (c) above, may be issued until the neighborhood preservation commission has commented upon the application, or 45 days from the date the application is determined to be complete by the administrator, whichever occurs first.

(e) In the case of an application for any of the permits referenced in subsection (a) above which authorize the demolition of any building within a district, the neighborhood preservation district commission may request that the permit-issuing authority delay the issuance of the permit for a period up to but not exceeding 90 days from the date the application for the permit is determined to be complete by the administrator in order to provide an opportunity for the commission to negotiate with the applicant and any other parties in an effort to find a means of preventing the demolition consistent with the preservation of the district. The permit-issuing authority shall abide by any such request made within 45 days from the date the application is determined to be complete by the administrator.

(f) In the case of an application for any of the permits referenced in subsection (a) above which authorize work involving the construction, reconstruction, alteration, removal, or restoration of an exterior feature of a building within the district, the neighborhood preservation district commission may request that the permit-issuing authority delay the issuance of the permit for a period not exceeding 90 days from the date of the application for the permit is determined to be complete by the administrator in order to provide an opportunity for the commission to negotiate with the applicant and any other parties in an effort to find a means of making the proposed work more consistent with the preservation of the district. The permit- issuing authority shall abide by any such request made within 45 days from the date the application for the permit is determined to be complete by the administrator.

Section 15-333 Commission Rules, Procedures and Guidelines.

(a) Before enforcing the provisions of this Part, the neighborhood preservation district commission shall prepare and adopt (i) rules of procedure for the conduct of its business and (ii) principles and guidelines not inconsistent with this part for use in reviewing permit applications before this commission. The rules of procedure and guidelines must be approved by the Board of Aldermen before becoming effective. The guidelines may address the following:

(1) Definitions and clarifications of terms used in the ordinance or the guidelines;

(2) The height of the building;

(3) The setback and placement of a building on a lot, including lot coverage and orientation;

(4) Exterior construction materials, including but not limited to, textures and patterns;

(5) Architectural detailing, such as lintels, cornices, brick bond, foundation materials, and decorative wooden features;

(6) Roof shapes, forms and materials;

(7) Proportions, shapes, positionings and locations, patterns and sizes of any elements of fenestration;

(8) General form and proportions of buildings and structures and orientation to the street;

(9) Appurtenant fixtures and other features such as lighting;

(10) Structural condition and soundness;

(11) Use of local or regional architectural traditions;

(12) Effect of trees and other landscape elements; and

(13) Appropriateness of front yards, side yards, rear yards, off-street parking spaces, location of entrance drives into the property, sidewalks along the public right of way which might affect the character of any building or structure within the district.

Section 15-334 Procedure for Designating a Neighborhood Preservation District.

(a) Before the Board of Aldermen adopts or amends an ordinance designating or amending a neighborhood preservation district:

(1) The neighborhood preservation district commission shall investigate and prepare a report on the special historical or cultural qualities of the area to be designated; and

(2) The neighborhood preservation district commission and the Board of Aldermen shall hold a joint public hearing on the proposed ordinance. Notice of this hearing shall be given in the same manner as notice of any other amendment to the official zoning map.

(b) Following the joint public hearing, the Board of Aldermen may adopt the ordinance as proposed, adopt the ordinance with any amendments it deems necessary, or reject the proposed ordinance.

(c) Following the adoption of the ordinance, the designation of the neighborhood preservation district shall be publicized through appropriate publications and public awareness programs.

Section 15-335 Reserved.

PART II. HISTORIC PRESERVATION (AMENDED 11/21/95)

Section 15-336 Historic District Commission.

The appearance commission established under Article III, Part V, of this chapter is hereby designated as the historic district commission and shall exercise all duties and responsibilities conferred upon the historic district commission.

Section 15-337 Powers and Duties of Historic District Commission.

(a) The historic district commission shall seek to promote, enhance and preserve the character and heritage of historic districts and to this end may:

(1) Undertake an inventory of areas of historical significance within the jurisdiction of the town to identify those characteristics which define significant areas within the jurisdiction;

(2) Recommend to the Board of Aldermen areas to be designated or removed from designation by ordinance as historic districts, as well as structures, sites or objects worthy of national, state or local recognition;

(3) Conduct an educational program with respect to the special character of historic districts and offer advice upon request to property owners concerning the treatment of the historical and visual characteristics of their properties located within the district, such as color schemes, gardens and landscape features and minor decorative elements;

(4) Propose or review studies, plans, changes to this or any related ordinance, and new ordinances or laws relating to the total program for the development of the historical resources of Carrboro, for consideration by the Board of Aldermen in taking action that affects the preservation and enhancement of such districts;

(5) Recommend to the Board of Aldermen such action as will enhance and preserve the special character of historic districts;

(6) Cooperate with public and private officials, organizations, agencies, and groups which are concerned with and have an impact upon historic districts;

(7) Submit annually to the Board of Aldermen a written report of its activities and identify activities, including violations of ordinances and plans, that affect the district; and

(8) Issue certificates of appropriateness pursuant to Section 15-339 of this chapter;

(9) Review proposed amendments to the land use ordinance that affect historic districts as well as proposed planning documents or changes to the same (including without limitation transportation plans, improvements and changes) that affect historic districts and make timely recommendations to the Board of Aldermen regarding such ordinances or plans;

(10) Undertake such additional relevant duties or responsibilities as are assigned by the Board of Aldermen;

(11) Accept funds granted to the commission from private or nonprofit organizations.

(b) All accounts and funds of the commission shall be administered in accordance with the requirements of the Local Government Budget and Fiscal Control Act.

Section 15-338 Procedure for Designating or Amending an Historic District.

(a) Before the Board of Aldermen adopts an ordinance designating or amending an historic district:

(1) The historic district commission shall investigate and prepare a report describing the significance of the buildings, structures, features, sites or surroundings included in any such proposed district, and describing the boundaries of such district;

(2) The planning board shall be given a reasonable opportunity to review and comment on the historic district commission's report; and

(3) The report and proposed boundaries shall be submitted to the Department of Cultural Resources for its analysis and recommendation. Failure of the Department to submit its written analysis and recommendations to the Board of Aldermen within thirty (30) days after a written request for such analysis has been mailed to it shall relieve the town of any responsibility for awaiting such analysis, and the town may at any time thereafter take any necessary action to adopt or amend the ordinance.

(b) Before enforcing the provisions of this Part, the historic district commission shall prepare and adopt *(i)* rules of procedure for the conduct of its business and *(ii)* principles and guidelines not Inconsistent with this part for new construction, alterations, additions, moving and demolition. These guidelines must be approved by the Board of Aldermen in order to be effective, and may include standards relating to the following:

(1) The height of the building;

(2) The setback and placement on the lot of the building, including lot coverage and orientation;

(3) Exterior construction materials, including but not limited to, textures and patterns;

(4) Architectural detailing, such as lintels, cornices, brick bond, foundation materials, and decorative wooden features;

(5) Roof shapes, forms and materials;

(6) Proportions, shapes, positioning and locations, patterns and sizes of any elements of fenestration;

(7) General form and proportions of buildings and structures and orientation to the street;

(8) Appurtenant fixtures and other features such as lighting;

(9) Structural condition and soundness;

(10) Use of local or regional architectural traditions;

(11) Effect of trees and other landscape elements; and

(12) Appropriateness of front yards, side yards, rear yards, off-street parking spaces, location of entrance drives into the property, sidewalks along the public right-of-way which might affect the character of any building or structure within the historic district.

(c) It is the intention of these regulations and guidelines to insure, insofar as possible, that buildings or structures in an historic district shall be in harmony with other buildings or structures located therein. However, it is not the intention of these regulations to require the reconstruction or restoration of individual or original buildings (or prohibit the demolition or removal of the same) or to impose architectural styles from particular historic periods. In considering new construction, the commission shall encourage contemporary design which is harmonious with the character of the district in terms of form, scale, setbacks, materials, massing, etc.

(d) In granting a certificate of appropriateness, the commission shall take into account the historic or architectural significance of the property under consideration and the exterior forn and appearance of any proposed additions or modifications to that structure, as well as the effect of such changes or additions upon other structures in the vicinity, in accordance with the principles and guidelines for the certificates of appropriateness adopted for the district.

Section 15-339 Certificates of Appropriateness.

(a) From and after the designation of an historic district, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features) nor above-ground utility structures nor any type of outdoor advertising signs shall be erected, altered, restored, moved or demolished within such district until after an application for a certificate of appropriateness as to exterior features (as the terms is defined in G.S. 160A-400.9) has been submitted to and approved by the historic district commission. A certificate of appropriateness shall be issued by the commission prior to the issuance of a building permit or other permit granted for the purposes of constructing, altering, moving or demolishing structures, which certificate may be issued subject to reasonable conditions necessary to carry out the purposes of this Part. A certificate of appropriateness shall be required whether or not a building or other permit is required.

(b) The town and all public utility companies shall be required to obtain a certificate of appropriateness before initiating any changes in the character of any street paving, sidewalks, trees, or utility installations (including without limitation poles and lighting) located within an historic district.

(c) The commission shall have no jurisdiction over interior arrangement and shall take no action under this section except for the purpose of preventing the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs, or other significant features in the district which would be incongruous with the special character of the district. Nor shall this part be construed to prevent the ordinary maintenance or repair of any exterior architectural feature in an historic district which does not involve a change in design, material or outer appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, moving or demolition of any such feature which the building inspector shall certify is required by the public safety because of an unsafe or dangerous condition.

(d) With respect to all aspects of administration, including without limitation notice and hearing and enforcement requirements, the provisions of this chapter applicable to special use permits issued by the board of adjustment shall apply to certificates of appropriateness issued by the historic district commission.

(1) The commission may, by uniform rule in its Rules of Procedure, require that an applicant submit all or any portion of the information required by Appendix A for other permit applications, as well as additional information reasonably necessary to make a determination on whether the certificate of appropriateness should be issued. Without limiting the generality of the foregoing, the commission shall require that each application be accompanied by such sketches, drawings, or photographs that satisfactorily show, among other things, the scale of the proposed building in relation to adjoining buildings, as well as specifications, descriptions, or other information sufficient to clearly show the proposed move, exterior alterations, additions, changes, new construction or demolition.

(2) Nothing shall prevent the applicant from filing with the application additional relevant information bearing on the application.

(3) An application for a certificate of appropriateness shall be reviewed and acted upon within a reasonable time, not to exceed 180 days from the date the application is filed.

(4) If the commission determines that a certificate of appropriateness should not be issued, a new application affecting the same property may be submitted only if substantial change is made in plans for the proposed construction, reconstruction, alteration, restoration or moving, or other conditions related to the district or surrounding uses have been changed substantially.

(e) An application for a certificate of appropriateness authorizing the demolition of a building or structure within the district may not be denied. However, the effective date of such a certificate may be delayed by the historic district commission for a period of up to 180 days from the date of approval. During such period the historic district commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the building. If the historic district commission finds that the building has no particular significance or value toward maintaining the character of the district, it shall waive all or part of such period and authorize earlier demolition or removal.

(f) Except as provided in subsection (e), a certificate of appropriateness shall be issued if the application complies with the guidelines adopted pursuant to Subsection 15-338(b) and denied if the application does not comply.

(g) An appeal from the commission's action in granting or denying a certificate of appropriateness may be taken to the board of adjustment in the manner specified in Section 15-91 and subject to all the provisions applicable to appeals from decisions of the zoning administrator, except that the board's review shall be on the record of the hearing before the commission.

(h) A decision by the board of adjustment shall be subject to review by the Superior Court of Orange County by proceedings in the nature of certiorari pursuant to Section 15-116 of this chapter.

Section 15-340 Historic District Commission Recommendation on Permit and Other Applications.

All applications for land use permits, variances, rezoning requests, zoning text amendment applications, and other plans, including transportation plans, within an historic district shall be reviewed by the historic district commission at its next regular meeting after the application has been submitted in accordance with the requirements of this ordinance. The commission shall forward its comments and recommendations within 45 days of the filing of the application. The recommendations shall be presented to the authority having final decision responsibility for applications for land use permits, variances, rezoning requests, zoning text amendments and any other plans, including transportation plans.

Advisory Board	Code Reference	Existing Scope	Proposed Scope	Action Needed
Environmental Advisory Board	Section 15-45.2	Advise the Board of Aldermen 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. 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.	Scope redistributed as described below	Amend LUO to reflect changes
Planning Board	Section 3-21	Make studies and recommend to the Board of Aldermen plans, goals and objectives relating to the growth, development and redevelopment of the town and the surrounding extraterritorial planning area. Develop and recommend to the Board of Aldermen policies, ordinances, administrative procedures and other means for carrying out plans in a coordinated and efficient manner. Make recommendations to the Board of Aldermen concerning proposed conditional use permits and proposed land use ordinance and zoning map changes as provided by Section 15-57 and 15-322.	Existing scope refined to include providing 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.	Amend LUO to reflect changes
Appearance Commission	Sections 7-37, 15-44, 15-330, 15-336	Serve as Town's Tree Board. Initiate, promote, and assist in the implementation of programs for general community beautification within the town's planning jurisdiction. 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. 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. Make recommendations upon any permit or other item referred to the commission by the Board of Aldermen, 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. Serve as Town's Neighborhood Preservation District Commission. Serve as the Town's Historic District Commission (no districts are currently designated).	Existing scope refined to include advising the Town Council on policies, ordinances, and administrative procedures regarding environmental protection and the conservation of natural resources.	Amend LUO to reflect changes
CCCAP Implementation Committee	TBD		New purpose. powers and duties to include advising the Town Council and make recommendations on climate action plan implementation and resilience, including measures in adopted plans such as building energy efficiency, transportation, renewable energy, ecosystem protection and enhancement, food choice and related topics.	Amend LUO to reflect changes

BUILDING SIGNAGE

SEE SCOPE OF WORK ON PAGE 3

EXISTING

Note: Size of signage in relation to the surrounding area is approximate. This photo mock-up is intended for location purposes only. A site survey is required.

Project ID

JH4-30828

Date: 01/12/2020
Scale: as noted
Sales: G. Frenette
Designer: H. Wallace

Rev. #:
Date:

Revision Note:

☑ **Conceptual**

Information Required:

☐ **Master**

Electrical

☐ 120V ☐ 347V
☐ Other _____

Customer Approval

_____

_____

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This sign to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Fluorescent, Neon and HID lamps contain Mercury (HG). Dispose of the lamps according to Local, Provincial, State or Federal Laws.

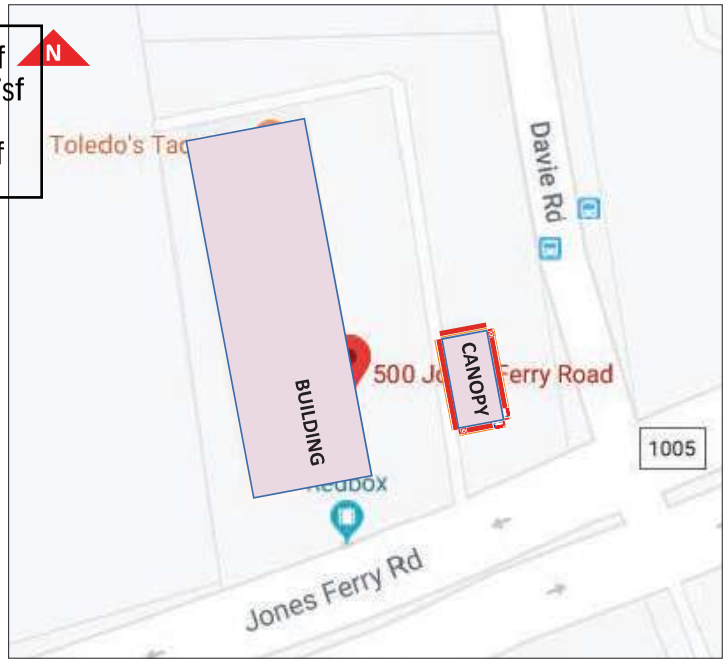
CANOPY & PRICERS - OPTION 1

SEE SCOPE OF WORK ON PAGE 3

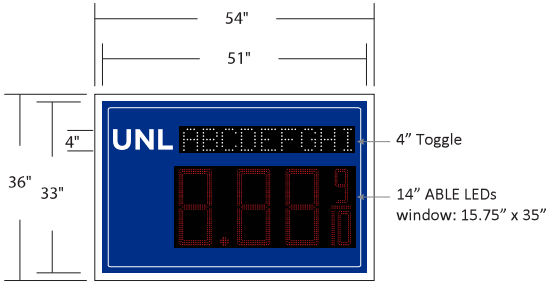
EXISTING Pricer 13.5 SqFt (Each)

Two (2) Circle K signs on canopy = 15sf
Two (2) gas price signs on canopy = 27sf

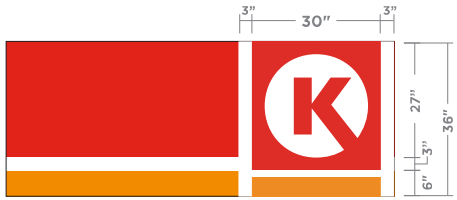
Existing Circle K sign on building = 14sf



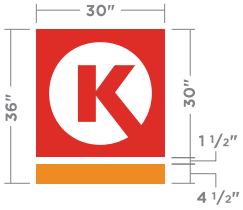
PROPOSED Pricer 13.5 SqFt (Each)



13.5 SqFt



126LF of Non-Illum. ACM - NTS



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☑ Conceptual
Information Required:

☐ Master

Electrical
☐ 120V ☐ 347V
☐ Other _____

Customer Approval
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www.pattisonsign.com

This sign to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

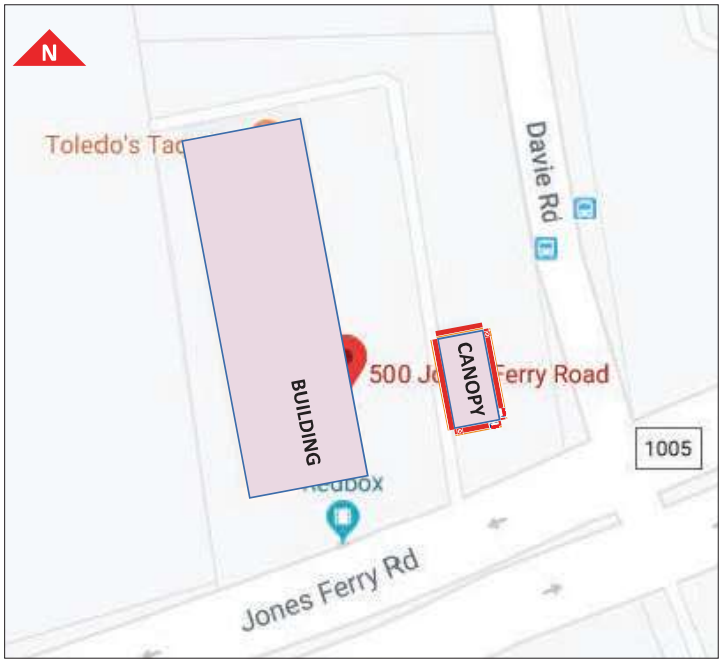
Fluorescent, Neon and HID lamps contain Mercury (HG). Dispose of the lamps according to Local, Provincial, State or Federal Laws.

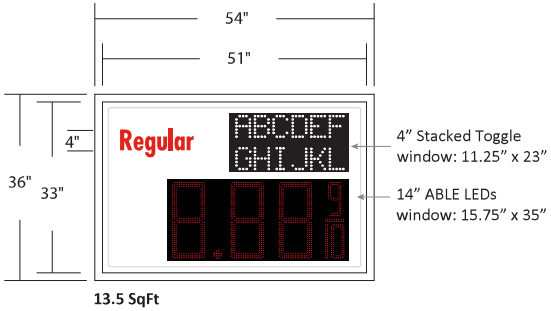
CANOPY & PRICERS - OPTION 2

SEE SCOPE OF WORK ON PAGE 3

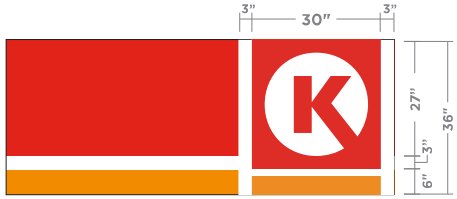
EXISTING Pricer 13.5 SqFt (Each)

PROPOSED Pricer 13.5 SqFt (Each)

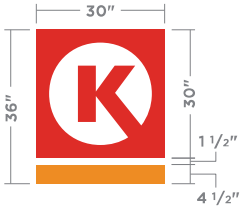




13.5 SqFt



126LF of Non-Illum. ACM - NTS



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Canopy w/ Pricers

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Powering Your Brand

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This sign to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Fluorescent, Neon and HID lamps contain Mercury (HG). Dispose of the lamps according to Local, Provincial, State or Federal Laws.