



# TOWN OF CARRBORO PLANNING BOARD

*301 West Main Street, Carrboro, North Carolina 27510*

**7:30 P.M.**

*REMOTE MEETING\**

## A G E N D A

**THURSDAY, APRIL 30, 2020**

Item	Topic/Action	Person/Agency	Time (Approx)
<b>I.</b>	<b>WELCOME/AGENDA ADJUSTMENTS</b>	Staff/Chair	7:30
<b>II.</b>	<b>APPROVAL OF MINUTES</b>		
	March 5, 2020	Chair/Planning Board	7:40
<b>III.</b>	<b>OTHER MATTERS</b>		
	A) Comments on Possible Adjustments to Planning Board Duties	Chair/Planning Board	7:45
	B) Comprehensive Plan Committee Selection	Staff	8:05
<b>IV.</b>	<b>ADJOURNMENT</b>	Chair	8:30

*\*To view the advisory board meeting, please email Tina Moon at [cmoon@townofcarrboro.org](mailto:cmoon@townofcarrboro.org) to receive an invitation to view the meeting. If you wish to make public comment, at the time of the public comment, the staff person will be able to allow speakers to remotely enter the meeting one-by-one to comment. Please send any written statement or materials to the same email provided above. Requests to remotely attend the meeting shall be made within 24 hours of the meeting start time. The requester should also specify if they wish to make any comments in the email. All written statements and materials will be forwarded to the advisory board members.*

**PUBLIC COMMENT AT PLANNING BOARD MEETINGS**

If members of the public wish to address the Planning Board, a time will be provided during the meeting. Speakers may address the Board only after being recognized by the Chair and only from the podium, subject to a three-minute time limit.

***TOWN HALL IS ACCESSIBLE FOR PERSONS WITH DISABILITIES.***

***FOR MORE INFORMATION, CONTACT STAFF AT 919-918-7325.***



4

## TOWN OF CARRBORO

### PLANNING BOARD

**301 West Main Street, Carrboro, North Carolina 27510**

### MARCH 5, 2020 JOINT REVIEW

MEMBERS	GUESTS	STAFF
Catherine Fray	Kathryn Thomas	Zachary Hallock
David Clinton	Laura Szpr	Jeff Kleaveland
Braxton Foushee		Patricia McGuire
Rachel Gaylord-Miles		Tina Moon
Susan Poulton		Marsha Pate
Rasam Tooloe		Marty Roupe
Andrew Whittemore		James Thomas

Board Liaisons: Susan Romaine, Jacquelyn Gist, Barbara Foushee

Absent/Excused: n/a

#### I. WELCOME

Catherine Fray, the Planning Board Chair, opened the meeting at 7:35 PM, welcoming all.

#### II. JOINT REVIEW ITEMS

##### A) Draft LUO Text amendments Relating to Historic Rogers Road

Tina Moon, Planning Administrator made the presentation. In April 2019, advisory boards reviewed a draft ordinance to establish two new zoning districts in the Historic Rogers Road neighborhood, a residential district, HR-R and a mixed use district, HR-MU. The item went to public hearing, and the Board of Aldermen adopted the sections of the ordinance relating to the residential district only. The Board directed staff to revise the mixed-use portion of the ordinance to address items identified during its deliberation.

These key changes include:

- 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.)

1  
2 Advisory board members asked a number of questions, relating to the existing property—  
3 number of homes, other buildings, etc., and trying to determine the types of  
4 zoning/planning scenarios that would be possible if the ordinance is adopted.  
5

6 **B) Comments on Scope of Duties and Possible Adjustments for Environmental  
7 Advisory Board, Planning Board and Appearance Commission.**

8 Patricia McGuire, Planning Director, provided an overview of the existing duties of three  
9 boards—the Environmental Advisory Board (EAB), the Planning Board (PB) and the  
10 Appearance Commission (AC). McGuire noted the interest of the EAB to focus on  
11 implementing the Town’s climate action plans rather than participate in development  
12 review. Questions focused on advisory board members, particularly members of the AC,  
13 trying to get a better understanding of their role in preparing comments as part of the  
14 review of development proposals and amendments. McGuire clarified the role of staff to  
15 provide technical review, and noted that staff can facilitate the review of applications by  
16 way of the presentation of the staff report and other materials.  
17

18 *The Joint Review portion of the meeting ended at 8:23 PM.*  
19

20 **III. APPROVAL OF MINUTES**

21 **A) February 6, 2020**

22 Gaylord-Miles moved to approve the minutes; Foushee seconded the motion. **VOTE:**  
23 **AYES (7)** Fray, Clinton, Foushee, Gaylord-Miles, Poulton, Tooloe, Whittemore; **NOES**  
24 **(0); ABSENT/EXCUSED (0)**

25 The February 6, 2020 Planning Board minutes were approved.  
26

27 **IV. OTHER MATTERS**

28 **A) Draft LUO Text Amendments Relating to Historic Rogers Road**

29 Planning Board members discussed the draft ordinance and the interests of the Historic  
30 Rogers Road neighborhood along with the interests from residents living nearby, such as  
31 the residents of Fox Meadow.  
32

33 Some of the key points in the conversation included the following questions and comments:

- 34 ■ A comparison of the benefits and challenges of conditional zoning versus general  
35 zoning—as a rezoning mechanism
- 36 ■ The appropriate building size for the flex/mixed-use ventures—height and square  
37 footage
- 38 ■ Benefits of a two-story building with a smaller footprint
- 39 ■ Questions relating to existing LUO provisions such as stormwater management
- 40 ■ Should the mixed-use district be available for other Carrboro properties in the  
41 Historic Rogers Road neighborhood, or just the eight “purple” lots?
- 42 ■ Should all of the eight mixed-use lots be developed as a single project?  
43

44 After further discussion, Planning Board members drafted an overarching statement to  
45 include in its recommendation.  
46

1 Motion was made by Whittemore and seconded by Foushee that the Planning Board of the  
2 Town of Carrboro recommends that the Town Council approve the draft ordinance.

3  
4 The Planning Board is in general agreement that the expanded undisturbed buffer and  
5 requirement of a CUP for most uses are positive revisions to the draft ordinance. We also  
6 support the availability of both a general zone and a conditional zone of this type. We  
7 think that it is important, in order to support the vision for the area that the community has  
8 expressed, that 1) the zone should be available in future for parcels other than the one  
9 currently planned, 2) that the size of buildings should not be too far out of scale with the  
10 neighborhood, and 3) that the ordinance encourage buildings with smaller footprints, two  
11 stories, and/or multiple units rather than larger single story or single unit buildings. In  
12 order to achieve this, we suggest that the acreage minimum and building size maximum be  
13 adjusted, and a table would be appropriate.

14  
15 **VOTE:**

16 AYES: (7) Fray, Clinton, Foushee, Poulton, Gaylord-Miles, Whittemore, Tooloe

17 ABSENT/EXCUSED: (0)

18 NOES: (0)

19 ABSTENTIONS: ()

20  
21 **ASSOCIATE FINDINGS**

22  
23 By a unanimous show of hands, the Planning board membership indicated that no members  
24 have any financial interests that would pose a conflict of interest to the adoption of this  
25 amendment.

26  
27 Motion was made by Foushee and seconded by Gaylord-Miles that the Planning Board of  
28 the Town of Carrboro finds the proposed text amendment, is consistent with the provisions  
29 in *Carrboro Vision2020* to promote diverse housing options with regard to type and size,  
30 the *Facilitated Small Area Plan for Carrboro's Northern Study Area* to allow for  
31 opportunities for commercial uses at a community-scale, and the four principals of the  
32 "Rogers Road: Mapping our Community's Future" report.

33  
34 Furthermore, the Planning Board of the Town of Carrboro finds the proposed text  
35 amendment, prepared in response to a community initiative with conservable public input  
36 from the residents it is intended to serve is in the public interest.

37  
38 **VOTE:**

39 AYES: (7) Fray, Clinton, Foushee, Poulton, Gaylord-Miles, Whittemore, Tooloe

40 ABSENT/EXCUSED: (0)

41 NOES: (0)

42 ABSTENTIONS: ()

43  
44 **B) Comments on Scope of Duties and Possible Adjustments for Environmental  
45 Advisory Board, Planning Board and Appearance Commission.**

1           Due to the late hour, Planning Board members offered to discuss at a later meeting or  
2           follow up with McGuire via email.  
3

4           **III. ADJOURNMENT**

5           Foushee motioned for the Planning Board meeting to adjourn; Poulton seconded the motion.  
6           The March 5, 2020 Planning Board meeting adjourned at 9:52 PM.  
7  
8



# 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
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**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)  
<mailto:dandrews@townofcarrboro.org>; Patricia McGuire - 919-918-7327, [pmcguire@townofcarrboro.org](mailto: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*).



**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 ECAP 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

- n pr
- (a) The Board finds that:
- (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 form 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
<b>Environmental Advisory Board</b>	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
<b>Planning Board</b>	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
<b>Appearance Commission</b>	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
<b>CCCAP Implementation Committee</b>	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



## Request for Proposals (RFP) For Comprehensive Planning Services RFP - 20206

**Overview:** The Town of Carrboro (the “Town”) is inviting interested and qualified respondents to submit proposals for planning services for the implementation of a town-wide comprehensive planning process. Firms must have extensive experience in the development of comprehensive plans with multiple chapters or elements, and robust public engagement. Firms shall have experience successfully working in North Carolina and with communities of a similar geographic size to the Town of Carrboro and with a progressive, well-educated and engaged citizenry. Proposals should include recommendations to address issues associated with climate change and resiliency as well as equity in the development of the plan, in the plan itself and in its benchmarking measures.

A detailed description of the services solicited in this Request for Proposals (RFP) is outlined in the attached scope of services. The role of the selected firm will be to work with the Carrboro community and the Town, particularly the Town of Carrboro Planning Department, to guide the development of a new Comprehensive Plan and 20-year land use vision. Specifically, the contractor(s) will manage and facilitate an inclusive, equitable, and diverse public engagement process from start to finish, including utilization of both traditional and innovative outreach methods and working with existing community organizations and resources. The contractor(s) may as needed advise the Town on other related project matters.

**Proposals must be received in the office of the Town of Carrboro Finance Director, 301 West Main Street, Carrboro NC, 27510 no later than 3:00 PM EST on Monday, December 23, 2019.**

Instructions for submitting proposals may be obtained from the Town’s website: <http://www.townofcarrboro.org/967/Bid-Opportunities>. Any questions regarding these documents should be addressed to Patricia J. McGuire, Planning Director at [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org) or 919-918-7327.

The Town of Carrboro reserves the right to reject any and all proposals.

## Scope of Services

### Project Purpose

The goal of this project is to inspire extensive and active community involvement in a process that, while recognizing both harmony and discord, will result in a meaningful product that expresses and establishes a framework for achieving the community's vision, expectations and guidance for growth and development/redevelopment, and town services. Plan policies will address land use regulations and decisions, which serve as the foundation for economic development/fiscal stability, as well as the Town's ability to provide direct services and support other initiatives. A planning horizon of 20 years is anticipated, with regular reviews of progress and continued relevance/update every five years. This comprehensive planning process is intended as a framework for the incorporation of regular goal-setting, and project identification and evaluation into the process of work planning and budget prioritization.

### Introduction

Located in the Piedmont region of North Carolina, Carrboro has a rich history, with a wealth of natural flora and fauna developing from the weathered, ancient mountain range underlying the present-day rolling hills and forests. For at least 12,000 years before Europeans moved into the area, American Indians flourished in the rich virgin hardwood forests of the area now-called Orange County. By 1701 when John Lawson passed through, he was hosted in a stockade village called Occaneechi Town (within the now Town of Hillsborough) whose Siouan inhabitants had been displaced by Europeans spreading south and west from coastal Virginia settlements. Orange County was established in 1752, signaling that the colonial government found a sufficient number of European settlers present to do so.

A community at the center of what is now Carrboro was first settled in 1882 around a University of North Carolina railroad spur. It was originally known as West End, due to its geographic location directly west of Chapel Hill. In 1911, the town was incorporated under the name Venable, for chemistry professor and University of North Carolina president Francis Preston Venable. It wasn't until 1913 that the town made its final name change in honor of Julian Shakespeare Carr, owner of the local textile mill, after Carr expanded the mill and provided electricity to the community.

For the first fifty years after its incorporation, Carrboro remained a small mill town with a slow, steady pace of growth. In 1960, approximately 2,000 people resided in Town. In the late 1960s the town's population began to increase stemming from the growth occurring at UNC-Chapel Hill and area businesses.

Also during the late 1960s, Carrboro began to become more progressive in its thinking. The development of housing in the latter part of the decade coincided with expansion at UNC-Chapel Hill. Today the town has a reputation as one of the most progressive communities in the South. Growth has continued through the 1980s, 90s, and 2000s. This has resulted in the creation of a

vibrant and diverse community. Carrboro Farmer's Market and numerous venues and events call Carrboro their homes, including two that host national music acts (the ArtsCenter and Cat's Cradle), and annual arts and cultural festivals such as the Carrboro Music Festival, WestEnd Poetry Festival and the Carrboro Film Festival. Carrboro was the first municipality in North Carolina to elect an openly gay Mayor in 1995, and was also the first in the state to grant domestic-partner benefits to same-sex couples. In 2003, the Board of County Commissioners named the new park and educational facility in Carrboro's Transition Area Twin Creeks/Moniese Nomp Park. "Moniese Nomp" is Tutelo-Saponi for Twin Creeks, to honor the Occaneechi Native Americans who lived in this area before European settlement. It is pronounced *mo-nee-ay-say-nom-p*.

A Truth Plaque Task Force was established in 2018 to gather input for the possible installation of a "truth plaque" that would detail the ugly truth of the racist history of Julian Carr, the Town's namesake. The Town joined the Government Alliance on Race and Equity (GARE) in November 2018 as a focus of its efforts to advance equity in the Town's governance structure. The first Truth Plaque was approved on February 5, 2019 and installed on April 16, 2019, reading as follows:

*Carrboro's roots began in the late 19th century when a branch of the North Carolina Railroad extended south to the edge of Chapel Hill, and the first local textile mill opened nearby. Informally known as West End and Lloydville, the community incorporated as a town named Venable in 1911. Two years later, the state legislature renamed the town Carrboro at the request of Julian S. Carr, a post-Civil War business leader. He was also an active and influential participant in Jim Crow era efforts to create a system of racial segregation. Although the town continues to bear his name, the values and actions of Carr do not represent Carrboro today.*

*In the 1970s a group of Carrboro residents joined together to change the town's power structure and advocate for a community that fully included all residents. Thanks to their commitment, today Carrboro honors its working-class roots while reaching toward the goals of social equity, environmental harmony, and fiscal responsibility.*

Today, over 20,000 people are able to call Carrboro home. Recent years have seen development of a new hotel and downtown apartments, and planning for the Orange County Southern Branch Library.

More information about the Town is available at <http://www.townofcarrboro.org/860/ABOUT-CARRBORO>, a page on the Town website where results of the most recent citizen survey, links to US Census demographic data and other resources are available.

## Overview of planning process

To date, comprehensive planning in Carrboro has been completed though primarily land use planning, capital improvement planning, and annual budgeting. Focused planning efforts have also been undertaken for Affordable Housing, Climate Action, Economic Sustainability, Recreation and Parks, Economic Development, Bicycle Transportation, Greenways, Stormwater Management, Safe Routes to Schools, Downtown Parking, Emergency Operations, and in conjunction with other entities, Hazard Mitigation. This planning process is envisioned as one that will include technical

updates to existing conditions and projections of future conditions so as to inform policy choices. Existing planning documents adopted within five years of the comprehensive planning process can be incorporated directly into the comprehensive plan; ones completed earlier are to be updated and incorporated. Ongoing work related to the implementation of adopted plans (e.g. Economic Sustainability Plan and Community Climate Action Plan) is not to be suspended, but is expected to be incorporated and evaluated during this planning process, as is beneficial to the community. The Government Alliance on Race and Equity (GARE) strategies for advancing racial equity and transforming government are considered foundational to this effort. The process will seek to utilize best practices identified by GARE communities and other leaders in these efforts. A policy linkage map that makes clear the interrelationships between town, county, regional, and state plans and policies is to be prepared. Consultant services are anticipated for technical planning assistance including primary responsibility for preparation of most of the comprehensive plan elements. Support is also anticipated in the identification of implementation and measurement components, public outreach and engagement, and interaction with community organizations, officials, a comprehensive plan stakeholder’s board, and staff. A comprehensive plan task force structure, with the Planning Board chair and vice chairs serving as lead on the overall effort, is envisioned.

### Expected project phases

- Phase I – Project preparation (4-6 months; August 2019 launch)
  - Plan proposal (scope, elements, background)
  - Steering/advisory structure
  - Staff resources/assignments
  - Consultant selection
- Phase II – Plan development (12 months; March 2020-March 2021)
  - Public outreach/engagement
  - Visioning, issues, values
  - Plan/policy review and development
  - Public review
  - Plan drafting and revisions
- Phase III- Plan recommendation/adoption (4-5 months; April – September 2021)
  - Comprehensive plan components and matrix integrating new and existing
  - Implementation/strategic plan and update schedule
  - Public review
  - Advisory board review
  - Board of Aldermen review

### Major themes

- Climate Action/Extreme Weather Preparedness Mitigation Mitigation and Resilience/Climate Emergency
- Race and Equity

- Economic/Fiscal Sustainability (evaluating costs and benefits of policies/plans)
- Decline in Affordability for Commercial and Residential Uses
- Decreases income inequality and erosion of the middle class

## Plan principles

1. Creativity – process and products are rooted in accessible vision and execution, rather than mechanical completion of identified steps.
2. Inclusivity - incorporates needs and opinions of the population, especially those that may have been underrepresented in past planning processes.
3. Community – rooted in the interests of people that live, learn, earn, and play in Carrboro.
4. Consensus – relies on an agreed-upon vision and associated values.
5. Clarity – the process and the plan and its impacts are open and clear.
6. Accountable- all parties recognize their roles and responsibilities and commit to doing their best in the preparation and implementation of the plan. A system for assessing progress and redirecting/reprioritizing plan strategies will be key.
7. Accessibility – written and presented in ways that make the plan a clear, useful, and interesting roadmap for Carrboro’s future.
8. Strategic – action-oriented, the plan will focus on steps and measures to achieve its goals and values.
9. Systems-based – plans formulated with the explicit recognition of the complexities of climate and social conditions and the interconnectedness of governmental responsibilities and functions are necessary, appropriate, and effective in prioritizing and effectuating action.

## Geographic scope

The Town’s entire jurisdiction – Municipal limits, extra-territorial jurisdiction, and Transition Areas/joint planning jurisdiction – will be the focus of this planning effort.

## Recent questions/key trends

Infrastructure needs in relation to changing climate conditions

Addressing the climate emergency

Downtown development/redevelopment and revitalization

Redevelopment opportunities, especially Jones Ferry Road and NC Hwy 54 development corridors/nodes

Transit-oriented development opportunities

Street connectivity and completeness (e.g. facilities for all modes and appropriate speeds)

Public engagement and participation/demographic trends

Historic Preservation – residential and commercial areas

Temporary and accessory housing (e.g. short-term rentals, accessory dwelling units)

Reducing vehicle miles travelled through land use decisions.

## Community Engagement

Recent experience and feedback from the community survey makes it clear that in order to maximize participation by community members, a variety of engagement strategies are needed, with those listed below expected:

- Focus groups with civic/community/religious/neighborhood groups
- Community information sessions (e.g. digging into the plan details)
- Town events (e.g. Carrboro Day, July 4th, Farmers' Markets)
- Community events and meetings (e.g., Holiday Parade, Carrboro Business Alliance)
- Citizens Academy
- Web-based portal for education and input
- Social media campaign
- Coffee hours/face-to –face conversations
- Public meetings and hearings

The Town is committed to reaching new and traditionally underserved audiences and to engaging the community in creative and thought-provoking new ways. As was done with the recent public outreach for the 203 Project, the Town seeks to use data and analytics, as well as the observed experiences of community members, to structure community engagement to be responsive to the documented behavioral preferences of community groups and not just stated preferences.

While there are many in Carrboro who are actively engaged, there are some voices that are not regularly represented in public outreach. The selected consultant will be expected to develop an outreach and engagement proposal that, based upon expertise and prior work experience, as well as research and knowledge of Carrboro, will prioritize and achieve diversity and equity.

## Comprehensive Plan Task Force Structure (28 total)

Representative staff from each Town Department (9 in total) is expected as support to this planning and policy initiative and are not included in the total number for members of the task force. Staff from neighboring local governments (varying departments, based on subject matter) and institutions (e.g. Orange County, Town of Chapel Hill, UNC-Chapel Hill, Hillsborough, CHCCS, OWASA) would also be invited to participate and serve as resources to this effort.

1. Planning Board (Chair, vice-chairs and up to 2 other members – up to 5 total)
2. Economic Sustainability Commission (2 members)
3. Transportation Advisory Board (1 member)
4. Recreation and Parks Commission (1 member)
5. Affordable Housing Advisory Commission (1 member)
6. Appearance Commission (1 member)
7. Environmental Advisory Board (1 member)
8. Northern Transition Area Advisory Committee (1 member)
9. Greenways Commission (1 member)
10. Stormwater Advisory Commission (1 member)
11. Arts Commission (1 member)
12. Human Services Advisory Commission (1 member)
13. Youth Advisory Board (1 members)

14. Carrboro Business Alliance (2 members)
15. Possible additional advisory board members (up to 2 if Planning Board is limited to 3)
16. At-large, community members (up to 8 members)

## Plan Components

The descriptions below are not expected to preclude a different organization in the final product, especially related to systems analysis and prioritization/fiscal capacity to be developed in the planning process. The final recommended plan document shall address, and may include, the following components:

<b>Component</b>	<b>New/Update</b>	<b>Lead Staff/author(s)</b>
Executive Summary	New- highlights of overall plan with summary of vision, goals, and elements	Consultant, staff (Planning)
Who, What, How and Why of the Comprehensive Plan	Description of the background, process, data, and decisions that lead to the final plan.	Consultant, staff (Planning)
Framing Element – Major Topics	New – Description of the major topics that form the basis for community goals, strategies, budgetary decision-making, including equity, cost-benefit analysis, sustainability, and operations	Consultant, Departmental staff involved with plan development (expected to be all)
Action Element	New – Plan strategies in a go-to format, with operational and fiscal performance measures, including time frames and prioritization	Consultant, Departmental staff involved with plan development (expected to be all)
Land Use and Design	Assessment and recommended updates to Land Use Ordinance and Vision 2020, Small Area Plan for Carrboro’s Northern Study Area	Consultant, staff (Planning with assistance from Public Works, Fire, Police, Recreation and Parks)
Economic Sustainability	Update of 2017 ESP	Staff (Economic and Community Development), ESC
Housing Affordability	Component of Land Use and Design assessment; Update of 2015 Affordable Housing Goals and Strategies; Accessory and short-term housing	Consultant, staff (Planning, Manager’s Office)
Recreation, Parks, and Open Space; Arts and Culture	Update of 2004 Comprehensive Recreation and Parks Master Plan so as to ensure eligibility for grant	Consultant, staff (Recreation and Parks, Planning, Economic and Community Development)

Component	New/Update	Lead Staff/author(s)
	funding; assessment and update of relevant Carrboro Vision2020 policies. Update and inclusion of Physical Activity and/or Healthy Community planning perspective.	
Infrastructure		
-Transportation	Integration of recently updated Bicycle Plan, update of Greenways Plans, Sidewalk Policy, and Residential Traffic Management Plan. Recognition of interrelationships with Chapel Hill (including Chapel Hill Transit, Orange County, Go Triangle, and DCHC MPO/Comprehensive and Metropolitan Transportation Plans. Incorporation of street conditions analysis, repaving schedules, Powell Bill funds	Consultant, staff (Planning, Public Works)
-Water and Wastewater	Recognition of interrelationship with OWASA, Climate Action Plan/GHG reductions associated with water conservation.	Consultant, staff (Planning)
-Energy (electricity, natural gas, solar)	Energy supply, with info on local and non-local sources, quantities and climate impacts	Consultant, energy providers, staff (Planning)
-Conduit, fiber optic, wireless	Anticipate inclusion of pending Fiber optic Plan and incorporation info policy matrix and action element	Consultant, (Planning, Information Technology)
Environmental Systems and Resilience, including Stormwater Management	Expansion on 1999 Northern Study Area Plan and miscellaneous studies and reports	Consultant, staff (Planning, Public Works)
Human Capital, Engagement and Governance	New Communications Plan (build on Citizens' Bill of Rights), Human Services, Technology, and Innovation	Consultant, staff (Human Resources, Finance Department, Manager's Office, Economic and Community Development, Information Technology)
Public Services	New chapter on fire, police, public works services, publicly owned buildings, accessibility, public safety, future needs (interrelatedness to	Consultant, Noted departments staff

Component	New/Update	Lead Staff/author(s)
	Capital Improvement Programming, Strategic Energy and Climate Action, specifically Solid Waste initiatives, waste reduction, fuel usage, building renovations and retrofits); incorporation of Eno-Haw Hazard Mitigation Plan, Town Emergency Operations Plan, and possible Continuity of Operations Plan	

### Detailed Consultant Services Anticipated for Completion of this Effort

The actions described below are not expected to preclude a different order or approach to plan development, especially in relation to utilizing a systems approach and in recognition of the Town's methods of prioritizing and fiscal capacity. The intent of this detailed list is to emphasize the Town's interest in a thorough process that will be successful at engaging the entirety of the community.

1. Initial meeting with the staff to review and refine the project scope and schedule, as well as schedule initial meetings and begin the process of data compilation. Consideration of the schedule presented in 'Expected Project Milestones' above. The applicant may also suggest alternative phasing or a different procedural approach based upon their experience
2. Develop with staff a plan of action for information that is to be compiled, data that needs to be collected and methods for future plan iterations. Once completed, consultant will obtain and review existing plans, maps and other documents relevant to the project. Work with Town communications staff to either develop new social media accounts or utilize existing accounts for promotion and engagement;
3. Meet with the Comprehensive Plan Task Force for regular updates.
4. Conduct meetings with key elected officials and stakeholders. The purpose of these meetings will be to obtain input and guidance as it relates to the process to obtain opinions on the future of the Town from a wide cross-section of individuals and to complete a consensus building process on this future and the Town's goals in all areas of growth and development and the provision of services.
5. Conduct periodic review meetings with staff on process.
6. Plan and coordinate extensive and diverse public participation process program, including, but not limited to: public meetings, drop-in meetings, pop-up engagement in a variety of locations, surveys, directed engagement with community groups, HOAs, informational brochures, website materials, and other outreach mechanisms. Prepare summaries of each.
7. Work with staff on elements of a robust outreach campaign that includes traditional print and broadcast communication as well as social media and digital communication. It is expected that materials should be written in both English and Spanish. The ability to obtain or provide translation services in other languages, include Burmese and Karen, is

also of strong interest. Outreach and input collection materials to be considered include, but are not limited to, project branding, posters, flyers, worksheets and similar, traditional and on-line surveys and other innovative methods, and an interactive website that is user-friendly and engaging and is maintained with relevant information and materials throughout the planning process;

8. Conduct public meetings, workshops, interviews, roundtable discussions, and topic-specific focus groups as necessary.
9. Create material for the public meetings and media venues to inform and educate the public on the plan components.
10. Staff is expected to be responsible for the production of the bulk of the GIS maps and materials; however, the selected consultant may be required to provide supporting information or assistance.
11. Develop goals, objectives, implementation strategies, as well as benchmarks to measure implementation progress
12. Analyze the consistency of current ordinances and policies in relationship to the goals and objectives developed through this process and create an implementation program.
13. Draft elements, including written and graphic materials, are to be completed and submitted to the Town for review, comment, and approval individually based upon a schedule developed at the beginning of the planning process.
14. Make periodic reports to the Task Force, the Board of Aldermen and other groups (e.g. advisory boards).
15. Work with the town to determine the final product(s) that best fit the interests and needs of Carrboro.
16. Prepare a "Public Draft" of the identified final products and present drafts to the community.
17. Prepare a "Final Draft" of the identified final products and make a final presentation at a public hearing and all associated meetings to secure adoption of the Plan.

The scope of work proposal should specify the volume, timing, general approach, and duration of all proposed actions in a phased schedule of work. The consultant is also strongly encouraged to suggest other ideas, items, structure, or partnerships that could be of value to the Carrboro community.

## Format of proposals

### Sections and required contents

1. Cover letter
  - a. Reference to the "Request for Proposals for Comprehensive Planning Services"
  - b. Listing of all firms on the project team
  - c. Conflict of interest statement

The cover letter should include the candidate's name and address, including all methods of contact such as mailing address, phone number, and email. It should also provide a summary of the proposal, as well as highlight the applicant's general philosophy and approach to

the project. The cover letter should also state that the firm will be able to utilize the standard contract or identify sections that the firm objects to and its proposed remedy; and the firm will comply with all insurance requirements specified in attachment A.

2. The firm or firms' experience, knowledge, familiarity, and past performance with the desired services
  - a. The firm's understanding of the project, the tasks, and the Town of Carrboro in general
  - b. The proposed project staff's experience, expertise, and availability
  - c. Resumes of each project team member expected to work on the project, with the resume of the project manager designated as such. The applicant should also summarize, as a percentage of total work to be completed under the contract, the respective contributions of each team member and their current and projected workloads and availability for this project
  - d. Status of firm as a MWBE or HUB and firm's experience with using diverse subcontractors, including Historically Underutilized Businesses in any projects. Describe methods of recruitment and some recent/current projects where they have been involved.
3. Project approach
  - a. Project management strategy
  - b. Consultant staff roles, if applicable
  - c. Proposed methodology for specific tasks
4. A one-page description for the Carrboro community as to why the consultant team feels their experience and expertise best prepares them to undertake this work.
5. Cost proposal sheet
6. Contact information for three references for similar projects

Proposers are welcome to include qualified sub consultants in their proposals.

## Submittal of proposals

### How to submit proposals

Proposals may be submitted by USPS mail or other delivery service. Respondents may also bring proposals to Carrboro Town Hall at the address listed in this section. Electronic copies may be submitted via email along with hard copies.

**Nine (9) paper copies of proposals** shall be sent or delivered to Carrboro Town Hall and arrive by the deadline. The proposal name and number should be listed in the lower left corner of the envelope.

If using USPS mail or another shipping/delivery service, **please use the following address:**

Arche L. McAdoo, Finance Director  
Town of Carrboro

301 W. Main St.  
 Carrboro, NC 27510  
[AMcAdeo@townofcarrboro.org](mailto:AMcAdeo@townofcarrboro.org)

Proposals submitted after **3:00 p.m. EST on Monday, December 23, 2019** may not be considered for evaluation.

## Questions

**Substantial questions** are requests for information about the RFP that, if answered individually, may provide an unfair advantage for a potential proposer.

**Unsubstantial questions** are requests for information that, if answered individually, do not provide an unfair advantage for a potential proposer. They include requests for logistical details for submitting proposals.

Town staff will determine whether a question is substantial or unsubstantial. Responses to all substantial questions may result in the issuance of addenda to the RFP (see Addenda section below).

All questions are to be submitted in writing and reference the specific section (s) in the RFP. Questions are to be sent to:  
 Patricia McGuire via email at [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org) , or via mail at 301 W. Main St., Carrboro, NC 27510.

Questions submitted after **3:00 p.m. EST on Monday December 16, 2019** will not be considered for evaluation.

The Town reserves the right to address substantial questions via a published addendum to this RFP. This includes publishing the question verbatim or paraphrased (information about the person submitting the question, or their firm, will not be published.) See the Addenda section for more information.

## Addenda

After it is released, the Town may revise the RFP with one or more addenda. All addenda will be posted at the following page: <http://www.townofcarrboro.org/967/Bid-Opportunities>, to ensure all potential proposers have equal access to the information.

**Proposals must include statements acknowledging that the proposer has read and understands all addenda. Proposers are responsible for checking the website for addenda.**

All addenda will be posted by **3:00 p.m. EST on Thursday, December 19, 2019** to assist in providing certainty for proposers as proposals are completed, with the following exception. If, after the aforementioned time, an addendum is deemed necessary to address an issue that substantially affects the ability of consulting teams to submit proposals, the deadline for

submitting proposals may be extended, and therefore the deadline for additional addenda would be extended.

## Evaluation

### Evaluation criteria

The evaluation criteria will be used to guide selection of the top two firms for interviews.

- 1. Understanding of the Project—25%**
  - a. How well has the candidate demonstrated a thorough understanding of the purpose and scope of the project?
  - b. How well has the candidate identified issues and potential problems related to the project?
  - c. How well has the candidate demonstrated that it understands the deliverables the Town expects it to provide?
  - d. How well has the candidate demonstrated that it understands the unique character and needs of Carrboro?
- 2. Methodology used for the project—10%**
  - a. How well does the methodology depict a logical approach to fulfilling the requirements of the RFP?
  - b. How well does the methodology match and contribute to completing the tasks set out in the RFP?
  - c. How well does the methodology interface with the schedule in the RFP?
- 3. Management plan for the project—10%**
  - a. How well does the management plan support all of the project requirements and logically lead to the deliverables required by the RFP?
  - b. How well is accountability completely and clearly defined?
  - c. Is the organization of the project team clear?
  - d. How well does the management plan illustrate the lines of authority and communication?
  - e. Does it appear that the candidate can meet the schedule set out in the RFP?
  - f. Has the candidate gone beyond the minimum tasks necessary to meet the objectives of the RFP?
  - g. Is the proposal practical, feasible and within budget?
- 4. Experience and qualification—35%**
  - a. Do the individuals assigned to the project have experience on similar projects?
  - b. Do the individuals assigned to the project have experience with the specific tasks outlined in the RFP?
  - c. Are resumes complete and do they demonstrate backgrounds that are desirable for individuals engaged in the work the project requires?
  - d. How well has the candidate demonstrated experience in completing similar projects on time and within budget?
  - e. How successful is the general history of the candidate regarding timely and successful completion of projects?

- f. Has the candidate provided letters of reference from clients?
- g. How reasonable are the candidate's cost estimates?
- h. If subcontractors will perform work on the contract, how well do they measure up to the evaluation used for the candidate?

**5. Contract cost—20%**

Candidates will be evaluated on whether the proposed cost is reasonable in relation to the strategy and methodology proposed.

## Evaluation and Interviews

Proposals from consulting teams will be evaluated by a Town staff panel according to the criteria and weights listed below. The evaluation will yield a list of the top two proposals. The firms and proposals may be interviewed and a decision made following the interviews.

**The top two firms may be required to present their proposals to the Town's Board of Aldermen at a regular public Board meeting.**

## Additional information

### Disclaimer

This RFP does not form or constitute a contract with any responder. The Town of Carrboro shall not be liable for any loss, expense, damage or claim arising out of the advice given or not given or statements made or omitted to be made in connection with this RFP. The Town will not be responsible for any expenses which may be incurred in the preparation of a response to this RFP. Any cost incurred by respondents in preparing or submitting a proposal for the project shall be the respondents' sole responsibility.

Ownership of all data, materials and documentation originated and prepared for the Town of Carrboro pursuant to a contract resulting from a proposal submitted for this RFP shall belong exclusively to the Town and be subject to public inspection in accordance with the Freedom of Information Act. Trade secrets or proprietary information submitted shall not be subject to public disclosure under the Freedom of Information Act; however, the respondent must invoke the protections of the appropriate section of the Code of North Carolina, in writing, either before or at the time the data or other materials are submitted to the Town of Carrboro and state the reasons why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information. The classification of an entire document, line item prices and/or total costs as proprietary or trade secrets is not acceptable and may result in rejection of the proposal.

The Town of Carrboro reserves the right to reject any or all proposals received or to request additional information as may be needed to clarify or determine qualifications.

## Appendix A. NON-FEDERAL FUNDS STANDARD SERVICE CONTRACT



**NORTH CAROLINA  
TOWN OF CARRBORO**

### **SERVICE CONTRACT**

**THIS CONTRACT** is made, and entered into by and between the **TOWN of CARRBORO**, a political subdivision of the State of North Carolina, (hereinafter referred to as “**TOWN**”, party of the first part and \_\_\_\_\_, (hereinafter referred to as “**CONTRACTOR**”), party of the second part.

#### **1. SERVICES TO BE PROVIDED**

**CONTRACTOR** hereby agrees to provide services and/or materials under this contract (hereinafter referred to collectively as “**SERVICES**” for \_\_\_\_\_ {Insert Name of Project} \_\_\_\_\_ pursuant to the provisions and specifications identified in “Attachment 1”.

#### **2. TERM OF CONTRACT**

The term of this **CONTRACT** for services and supplies is from \_\_\_\_\_ to \_\_\_\_\_.

#### **3. PAYMENT TO CONTRACTOR**

**CONTRACTOR** shall receive from **TOWN** an amount not to exceed \$XXXXXX. Unless otherwise specified, **CONTRACTOR** shall submit a monthly itemized invoice to \_\_\_\_\_ at the \_\_\_\_\_ Department of the Town of Carrboro, NC 27510. Payment will be processed within 30 days upon receipt and approval of the invoice by **TOWN**. (Note: For contracts of short duration, e.g. less than 3 months, monthly invoices should be avoided, and only provide for payment after satisfactory completion of the project.)

#### **4. INDEPENDENT CONTRACTOR**

**TOWN** and **CONTRACTOR** agree that **CONTRACTOR** is an independent contractor and shall not represent itself as an agent or employee of **TOWN** for any purpose in the performance of **CONTRACTOR’S** duties under this contract. Accordingly, **CONTRACTOR** shall be responsible for payment of all federal, state and local taxes as well as business license fees arising out of **CONTRACTOR’S** activities in accordance with this contract. For purposes of this contract taxes shall include, but not be limited to, Federal and State Income, Social Security and Unemployment Insurance taxes.

**CONTRACTOR**, as an independent contractor, shall perform said services in a professional manner and in accordance with the standards of applicable professional organizations and licensing agencies.

## 5. INSURANCE AND INDEMNITY

To the fullest extent permitted by laws and regulations, the **CONTRACTOR** shall indemnify and hold harmless the **TOWN** and its officials, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect, or consequential (including but not limited to fees and charges of engineers or architects, attorneys, and other professionals and costs related to court action or arbitration) arising out of or resulting from the performance of this Contract or the actions of the **CONTRACTOR** or its officials, employees, or contractors under this Contract or under the contracts entered into by the **CONTRACTOR** in connection with this Contract. This indemnification shall survive the termination of this agreement.

In addition, **CONTRACTOR** shall comply with the North Carolina Workers' Compensation Act and shall provide for the payment of workers' compensation to its employees in the manner and to the extent required by such Act. **CONTRACTOR** shall supply **TOWN** with certification of insurance for workers' compensation coverage with North Carolina statutory limits.

**CONTRACTOR** shall maintain, at its expense, the following minimum insurance coverage:

General Liability with Combined Single Limit Bodily Injury and Property Damage not less than \$1,000,000 and Products and Completed Operations Liability not less than \$1,000,000.

**CONTRACTOR** agrees to furnish **TOWN** a certificate of insurance from an insurance company, licensed to do business in the State of North Carolina and acceptable to **TOWN** verifying the existence of any insurance coverage required by **TOWN**. The certificate will provide for thirty (30) days advance notice in the event of termination or cancellation of coverage.

## 6. HEALTH AND SAFETY

**CONTRACTOR** shall be responsible for initiating, maintaining and supervising all safety precautions and programs required by OSHA and all other regulatory agencies while providing services under this contract.

## 7. NON-DISCRIMINATION IN EMPLOYMENT

**CONTRACTOR** shall not discriminate against any employee or applicant for employment because of age, sex, race, creed, national origin, disability or on the basis of sexual orientation or gender expression/identity. **CONTRACTOR** shall take affirmative action to ensure that applicants are employed and that employees are treated fairly and legally during employment with regard to their age, sex, race, creed, national origin, disability or on the basis of sexual orientation or gender expression/identity. In the event **CONTRACTOR** is determined by the final order of an appropriate agency or court to be in violation of any non-discrimination provision of federal, state or local law or this provision, this Contract may be canceled, terminated or suspended in whole or in part by **TOWN**, and **CONTRACTOR** may be declared ineligible for further **TOWN** contracts.

## 8. GOVERNING LAW

This contract shall be governed by and in accordance with the laws of the State of North Carolina. All actions relating in any way to this contract shall be brought in the General Court of Justice in the County of Orange and the State of North Carolina.

## 9. AMENDMENT

This contract may be amended only in writing by mutual agreement by both parties.

## 10. TERMINATION OF AGREEMENT

This contract may be terminated at any time by either party by written notice of a minimum of ninety (90) days.

This contract may be terminated, for cause, by the non-breaching party notifying the breaching party of a substantial failure to perform in accordance with the provisions of this contract and if the failure is not corrected within ten (10) days of the receipt of the notification. Upon such termination, the parties shall be entitled to such additional rights and remedies as may be allowed by relevant law.

Termination of this agreement, either with or without cause, shall not form the basis of any claim for loss of anticipated profits by either party.

## 11. SUCCESSORS AND ASSIGNS

**CONTRACTOR** shall not assign its interest in this contract without the written consent of **TOWN**. **CONTRACTOR** has no authority to enter into contracts on behalf of **TOWN**.

## 12. COMPLIANCE WITH LAWS

**CONTRACTOR** represents that it is in compliance with all Federal, State, and local laws, regulations or orders, as amended or supplemented. The implementation of this contract will be carried out in strict compliance with all Federal, State, or local laws regarding discrimination in employment.

## 13. NOTICES

All notices which may be required by this contract or any rule of law shall be effective when received by certified mail sent to the following addresses:

**TOWN OF CARRBORO FINANCE OFFICER  
301 WEST MAIN STREET  
CARRBORO, NORTH CAROLINA, 27510**

## 14. AUDIT RIGHTS

For all services being provided under this contract, **TOWN** shall have the right to inspect, examine, and make copies of any and all books, accounts, invoices, records and other writings relating to the performance of said services. Audits shall take place at times and locations mutually agreed upon by both parties, although **CONTRACTOR** must make the materials to be audited available within one (1) week of the request for them.

## 15. TOWN NOT RESPONSIBLE FOR EXPENSES

**TOWN** shall not be liable to **CONTRACTOR** for any expenses paid or incurred by **CONTRACTOR** prior to the commencement date of contract, unless otherwise agreed in writing.

## 16. ENTIRE AGREEMENT

This Agreement and the attached document labeled "Attachment 1" shall constitute the entire understanding between **TOWN** and **CONTRACTOR** and shall supersede all prior understandings and agreements relating to the subject matter hereof and may be amended only by written mutual agreement of the parties.

**17. HEADINGS.**

The subject headings of the paragraphs are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions.

**18. E-VERIFY**

The **CONTRACTOR** shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. **CONTRACTOR** shall require subcontractors to comply with the requirements of Article 2, Chapter 64 of the North Carolina General Statutes.

**19. IRAN DIVESTMENT ACT CERTIFICATION**

Contractor hereby certifies that Contractor, and all subcontractors, are not on the Iran Final Divestment List ("List") created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. Contractor shall not utilize any subcontractor that is identified on the List.

**20. DIVESTMENT FROM COMPANIES THAT BOYCOTT ISRAEL**

Contractor certifies that Contractor has not been designated by the North Carolina State Treasurer as a company engaged in the boycott of Israel pursuant to N.C.G.S. 147-86.81. It is the responsibility of each contractor to monitor compliance with this restriction. Contracts valued at less than \$1,000.00 are exempt from this restriction.

The **CONTRACTOR** hereby agrees that each clause of this **CONTRACT** has been read and fully understands the meaning of the same and will comply with all of its terms.

**TOWN OF CARRBORO**

**CONTRACTOR**

\_\_\_\_\_  
**Title:** **Date**

\_\_\_\_\_  
**Title:** **Date**

**ATTEST**

**ATTEST**

\_\_\_\_\_  
**Title:**

\_\_\_\_\_  
**Title:**

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_

**Finance Officer**

## Appendix B. Cost Proposal Sheet

**COST PROPOSAL SHEET  
FOR  
PROJECT: Town of Carrboro Comprehensive Planning Services**

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In the table below, please provide an estimated cost for each of the general task categories. Firms will be evaluated on whether the proposed cost is reasonable in relation to the strategy and methodology proposed. Please note that the Town of Carrboro is seeking the Consultant’s expertise for the preparation a quality comprehensive plan. If there are tasks that are not listed in the scope that are integral to a plan, please provide them in a second, alternative proposal, and explain why they are critical. The proposal should also include a detailed budget. Once a contract is executed, all invoices from that contractor must include detailed line-item billing, including description of the task completed, amount the task cost, and which project member billed for the task. If the contractor utilizes an hourly billing rate, the amount of hours per team member must be included.

#	DESCRIPTION	COST
1	Public participation	\$
2	Data collection	\$
3	Analysis	\$
4	Presentations	\$
5	Plan development	\$
6	Staff meetings, coordination, contract management	\$
		\$
	<b>Total</b>	<b>\$</b>

The contents of this proposal are known to no one outside the undersigned company.

Company Name:	Contact Person:	Contact #:

Authorized Signee: \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Title: \_\_\_\_\_