CODE DIAGNOSIS

For the Unified Development Ordinance project

Public Review Draft • May 2026

CodeWright PLANNERS

SUMMARY OF KEY THEMES FOR IMPROVEMENT

1 SIMPLIFY THE UDO

1.1 Restructure from 21 to 11 Chapters
1.2 Use More-Intuitive Chapter Names in Alphabetical Order
1.3 Place 'Like' Material Together in the Document
1.4 Update the Page Layout with More Navigational Aids for the Reader
1.5 Use Numbered Statements Instead of Prose
1.6 Increase Use of Summary Tables
1.7 Add More Illustrations and Flow Charts
1.8 Replace 'Legalese' with Plain English
1.9 Self-Codify the UDO

2 SAFEGUARD EQUITY

2.1 Where Possible, Reduce Application Review Times & Uncertainty to Ease Beneficial Development
2.2 Explore Differential AMI Ranges for Rental (80%) Versus Ownership (60%)
2.3 Add Relevant Definitions (Diversity, Equity, etc.) to the UDO
2.4 Strengthen Standards on Short-Term Rentals
2.5 Review and Update Contextual Overlay District Protections
2.6 Explore Opportunities for Lower Application Fees
2.7 Ensure Required Notice is Multi-Lingual
2.8 Broaden Range of Districts Where Manufactured/ Mobile Homes/ Moveable Tiny Homes are Permitted
2.9 Soften Limitations on Home Occupations, Micro-Retail, and Some "Social Service" Uses
2.10 Explore Increased Use of Development Agreements for Larger Developments

3 ADAPT TO CLIMATE CHANGE

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3.2 Limit Plants to Native Species and Add Species Diversity Standards
3.3 Promote "Green" Stormwater Infrastructure
3.4 Ease Review Process for Renewable Energy Structures
3.5 Review and Update Open Space Provisions
3.6 Prohibit New Development in the Special Flood Hazard Area
3.7 Require Parking Provided Beyond Minimums to be Pervious
3.8 Disincentivize Mass Grading and Incentivize Contour Grading
3.9 Prioritize Greenways and Multi-Use Trails Over Sidewalks
3.10 Add Voluntary Sustainable Development Options and Incentives

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4.1 Remove SUP Requirements for Subdivisions Meeting Affordability Targets
4.2 Add Requirements for Maintaining Existing Affordable Units (NOAH)
4.3 Exempt Deed-Restricted Affordable Housing And "Micro" Units from Density Counts
4.4 Allow "Middle" Housing By-Right in All Districts
4.5 Establish Maximum Dwelling Unit Sizes and Minimum Densities
4.6 Simplify ADU Requirements Generally
4.7 Add More Small-Lot Options (like bungalow courts, tiny homes, pocket neighborhoods, and detached multi-family)
4.8 Clarify Single-Room Occupancy Development Standards

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INTEGRATE OTHER POLICY GUIDANCE

5.1 Explore Abolition of Minimum Off-Street Parking Standards
5.2 Explore Fee-In-Lieu Provisions for Pedestrian Infrastructure to Help Retrofit Existing Network Deficiencies
5.3 Reduce Open Space Set-Aside Amounts When Available to the Public
5.4 Explore Greater Use of Development Agreements for Expansion of For Sale Affordable Housing
5.5 Consider Converting some Residential Districts to Mixed-use Districts
5.6 Increase Public Participation for Certain Development Proposals

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INCREASE PREDICTABILITY

6.1 Reduce Application Review Times & Uncertainty to Ease Development Review
6.2 Add Clarity on Measurement Rules
6.3 Augment Definitions (to around 100 pages)
6.4 Identify Review Criteria for All Procedures and Decisions
6.5 Reduce Reliance on SUP in Favor of Codified Standards and Limit to One Review Authority
6.6 Use Pre-Application Conferences for Efficiency
6.7 Streamline/Delegate Advisory Body Reviews
6.8 Add Administrative Adjustment, Determination, and Alternative Plan Procedures
6.9 Remove the Ability to Convert By-Right Applications to Discretionary Reviews
6.10 Ensure All Districts List Dimensional Standards and Reduce Caveats

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ENSURE LEGAL SUFFICIENCY

7.1 Address New Downzoning Limitations
7.2 Remove Criminal Penalties
7.3 Remove Content-Based Sign Regulations
7.4 Clarify that Unlisted Uses are not Prohibited
7.5 Clarify that Vested Rights may not be Withheld
7.6 Remove References to Obsolete Terms (special exceptions, conditional use permits, etc.)
7.7 Abolish the Construction Management Plan Process
7.8 Remove Design Controls Applied to Single-Family Residential
7.9 Clarify Authority for Schools Adequate Public Facility Standards

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INCORPORATE INCENTIVES

8.1 Exclude Micro-, ADU, and some 'Middle' Housing Units from Density Counts
8.2 Allow By-Right Reviews for Developments Meeting Affordable Housing Targets
8.3 Allow Accelerated Landscaping Credit for Retained Trees
8.4 Exclude Structured Parking from Building Height Calculation
8.5 Include a Conservation Subdivision Option with Smaller Lots/ Setbacks for More Open Space
8.6 Add Density Bonuses for Voluntary Compliance with Single-Family Design Guidelines
8.7 Allow Some Mixed-Use Development by Right in Residential Districts
8.8 Credit Green Stormwater Features Towards Open Space
8.9 Add Incentives for Sustainable Development Features

INTRODUCTION

Carrboro is a community of over 20,000 people located in central North Carolina between Chapel Hill, Hillsborough, and Durham. In 2022 the Town adopted Carrboro Connects, its comprehensive plan. The plan seeks to foster increased racial equity, affordable housing, and climate resilience. Carrboro's Land Use Ordinance ("LUO") is one of the first sets of consolidated development regulations that joined zoning and subdivision regulation in the country. The LUO has served the Town well for the last 40 years, and while frequently amended, is now due for an overhaul and modernization to better implement Carrboro Connects, address some drastic changes in local government planning legislation, and to integrate modern best practices in development regulation including more illustrations, and a more modern page layout.

This document is a Code Diagnosis of the Town's LUO. Despite its positive features, some concerns about the current LUO remain. Many code users express frustration about the document's organization, numbering system, procedural complexity, and consistency with North Carolina planning laws. While the Town has revised the LUO many times since adoption, this Code Diagnosis document is the Town's initial step towards more significant revisions intended to address the problems articulated by the community.

This Code Diagnosis provides a framework for discussion about how the LUO can or should be revised. It articulates a series of recommendations, organized into 8 Key Themes for Improvement (see prior pages for a summary of the key themes and the recommendations suggested). These recommendations are based on the consulting team's initial review of the LUO document, as well as discussions with Town staff and officials, and a series of interviews conducted in 2024 and 2025. The recommendations include suggestions for substantive changes as well as non-substantive changes like document numbering, structure, and page layout. Recommendations are based on best practices in land regulation from similar communities across North Carolina, as well as North Carolina planning law and court precedent. The Code Diagnosis is a blueprint, or a roadmap for changes to the LUO which the Town may wish to undertake in the future.

The following pages describe each of the 8 Key Themes for Improvement, the recommendations included within them, and an Appendix that includes the results of a section-by-section audit of the current LUO, Carrboro Connects comprehensive plan and Downtown Area Plan, and details from various interviews and discussions with interested parties. This information serves as the starting point for comprehensively revising the current LUO to address community concerns. Any comprehensive revision to the LUO will include numerous opportunities for the community to engage with the project and share their thoughts on necessary improvements.

Discussion of the eight Key Themes follow.

KEY THEME 1. SIMPLIFY THE UDO

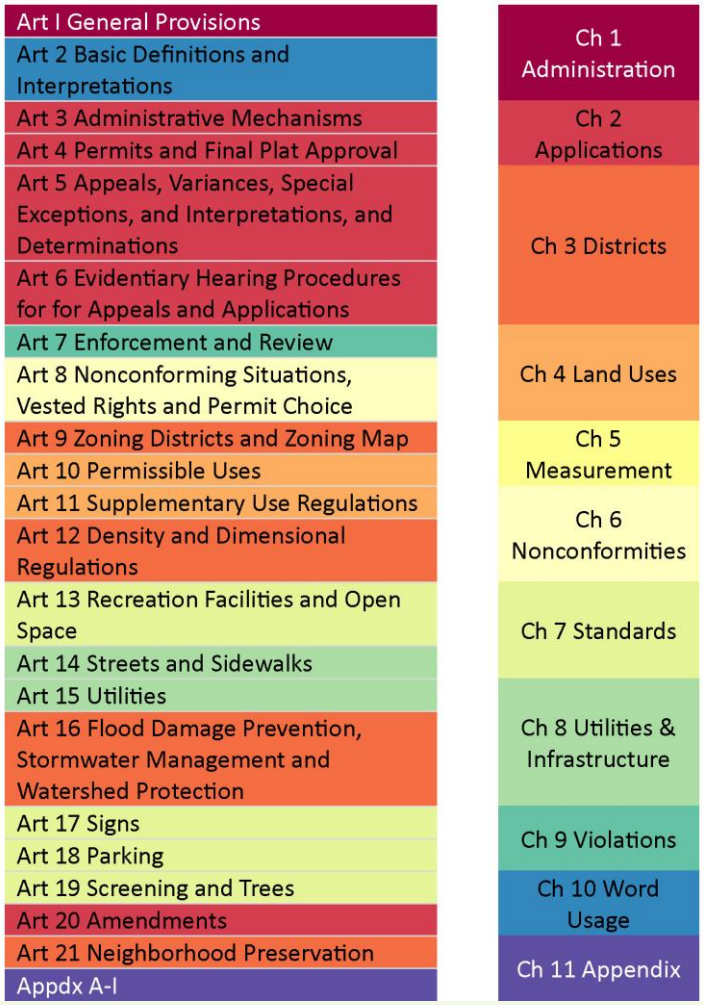
One hallmark of modern, effective development codes is their ease of use for applicants, landowners, Town staff, and Town officials. These kinds of codes that avoid jargon in favor of plain English and rely on consistent terminology. They have an intuitive structure and are highly illustrated. Nine additional user-friendly features proposed for the Carrboro's consideration are described in the table below. Inclusion of these kinds of features will help make the Town's development regulations more predictable and easier to administer.

1.1 Restructure from 21 to 11 Chapters

Carrboro's current Land Use Ordinance ("LUO") includes 21 articles along with 9 appendices. Generally speaking, there are 2 or 3 articles that deal with general information, 7 that address some form of procedural action, 5 that deal with zoning districts and uses, and 7 that deal with development standards. We suggest revision to reduce the sheer number of articles downwards from 21 to 11 chapters and renaming the document a Unified Development Ordinance (or "UDO") to help distinguish it from the prior LUO document.

1.2 Use More-Intuitive Chapter Names in Alphabetical Order

The graphic to the right compares the current 21-article LUO structure with the proposed 11-chapter UDO structure. The colors are used to help demonstrate chapter consolidation. The UDO includes more generic chapter titles and an alphabetical organizational sequence. Where appropriate, the new UDO will also organize major sections in each chapter into an alphabetical sequence . The intention of these structural changes and naming conventions is to make it easier to navigate the UDO document without knowing its structure by heart.

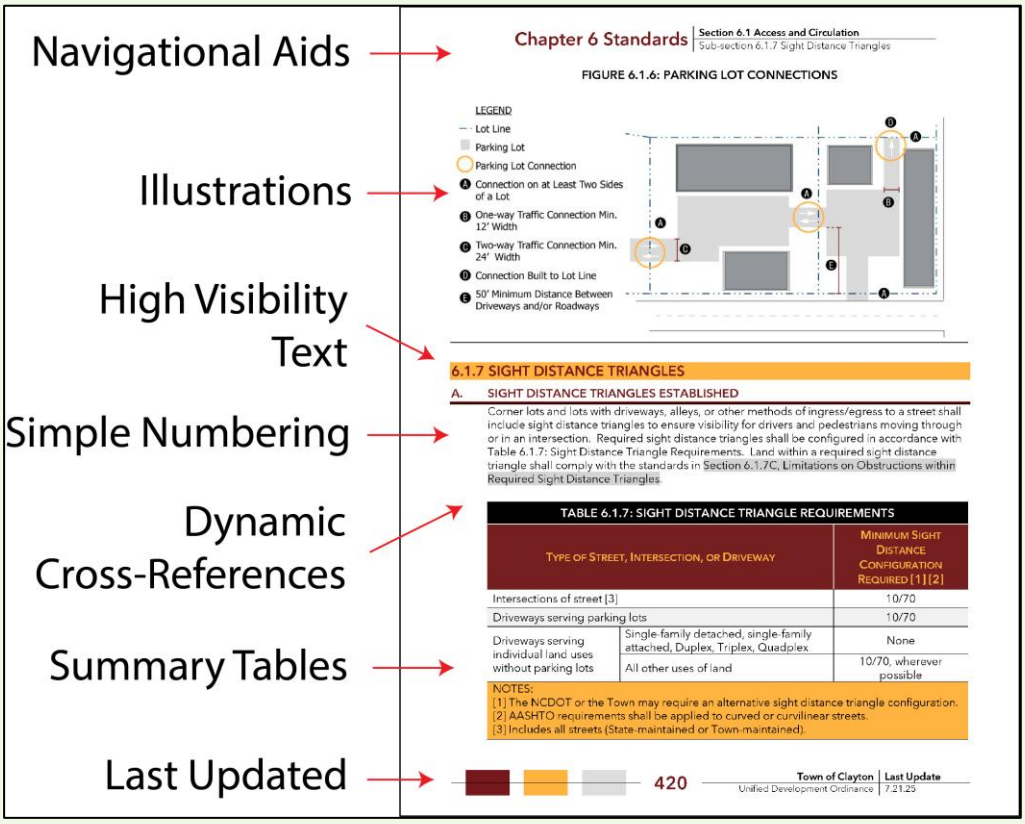


1.3 Place 'Like' Material Together in the Document

An intuitive document structure is one that places "like" or similar topics together in their own individual chapters (like all the procedural-related material in an "Applications" chapter, or all the zoning district-related provisions in a "Districts" chapter). This principal is used throughout the UDO to make it easier for those not familiar with the document to locate what they need. Modern development codes also include cross references to help readers locate the relevant section they are seeking (these cross references are dynamic in the digital version of the code and allow the reader to "jump" from one section to another simply by clicking the mouse on the cross reference).

1.4 Update the Page Layout with More Navigational Aids for the Reader

Development codes contain substantial amounts of information that must be well-organized to help readers understand how text and graphics work together. Modern development codes use distinctions in typeface, type color, type size, and text attributes to help a reader discern changes in section headings and how text relates to the text above or below it. Navigational aids like chapter-based tables of contents, dynamic page headers that help a reader identify where they are in the document, and concept-based indexes aid the reader in finding the information they are seeking quickly. Where possible, illustrations should be in close proximity to the text they help clarify also helps readers navigate and understand the information. The illustration below demonstrates some of the typical page layout features used in modern development codes



1.5 Use Numbered Statements Instead of Prose

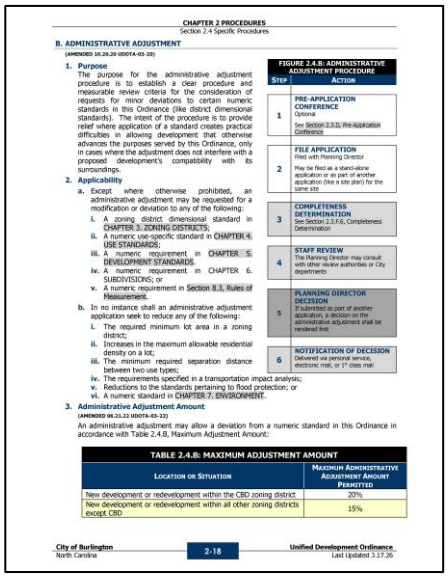
One feature unique to development codes is the use of short, numbered statements or individual sentences rather than lengthy paragraphs or prose that incorporate several different thoughts. This is done so that a reader can understand the various standards without having to "unwind" different thoughts included in one body of one paragraph. The current LUO has several examples of long paragraphs with several different thoughts that need to be "unwound," such as Section 15-49, Applications to be Complete; several of the sections in Article 6, Evidentiary Hearings…; or Section 15-182.4, Residential Density Bonuses for Affordable Housing. Likewise, a clear and easy-to-understand numbering structure is key to easy navigation and citation; along with numbering of all sections, tables, and illustrations. The current LUO uses a unique section number for every section in the ordinance- one potential improvement is to add a chapter number to each main section as well.

1.6 Increase Use of Summary Tables

Tables are very efficient way to organize text and illustrations, and the current LUO does make some use of these devices (such as the Table of Permissible Uses in Section 15-146, and some of the dimensional standards in Article 12). Tables can also be very effective ways to portray zoning district information, sign rules, landscape buffer standards, abbreviations, open space requirements, and some use standards (like telecommunications). We suggest the current text be reformatted as a table whenever doing so increases the ease of comprehension.

1.7 Add More Illustrations and Flow Charts

Illustrations are an important part of any development code. They provide detail on the purpose and intent behind the standards, demonstrate how standards (like measurement) work in practice, and can even provide examples of how not to configure development. While the text always controls, illustrations are vital to helping convey detailed and complex regulatory concepts. The UDO will include illustrations to show review processes, design standards, development standards (like landscaping) and how measurements are determined.



CHAPTER 2 PROCEDURES
Section 2.4 Specific Procedures

B. ADMINISTRATIVE ADJUSTMENT

(AMENDED 10.20.20 UDOTA-03-20)

1. Purpose
The purpose for the administrative adjustment procedure is to establish a clear procedure and measurable review criteria for the consideration of requests for minor deviations to certain numeric standards in this Ordinance (like district dimensional standards). The intent of the procedure is to provide relief where application of a standard creates practical difficulties in allowing development that otherwise advances the purposes served by this Ordinance, only in cases where the adjustment does not interfere with a proposed development's compatibility with its surroundings.

2. Applicability
a. Except where otherwise prohibited, an administrative adjustment may be requested for a modification or deviation to any of the following:
i. A zoning district dimensional standard in CHAPTER 3. ZONING DISTRICTS;
ii. A numeric use-specific standard in CHAPTER 4. USE STANDARDS;
iii. A numeric requirement in CHAPTER 5. DEVELOPMENT STANDARDS;
iv. A numeric requirement in CHAPTER 6. SUBDIVISIONS; or
v. A numeric requirement in Section 8.3. Rules of Measurement.
b. In no instance shall an administrative adjustment application seek to reduce any of the following:
i. The required minimum lot area in a zoning district;
ii. Increases in the maximum allowable residential density on a lot;
iii. The minimum required separation distance between two use types;
iv. The requirements specified in a transportation impact analysis;
v. Reductions to the standards pertaining to flood protection; or
vi. A numeric standard in CHAPTER 7. ENVIRONMENT.

3. Administrative Adjustment Amount
(AMENDED 08.23.22 UDOTA-03-22)
An administrative adjustment may allow a deviation from a numeric standard in this Ordinance in accordance with Table 2.4.B, Maximum Adjustment Amount:

TABLE 2.4.B: MAXIMUM ADJUSTMENT AMOUNT

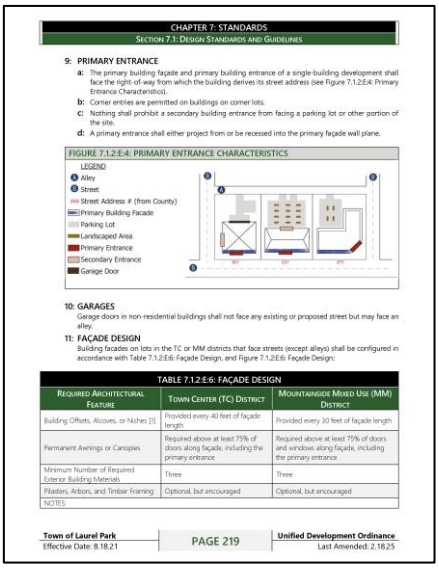
Location or Situation	Maximum Administrative Adjustment Amount Permitted
New development or redevelopment within the CBD zoning district	20%
New development or redevelopment within all other zoning districts except CBD	15%

FIGURE 2.4.B: ADMINISTRATIVE ADJUSTMENT PROCEDURE

Step	Action
1	PRE-APPLICATION CONFERENCE Optional See Section 2.3.D, Pre-Application Conference
2	FILE APPLICATION Filed with Planning Director May be filed as a stand-alone application or as part of another application (like a site plan) for the same site
3	COMPLETENESS DETERMINATION See Section 2.3.F.6, Completeness Determination
4	STAFF REVIEW The Planning Director may consult with other review authorities or City departments
5	PLANNING DIRECTOR DECISION If submitted as part of another application, a decision on the administrative adjustment shall be rendered first
6	NOTIFICATION OF DECISION Delivered via personal service, electronic mail, or 1st class mail

City of Burlington North Carolina | 2-18 | Unified Development Ordinance Last Updated 3.17.26

This example page shows a procedural flowchart describing the six steps in the Administrative Adjustment procedure.



CHAPTER 7: STANDARDS
SECTION 7.1: DESIGN STANDARDS AND GUIDELINES

9: PRIMARY ENTRANCE
a: The primary building façade and primary building entrance of a single-building development shall face the right-of-way from which the building derives its street address (see Figure 7.1.2.E.4: Primary Entrance Characteristics).
b: Corner entries are permitted on buildings on corner lots.
c: Nothing shall prohibit a secondary building entrance from facing a parking lot or other portion of the site.
d: A primary entrance shall either project from or be recessed into the primary façade wall plane.

FIGURE 7.1.2.E.4: PRIMARY ENTRANCE CHARACTERISTICS
LEGEND
Alley
Street
Street Address # (from County)
Primary Building Facade
Parking Lot
Landscaped Area
Primary Entrance
Secondary Entrance
Garage Door

10: GARAGES
Garage doors in non-residential buildings shall not face any existing or proposed street but may face an alley.

11: FAÇADE DESIGN
Building facades on lots in the TC or MM districts that face streets (except alleys) shall be configured in accordance with Table 7.1.2.E.6: Façade Design, and Figure 7.1.2.E.6: Façade Design:

TABLE 7.1.2.E.6: FAÇADE DESIGN

Required Architectural Feature	Town Center (TC) District	Mountainside Mixed Use (MM) District
Building Offsets, Alcoves, or Niches [1]	Provided every 40 feet of façade length	Provided every 30 feet of façade length
Permanent Awnings or Canopies	Required above at least 75% of doors along façade, including the primary entrance	Required above at least 75% of doors and windows along façade, including the primary entrance
Minimum Number of Required Exterior Building Materials	Three	Three
Pilasters, Arbors, and Timber Framing	Optional, but encouraged	Optional, but encouraged
NOTES:		

Town of Laurel Park Effective Date: 8.18.21 | PAGE 219 | Unified Development Ordinance Last Amended: 2.18.25

This example page shows a schematic diagram illustrating how a the location of a building's primary entrance is determined.

1.8 Replace 'Legalese' with Plain English	Development regulations are legal documents that carry the weight of law. As such, they must be clear and precise. At the same time, legal terminology and sentence structure can be daunting and difficult to understand. First and foremost, the new UDO should abandon long, compound sentences in favor of simple language provided in short, numbered statements where possible. Legal phrasing, like "without limiting the generality of the foregoing," or "notwithstanding the foregoing" should be replaced with simple sentence structure, or a table. One good example of use of tables from the current LUO is the "if/then" table from Section 15-239, Determining Compliance with Section 15-238. This table sets out a series of development types (the "if" column) and the resulting reviewing agency in charge of reviewing the particular type of development (the "then" column). In addition to simple sentence structure, development codes should avoid use of jargon or specialized vocabulary, and ensure a comprehensive set of definitions. Acronyms should be avoided, and if used, supplemented with a glossary that explains the acronym's component parts. A related concept is to use simple and consistent terminology throughout the document and attempt to minimize needless repetition such as the common phrase "or a designee" after certain review authority titles. This can be achieved by including clarifying language once in the document, such as a section on delegation of authority in order to avoid the use of the phrase or a designee numerous times throughout the ordinance.
1.9 Self-Codify the UDO	Carrboro currently manages its own Town Code of Ordinances (a document containing 18 chapters with all appliable laws, including Chapter 15, the Land Use Ordinance). We suggest that the Code of Ordinances continue to reference the UDO, but that UDO be an outside document rather than being a chapter. This approach helps avoid the need to reference Chapter 15. The Town currently makes individual chapters of the LUO available as standalone files on its webpage. The new UDO can support this approach, provided that .pdf versions of each chapter are posted separately rather than splitting the Microsoft Word version of the file into its constituent chapters. The UDO text will be supplemented with a "last updated" date at the footer of each page, and a summary amendment table at the front of the document that lists the number, date, and relevant sections of each UDO text amendment. The new UDO will remove existing editors notes and a provide style set and locational convention for future editor's notes necessary to document changes to the adopted UDO text.

KEY THEME 2. SAFEGUARD EQUITY

Carrboro has long been a leader in North Carolina in the pursuit of racial equity in governance, as evidenced by its adoption of the Town's first Racial Equity Action Plan in late 2023. The Action Plan includes a series of nine equity goals as well as a series of actions for each Town department (including Planning, Zoning, and Inspections) to pursue as part of the Town's commitment to reviewing operations through a Racial Equity Assessment Lens (REAL). For the purposes of this Code Diagnosis, "safeguarding equity" means acknowledging that discriminatory land development regulations and resulting under-investment have existed, still exist, and need to be addressed. Regulations that have resulted in disproportionate environmental impacts on some parts of Carrboro also need to be revised so that no area bears any greater risk of damage from the environment than any other area in the Town's planning jurisdiction. Finally, the UDO needs to strike a better balance between opportunity for public participation that helps ensure that all voices continue to "have a seat at the table" and expedient and timely review of development applications, particularly those that follow all UDO provisions or that provide significant beneficial development such as more affordable housing. The following table identifies nine potential changes to the current LUO to help safeguard equity.

2.1 Where Possible, Reduce Application Review Times & Uncertainty to Ease Beneficial Development

The LUO has a heavy reliance on special use permits, substantial up-front requirements (like very detailed concept plans), and lengthy major subdivision and site plan procedures. While these processes help ensure meaningful opportunities for public participation, they can also combine to make the development application process expensive, time-consuming, and unpredictable. High application fees, long timelines, and a lack of predictability can have a disproportionate impact on applicants of lesser means, and review processes that include numerous different meetings or reviews can be an obstacle to participation. The Town has made significant strides towards greater procedural efficiency through its joint advisory board review approach. Another option for streamlining is to identify some developments, like new residential subdivisions that include affordable housing, that can be expedited by waiving the special use permit review in favor of administrative review. While some procedures, like the zoning map amendment process, is dictated by the General Statutes, and will not change significantly, other processes, like subdivision and site plan review could be addressed administratively through establishment of clear standards and delegation of increased decision-making authority to staff. To ensure the public remains aware of proposed administratively-approved development, the Town could enhance its ongoing reporting regimen with respect to submitted, pending, and approved applications.

Dealing with uncertainty in the development regulations is another area where improvements could yield more equitable outcomes. Development codes that over-rely on discretionary permitting regimes like special use permits can remove predictability for applicants. One goal for the UDO effort is to collect community consensus on the preferred forms and configurations of desired development and then codify that consensus in the form of clear requirements and criteria. If the code is clear on what is desired, then the need for unpredictable discretionary review can be reduced in favor of administrative review.

2.2 Explore Differential AMI Ranges for Rental (80%) Versus Ownership (60%)	AMI means "Area Median Income," and it is a benchmark for measuring the relative affordability of housing and the eligibility of persons to qualify for access to affordable housing. While North Carolina does not permit mandatory or "inclusionary" zoning, local governments may request or incentivize it. Carrboro's current LUO mentions the Town's goal of 15% of new housing to be priced so as to remain affordable to a household earning 80% of the AMI (note: the Durham-Chapel Hill AMI is around $126,600, and the US Department of HUD sets the AMI numbers annually). The 80% AMI figure is a common threshold amount for affordable housing, however, it is most typically associated with rental housing. Some affordable housing experts agree that AMI thresholds for ownership or purchased housing should be lower – perhaps as low as 60% of AMI due to the higher costs associated with home ownership (downpayment, taxes, insurance, HOA fees, etc.). Carrboro's UDO could be supplemented with differential AMI targets or utilize a lower AMI threshold in pursuit of greater owner occupancy of affordable housing
2.3 Add Relevant Definitions (Diversity, Equity, etc.) to the UDO	Section 15-182.4 of the LUO defines affordable housing based on price and resident eligibility (80% of AMI), along with clarification in terms of the duration that the housing unit will remain affordable (99 years). Other than the definition of affordable housing and housing costs, the LUO does not define equity-related terms. The UDO could add clarity by defining the following additional terms: equity; equitable development; social justice; procedural equity; displacement; gentrification; disproportionate impact; fairness; community benefit agreement; and representative participation. While the addition of definitions, in and of themselves may not result in the realization of greater equity, they could aid in increased awareness.
2.4 Strengthen Standards on Short-Term Rentals	The Table of Permissible Uses identifies tourist homes as allowable in four of the higher density residential districts (R-2, R-3, R-7.5, R-SIR), the B-2, and the B-5 districts…but there is no definition of the term and limited use standards. These uses, even when owner occupied, can absorb necessary housing stock and can yield disproportionate traffic, noise, and appearance impacts in some areas. Despite strong advocacy from the industry, local governments may apply some limitations to these uses, such as barring them from accessory structures, requiring evidence of additional liability insurance, limiting occupancy based on size, applying additional off-street parking limitations, refuse management requirements, and limiting them to conditionally-zoned lands. The new UDO should explore adding some of these standards for short term rental uses permitted in residential zoning districts to help protect housing supplies and neighborhood character.

2.5 Review and Update Contextual Overlay District Protections	The LUO has a broad array of different regulations that focus on protecting community character or context in certain areas that are potentially subject to displacement or incompatible redevelopment. For example, the LUO identifies a variety of special standards, including: two different sub-districts in the Rogers Road base zoning district in Section 15-176.9, special standards for the Llyod/Broad overlay district in Section 15-185.2, a detailed process for any development within a Neighborhood Preservation (overlay) district in Section 15-332, and standards for the Downtown Neighborhood Protection overlay district in Section 15-185.1. The new UDO should review these provisions and coordinate with members of these communities in pursuit of updates and improvements to ensure these regulatory tools are having the desired effects. It is important to note that the procedural requirements for the Neighborhood Preservation overlay district require the Planning Board to review any sign, zoning, or special use permit, and all building permits affecting exterior appearance, but with very few substantive standards or clear evidentiary protocols. Planning Board review is conducted in addition to all the other review authority reviews typically required in these types of permit procedures. In this way, the Planning Board (though seated as the Neighborhood Preservation Commission) is acting like an informal Historic Preservation Commission, but with significantly fewer procedural and substantive safeguards typically in place as are required for historic reviews (like a certificate of appropriateness). As a result, this additional review adds time, cost, and unpredictability to landowners seeking to redevelop or alter their properties in these sensitive areas. One potential way to address these timing and procedural complexity challenges is to shift review responsibility to Town staff along with an increased opportunity for neighborhood consideration meetings early in the application process.
2.6 Explore the Potential for Lowering Application Fees	One method for bringing increased equity to the development application review process is to explore a scaled approach to application fees based on an applicant's ability to pay. While the fee schedule is adopted annually by the Town Council, and is not part of the UDO, the Town could explore methods of revising application fees based more on the ability to pay or in cases where an application is submitted by a homeowner or a business owner with respect to their principal residence or place of business. Such an approach could require documentation of ability to pay, or could simply allow applicants to "opt-in" to lower application fees without a declaration. The likelihood that lower application fees would be extended across all forms of development including significant major subdivisions or conditional rezonings of large area should remain low since these kinds of applications are typically filed as commercial or for-profit ventures.

2.7 Ensure Required Notice is Multi-Lingual	The North Carolina General Statutes have public notice requirements in cases where local governments will consider a zoning map or text amendment, special use permits, annexations, and other requests. In many cases, required public notice takes the form of a published advertisement, a mailing, and a sign posted on the affected property. The Town could (and may already) provide multi-lingual text in its required advertisements. This should not be in the UDO, and in fact, we suggest that the UDO simply state that public notice will be provided in accordance with State law. However, we also suggest that the Town indicate, in the UDO, that it is the Town's prerogative to provide additional public notice beyond that required by the General Statutes at the Town's individual discretion and on a case-by-case basis. This is done to protect the Town from litigation stemming from a failure to meet its codified notice standards. It is a laudable goal to provide greater public notice beyond that required under State law, and the Town should continue to do so, but as a matter of policy; not as an ordinance requirement, which can create unnecessary legal exposure for the Town.
2.8 Broaden Range of Districts Where Manufactured/ Mobile Homes/ Moveable Tiny Homes are Permitted	The Table of Permissible Uses in the LUO identifies Class A and B mobile homes (the distinction between the two is based on architectural features included on a Class A home). Type C mobile homes are defined, but not listed in the Permissible Uses table (these are usually constructed prior to the adoption of the federal construction standard in 1976). The Table of Permissible uses allows Class A homes on individual lots in most of the residential districts, but does not permit Class B homes anywhere. Manufactured home parks do not appear to permit Class B manufactured homes, and require approval of a special use permit for parks of more than four dwellings. Many communities are adopting "sanctuary" provisions that encourage manufactured home parks to remain and even grow through the addition of Class B & C models. Tiny homes are something of a modern trend, though many communities create procedural incentives for the establishment of so-called "small footprint" homes. While site built tiny homes are identical to their "full size" counterparts in terms of permitting process and standards, many development regulations treat moveable or mobile tiny homes as recreational vehicles which are typically not permitted as permanent residences. The new UDO could identify tiny homes, make distinctions between permanent and moveable tiny homes, and clarify if movable tiny homes may be used as permanent residences.

2.9 Soften Limitations on Home Occupations, Micro-Retail, and Some "Social Service" Uses	Home occupations and micro-retail use types (e.g., craft studios, small-batch food production, repair services, etc.) permit residents without significant capital to start and operate businesses with minimal overhead costs. This creates more pathways to wealth for under-represented groups and helps avoid the barriers associated with traditional lease agreements. The UDO should broaden locations where home occupations and micro-retail uses can take place and clarify the rules under which they may be operated. Major home occupations are limited to the Rogers Road zoning district, and could perhaps be broadened to apply in other areas. Likewise, the LUO's approach to social service uses (food pantries, counseling centers, day shelters, re-entry services, workforce development programs, and others) could be broadened and made a by-right approval outside of residential neighborhoods in commercial and institutional districts to ensure these essential uses are accessible to persons without vehicular transport, not concentrated in limited areas of Town, destigmatized, and normalized as an important part of the neighborhood fabric.
2.10 Explore Increased Use of Development Agreements for Larger Developments	A development agreement is a legally-binding contract between the Town and an applicant typically included as part of the application approval documents for "larger" developments including some conditional rezonings. These contracts can produce tangible local benefits for the public provided by an applicant in exchange for support of a development proposal. In some cases, these benefits can take the form of infrastructure oversizing or retrofitting, maintenance or re-establishment of existing naturally-occurring affordable housing as part of redevelopment, provision of community facilities or services, funding for community land trusts, or other aspects that are not traditionally related to development regulations. The new UDO should include a development agreement procedure and encourage certain forms of development to explore provision of a these kinds of benefits in certain cases. More details are available at: • https://www.nationalequityproject.org/tools/developing-community-agreements • https://www.ca-ilg.org/sites/main/files/file-attachments/resources__FinalDevAgreement4-5-02.pdf

NOTE: The Town Council has requested additional research into the potential for anti-displacement provisions in the Town's development regulations. Examples from other cities across the country typically include such provisions as matters of policy, separate programs, or in standalone chapters of the regulatory code rather than integrated into the development regulations. We suggest that the new UDO not include, at this point, anti-displacement provisions. It is possible to use the development agreement structure to preserve or replace existing affordable housing after redevelopment, but anti-displacement requirements may run afoul of the General Assembly's interpretation of Dillon's Rule and its reluctance to authorize inclusionary zoning.

KEY THEME 3. ADAPT TO CLIMATE CHANGE

According to the NASA Earth Observatory, the average global temperature has warmed by 2 degrees Fahrenheit since 1880, with the increases accelerating and the last ten years being the warmest on record. This warming brings profound changes to central North Carolina, including: more intense and frequent heavy rainfall episodes, increased flooding (even beyond mapped floodplains), hotter summers and longer heatwaves, increased likelihood of damaging hail and tornados, shifts in plant hardiness zone classification (from 7b to 8a), increases in ticks and tick-borne diseases, and increases in stream temperatures (and the loss of plant and animal species). These changes bring added costs to Town residents for infrastructure, energy, healthcare, and food, not to mention increased risk of physical danger and property loss. Carrboro Connects makes adapting to climate change a central priority, and the new UDO can further these objectives in the following ten ways:

3.1 Replace Cluster Subdivisions with Conservation Subdivisions

Cluster subdivisions allow applicants to deviate from typical minimum lot area and setback standards with the basic expectation that the increment of available land (left over from allowing smaller lots) being devoted to open space set-aside. What is missing is a more thoughtful approach to which portions of a site are best left undeveloped. The proposed conservation subdivision includes a collaborative design process where development and conservation areas are identified by the subdivider and the staff prior to consideration of the preliminary plat. As with AIS, there are no lot sizes or setbacks (other than those required for fire code), but the open space set-aside must include at least 40% of the total site size. At least half of the open space should be passive or undisturbed open space. Typically, we suggest that conservation subdivisions be configured to prevent visibility of the development from external streets and adjacent developments. It is also possible to broaden the array of allowable residential dwelling types to include so-called "middle" housing and small lot/small size options like pocket neighborhoods. An additional option is to include a "farmhouse cluster" or "agrihood" option or a smaller-scale conservation subdivision of up to 15 lots typically associated with a farm or forestry operation, with each lot served by on-site wastewater instead of sewer service.

Conceptual site plan for 'The Shire' agrihood in Berlin Township, Delaware County, DE. 11 acres with 8 units, 2 acres of shared garden space. 2021

3.2 Limit Plants to Native Species and Add Species Diversity Standards	Appendix E of the LUO includes a recommended plants list that encourages use of native plants, but stops short of native species mandates. We suggest the UDO require that all newly-planted required landscaping material be native unless the applicant can demonstrate, via the Alternative Plan process, why native species are incapable of meeting the performance objective. In addition, we suggest the new landscaping standards incorporate species diversity requirements that mandate a minimum number of different species of canopy trees, understory trees, and shrubs, based on the total number of plantings required. The standards could also require existing exotic and invasive plants be eradicated during development.
3.3 Promote "Green" Stormwater Infrastructure	Green stormwater infrastructure (or "GSI") manages stormwater by infiltrating and treating it where it falls, while more traditional "gray" infrastructure manages stormwater by moving it away from development through pipes and channels. Typically, GSI measures are smaller and distributed across a development site, while traditional measures are larger and centralized. The Carrboro UDO should encourage use of GSI (rain gardens, bioswales, level spreaders, green roofs, cisterns, pervious pavement, etc.) in developments between ½ and 20 acres in area (larger sites can still use GSI, but also often require more traditional methods as well, while the cost-benefit ratio for GSI can be low on sites of less than ½ acre in size). Current LUO Section 15-141.4(k) allows increased densities in the B-1(g) district for the voluntary inclusion of low impact development features. The sustainable development incentives in the new UDO should broaden this kind of incentive to more districts and provide for reduced detention and increased off-site flow when GSI measures are used.
3.4 Ease Review Process for Renewable Energy Structures	The current LUO includes a wide variety of standards for solar energy facilities, including distinctions between accessory level ("SES-1") and more industrial scale (SES-2 & SES-3) facilities, and bars covenants and deed restrictions that prohibit accessory-use-scale renewable energy facilities; both of which are consistent with best practice. However, the use table does not permit accessory level (SES-1) facilities in R-2, R-3, R-7.5, HR-R, and HR-CC, and requires a special use permit for these facilities in the WR and WM-3 districts. The use standards in Section 15-175.11 treat SES-1 and SES-2 facilities the same (including requirements for 8-foot fences and screening) despite very different purposes, sizes, and capacities. The new UDO should ease the requirements for SES-1 facilities and add clarity regarding setback exemptions for geothermal heat pumps ("GSHP") and associated their associated water loops.

3.5 Review and Update Open Space Provisions	LUO Article 13 sets out the Town's requirements for open space. Section 15-196 establishes the "active recreation areas/features" standards (which are often referred to as "open space," while Section 15-198 sets out the open space standards, which are organized into primary and secondary conservation areas, and focused on the preservation of natural areas and undeveloped lands. Section 15-196 requires recreation resources to be provided in accordance with required points totals, which vary based on the type of development. Section 15-198 requires residential developments in most residential districts to set aside 40% of the site area as open space. In most cases, the active recreation features required by Section 15-196 are credited toward open space requirements, and Section 15-198 also requires 400 square feet of "play fields" for every unit in the development. The focus on "useable" open space or "active recreation" (along with the credits for active recreation features) can mean that a significant amount of provided open space is built and requires land disturbance. The new UDO should review the current open space standards to simplify the point system for active recreation features, explore opportunities for lower open space thresholds in urban portions of Town or allow different forms of recreation to be credited such as outdoor dining, seating, and performance spaces. Greenways and pedestrian trails should be given accelerated credit towards open space standards given their potential for contribution to addressing transportation challenges. Likewise, incentives should be continued for developments to make private common open space areas subject to public access easements so that such features may be enjoyed by the general public.
3.6 Prohibit New Development in the Special Flood Hazard Area	Part 1 of Article 16 includes the Town's Flood Damage Prevention Standards. These standards are based on FEMA's model ordinance for noncoastal communities in North Carolina. The current standards limit development within the Special Flood Hazard Area (also known as the "regulatory floodplain"), which is comprised of the floodway and the flood fringe. Most local governments, including Carrboro, regulate development within the 100-year floodplain, and those regulations include requirements for residential development to be elevated above the regulatory floodplain (the "base flood elevation"), and allow non-residential to be 'floodproofed' when below the base flood elevation. There are a handful of local governments that prohibit all development in the SFHA, and we suggest Carrboro consider barring all new development in the 100-year floodplain, including floodproofing and elevation of residential development above the base flood elevation. The recent 2026 update to the State's model flood ordinance allows local governments to add optional Community Flood Hazard Area standards to their flood provisions that permit local governments to apply flood damage prevention standards to areas outside the 100 year floodplain.

3.7 Require Parking Provided Beyond Minimums to be Pervious	Section 15-291 of the LUO sets out the minimum off-street parking requirements for listed uses. We suggest the new UDO require any off-street parking spaces provided in excess of the minimum number of required spaces for the particular use type (including "overflow" parking but not necessarily off-site parking) to be unpaved or paved with pervious materials like pervious concrete, porous asphalt, permeable pavers, or reinforced turf. These kinds of paving surface do require regular maintenance in order to remain pervious. This suggestion would not be relevant if the Town opted to remove all minimum parking standards.
3.8 Disincentivize Mass Grading and Incentivize Contour Grading	Mass grading is large-scale removal or deposition of soil in excess of five acres in area or with cut or fill exceeding five feet in depth or height beyond that existing prior to the commencement of earthwork. Mass grading is undertaken to establish uniform building pads without regard to specific building locations. Some ideas for disincentivizing mass grading include prohibiting mass grading prior to approval of construction drawings for infrastructure or a site plan; limiting the amount of land that may be subject to mass grading to be limited to 25 percent of the site size during any single development phase; and require vegetation stabilization within 14 days after mass grading. Contour grading is a practice that conforms proposed finished grades to the existing natural contours of the land, minimizing cuts and fills by maintaining slopes, ridgelines, and drainage patterns to the extent practicable. The new UDO could incentivize contour grading by allowing percentage reductions in lot size and setbacks, as well as reductions in the amount of required open space set.
3.9 Prioritize Greenways and Multi-Use Trails Over Sidewalks	Sections 15-216 and 15-221 of the LUO set out the Town's sidewalk requirements for new development, which are essentially required on one side of local streets and both sides of all other major streets. The LUO does not mention any greenway or multi-use trail standards (though such features are credited towards passive recreation/open space requirements). We suggest the new UDO include a comprehensive Pedestrian Circulation section that sets out the standards for sidewalks, greenways, multi-use trails, and internal pedestrian circulation on a development site. Given the impervious nature of sidewalks, the amount of carbon created from their construction, the narrow right-of-way widths in Carrboro, and the desire to adapt to climate change, we suggest the UDO include new requirements and incentives for greenways and pervious multi-use trails that favor these methods over typical sidewalk construction (except in the downtown area, where continued reliance on sidewalk connections is appropriate).
3.10 Add Voluntary Sustainable Development Options and Incentives	LUO Section 15-141(4)(K) sets out a series of voluntary incentives that may be incorporated into a conditional rezoning application. We suggest the opportunities for use of sustainable development incentives be increased through establishment of a new section identifying the range of incentives available to applicants who volunteer (or who agree to conditions of approval) to incorporate sustainable development features, including affordable housing, higher quality design, energy conservation, and other features. More detail about this recommendation is included in Key Theme 7, Incorporate Incentives.

KEY THEME 4. ADDRESS HOUSING

North Carolina is facing a housing crisis. By some accounts, there will be a gap of 764,000 homes needed in North Carolina between 2025 and 2030. This gap exists due a myriad of factors, including: rapid population growth, reductions in the supply of buildable land in growing areas, escalating material and labor costs, financing issues (like high mortgage rates), and inappropriately restrictive local development regulations. According to the North Carolina Housing Finance Agency, housing prices have risen 47% since 2020 and rents have increased 28% over the same period - far outpacing household income growth. Carrboro has been a leader in addressing the housing challenges facing North Carolinians. Carrboro Connects makes the provision of affordable housing and greater housing choices a priority – it includes seven policies and eight land use-related strategies for addressing housing challenges (see the Land Use Policy Summary in the Appendix of this Code Diagnosis for more details on this policy guidance).

Section 15-54.1 of the LUO sets out the Town's affordable housing goal. The goal is for 15% of the units in all new residential developments over five units to be provided as affordable units (priced so that a family earning 80% of the median gross annual family income for the area). The LUO seeks to either establish the affordable dwelling units, establish affordable housing lots, or seeks payment of a fee-in-lieu of providing affordable units or lots as part of new residential development. Section 15-184.2 of the LUO allows every affordable unit or affordable lot that is provided as part of new residential development to be effectively excluded from the maximum allowable density calculation – in effect making these units "free" from a density utilization standpoint (a significant incentive for a developer). This is a very proactive and effective approach that should be embraced and continued in the new UDO. The following table provides some additional suggestions and recommendations for building on the Town's current policy approach and incentives.

4.1 Remove SUP Requirements for Subdivisions Meeting Affordability Targets	Section 15-46(c) of the LUO indicates that all subdivisions of land in Carrboro require prior approval of a special use permit, whether by the Board of Adjustment or by Town Council. The Town has an opportunity to help further encourage applicants in meeting its affordable housing targets by removing the requirement for special use permit review for subdivisions that meet or exceed the Town's target affordable unit or lot count. For example, an applicant who volunteers to provide 15% or more of the proposed units or lots as affordable housing that meets the Town's requirements could proceed directly to an administrative preliminary plat review. Residential subdivisions where the applicant chooses not to participate in helping the Town reach its affordable housing target would continue to be subject to special use permit approval prior to review of the preliminary plat.
4.2 Add Requirements for Maintaining Existing Affordable Units (NOAH)	Protection of existing, naturally-occurring affordable housing units are one of the Town's best ways to help ensure housing affordability. We suggest the new UDO include requirements (in the form of development agreements or as part of conditional rezonings) for the replacement of pre-existing residential dwelling units that meet affordability guidelines but that are proposed for redevelopment or replacement with new housing that does not meet the guidelines. Applicants seeking to remove these existing units would be required to replace (or at least help replace) them, likely with monetary contributions.

4.3 Exempt Deed-Restricted Affordable Housing And "Micro" Units from Density Counts

As mentioned previously, LUO Section 15-184.2 includes incentive language that effectively exempts new voluntarily-provided affordable dwelling units or lots from being counted towards the residential density of new developments. This incentive should be carried forward but perhaps simplified for greater clarity. In addition to density exemptions for affordable housing units, the LUO could also exempt some portion of "micro" residential dwelling units from density calculations. The LUO could treat a micro unit as ¼ or a residential unit for the purposes of density calculation. A micro residential unit is defined as self-contained dwelling unit designed for independent living by a single occupant, containing spaces for sleeping, cooking, and sanitation, and having a gross floor area of not less than 220 square feet and not more than 350 square feet. The images below show a micro unit of around 250 square feet (bathroom not shown).

4.4 Allow "Middle" Housing By-Right in All Districts

So-called "middle" housing includes dwellings that are intended for more than one household through they take places in structures designed and built in the single-family detached vernacular. Typically, middle housing includes: two-family or multi-generational houses that share a primary entrance, triplexes, quadplexes, and mansion apartments where individual dwelling units are rented or sold as condominiums while the ground beneath them is held by a separate entity, and single-family attached dwellings where dwelling units have one or more party walls and purchase of the unit includes the land its sits upon. The Table of Permissible Uses in Article 10 of the LUO allows duplexes with three or fewer bedrooms by right in most districts. Triplexes are allowed by right Rogers Road districts. The Table also references "multi-family conversions" which appear to be single-family homes or other structures that are converted to house two or more dwelling units. Townhomes (single-family attached) require approval of a special use permit. We suggest the use table be broadened with a wider range of residential use types generally, and that so-called "middle" housing (including single-family attached) be allowed by right in most or all residential districts. While these use types should be permitted by right, new subdivisions proposed to create lots for these uses should continue to be subject to special use permits in cases where the development does not meet the Town's affordable housing targets. Additional discussion is necessary regarding the current limitations on these use types when they include more than three bedrooms (which we assume is related to limiting their use as student housing).

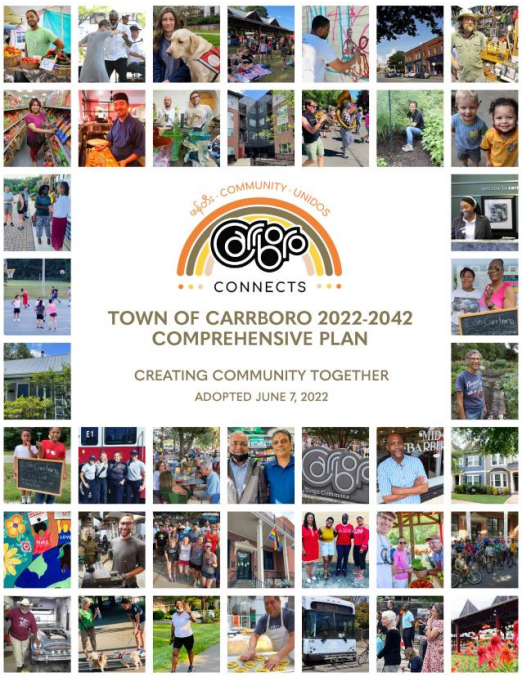
4.5 Establish Maximum Dwelling Unit Sizes and Minimum Densities	While the General Statutes bar local governments from establishing minimum sizes for dwelling units no such limitation applies to rules establishing *maximum* housing sizes. Further, despite the recently approved Session Law 2024-57 (the "Downzoning" bill) preventing local governments from approving or implementing text amendments that lower allowable residential densities without prior consent from affected landowners, no such limitation exists for regulations that establish minimum residential densities. We suggest the new UDO apply maximum dwelling unit size limits to some or most of the single-family detached residential units proposed for inclusion in new residential subdivisions (unless such subdivisions include affordable housing units in alignment with the Town's targets). The new UDO could also establish minimum target densities for new single-family detached residential subdivisions over two acres in size that do not meet the City's affordable housing targets.
4.6 Simplify ADU Requirements Generally	LUO Section 15-182(b) requires lots to maintain a lot area that exceeds the minimum lot area standard for the zoning district where located by at least 150% in cases where the lot contains a principal dwelling unit and an accessory apartment of detached accessory dwelling unit (or "ADU"). We suggest this provision be abolished so that both internal and detached accessory dwelling units may be accommodated on a lot meeting the minimum lot area standards. It is common to include some basic standards regarding the size and configuration of ADUs, and Section 15-176.2(f)(5)(g) sets out a maximum ADU size of 750 square feet (it is unclear if this standard applies solely in Village Mixed Use Developments or if it is applied townwide). We suggest a maximum size threshold that is a percentage of the floor area of the principal dwelling, which can never exceed 49%. The size of a detached ADU will also be controlled by the district's maximum lot coverage standards.
4.7 Add More Small-Lot Options (like bungalow courts, tiny homes, pocket neighborhoods, and detached multi-family)	Allowance for a wide range of small-lot residential options will help the Town address housing needs with the available land area. Bungalow courts are groups of four or five traditional homes on their own lots that gain access via a central shared driveway. Pocket neighborhoods are groups of between three and twelve individual detached residential dwellings of variable sizes subject to floor area maximums that are located on their own lots configured around a small shared open space. Parking can be shared or located along a shared driveway or private street wrapping around the development. Tiny homes (in this context) are small residential structures that are built on a chassis and that may or may not retain their wheels and towing tongue. These homes are regulated as recreational vehicles and are commonly located on individual leaseholds. Detached multi-family uses are groups of individual site-built or manufactured dwellings located on leaseholds (not lots) and are rented or sold as condominiums.

Bungalow Court (top left)
Pocket Neighborhood (top right)
Tiny Home Neighborhood (bottom left)

4.8 Clarify Single-Room Occupancy Development Standards	The Table of Principal Uses in Article 10 of the LUO allows single room occupancy use types as special uses in the R-2, B-1(c), B-1(g), B-2, B-3, and CT districts. Article 11 does not include any use specific standards for such uses, which are commonly required to meet minimum common area standards, room size thresholds, rental durations of 30 or more days, room occupancy caps, and requirements for on-site management. We suggest the special use permit requirement be carried forward and supplemented with additional use standards like those described here.

KEY THEME 5. INTEGRATE POLICY GUIDANCE

The UDO is one of the Town's primary tools for implementing the policies and desired actions in the Town's adopted policy guidance, like *Carrboro Connects,* the *Racial Equity Action Plan,* and the *Downtown Area Plan*. Carrboro Connects includes 11 chapters that provide land use policy guidance on a wide variety of factors, including: affordable housing, climate action, transportation, green stormwater infrastructure, economic sustainability, parks and recreation, and land use.



The Appendix to this Code Diagnosis includes a detailed Land Use Policy Summary that identifies the land use- and development-related policies and goals in Carrboro Connects and the Downtown Area Plan. In addition to listing the relevant policies, it provides some ideas for implementing the listed strategy or objective in the new UDO.

Key Theme 5, Integrate Policy Guidance, consists of the Implementation Ideas included in the Policy Summary Table in the Appendix as well as the six recommendations listed below, which are proposed in addition to or as a supplement to the policy guidance addressed in the Policy Summary Table in the Appendix.

5.1 Explore Abolition of Minimum Off-Street Parking Standards

Article 18 of the current LUO sets out the standards for parking, including Section 15-291, which sets out the minimum number of required off-street parking spaces by use type (which cross references the use numbers listed in the Table of Permissible Uses). The parking table clarifies that there are no minimum parking standards for single-family, two-family, and multi-family residences, though there are a series of maximum parking standards. In other words, residential uses have limits on the number of parking spaces they can provide, but no minimum number of parking spaces are required for these uses. The standards also clarify that if off-street parking is provided, it must comply with the applicable standards in the LUO. This approach is consistent with a growing trend of conversion of minimum parking standards to maximum parking standards based on a recognition that parking requirements exercise an outsized influence on development proposals in terms of cost, impervious surface, and land consumption. The removal of minimum space requirements was accomplished in 2023, and it may be time to expand the parking requirement abolition to non-residential and mixed uses (or at least provide some form of "parking space discount" that excludes some percentage of the floor area from off-street parking requirements. If this is done, we suggest the parking maximum strategy also be expanded, that parking lot configuration standards be carried forward and upgraded, and that any applicable parking location standards found in use-specific standards also be carried forward.

5.2 Explore Fee-In-Lieu Provisions for Pedestrian Infrastructure to Help Retrofit Existing Network Deficiencies	Sections 15-216 and 15-216.1 of the current LUO set out the sidewalk standards for new development in Town, which basically require sidewalks along one side of local streets and two sides of sub-collector, collector, and arterial streets. Interestingly, there are no standards for greenways in the current LUO other than references to a Transportation, Mobility, and Greenways Advisory Commission. Highly functioning pedestrian networks and increased pedestrian orientation are important parts of the Town's desired future. Supplementing the current LUO standards with new requirements for dedication and construction of greenways in accordance with adopted policy guidance should be included in the new UDO, along with discussion of greenway configuration, credits towards other Town requirements for the provisions of greenways, and even some incentives for their provision such as reduced setbacks from greenway boundaries. With respect to sidewalks, these are aspects of development infrastructure that are most commonly provided at the time of development. However, there are parts of Carrboro that were developed before sidewalks were required, and these already-built areas have missing pedestrian connections. Given that these areas are already built and given the recognition that sidewalk infrastructure retrofit requirements during infill and redevelopment can be cost-prohibitive and result in piecemeal sidewalk links, some communities adopt a more blended approach to sidewalk provision. The Town could consider new requirements for sidewalks along both sides of new streets located within new development and then a blended approach that permits installation of sidewalks along one side of the new street along with payment of a fee-in-lieu for sidewalk provision on the other side of the new street.
5.3 Reduce Open Space Set-Aside Amounts When Available to the Public	Article 13 of the LUO sets out the standards for active recreational facilities and open space for various forms of residential development. Section 15-198 includes the open space standards for residential development, which require 40% of a residential development's area be designated as permanent open space (this number is reduced to 20% in the R-2 and OR-MU districts and land in the B-1(c), B-1(g) and CT districts are assumedly exempted from open space provisions). We suggest that as a means of encouraging new development to make open space available for use by members of the public, the amount of required open space for residential development be cut in half in cases where the open space set-aside is located within an public access easement. We also suggest the standards be further clarified that new mixed-use development that includes residential dwelling units is subject to the open space set aside standards.

5.4 Explore Greater Use of Development Agreements for Expansion of For Sale Affordable Housing	While there is no outright federal prohibition of land use regulations that treat rental property differently than for sale property, most local governments avoid these kinds of regulations. While the federal Fair Housing Act forbids discrimination in access and terms of housing on protected grounds, it does not make distinctions between rentals and owner-occupied housing illegal as long as the distinction is not discriminatory. This essentially means that a local government can have rules that apply differently to rentals versus for-sale units, as long as those rules do not result in discriminatory impact or intent against protected classes. That said, its is a slippery and complicated legal slope that results in most local governments simply forgoing regulations that treat rental housing differently than for sale housing. However, there is nothing inherently unlawful about use of voluntary tools like development agreements that grant concessions or reductions from otherwise applicable standards as an incentive to applicants to make more affordable units available as for sale units. Coordination with the Town's housing planners and increased use of development agreements in these ways may be something the Town wishes to consider.
5.5 Consider Converting some Residential Districts to Mixed-use Districts	The Table of Permissible Uses in Article 10 of the current LUO clearly allows for a significant number of residential uses on lots within conventional non-residential districts. Likewise, the table also clarifies that there are a wide array of institutional uses permitted within residential zoning districts. What is not currently addressed is an increased ability to locate small-scale, low-intensity neighborhood-serving commercial, office, and personal service use types in residential districts. The Town may wish to broaden allowances for such non-residential uses types when they are configured in so-called "micro" formats with very small floorplates, as part of live/work units, or when subject to use standard limitations designed to control the amount of utilization by patrons arriving in automobiles.
5.6 Increase Public Participation for Certain Development Proposals	Other recommendations in these Key Themes for Improvement suggest reductions in the number of application types subject to public hearings, streamlining of advisory body review, or increased decision-making authority delegated to Town staff – all in pursuit of more efficient reviews and reduced legal exposure for the Town. At the same time, there is an opportunity for increased public scrutiny of revisions to development regulations in certain cases. The new UDO should supplement the current text amendment provisions to add increased opportunity for public awareness and comment during regulation development. Likewise, conditional rezoning applications that seek deviations or reductions from otherwise applicable standards outside of the range of allowable incentives could be subject to additional amounts of public discussion through new standards that call for two readings by Town Council prior to making a decision on such applications.

KEY THEME 6. INCREASE PREDICTABILITY

A common refrain from members of the development community is that complying with the Town's development standards is not the problem – rather, its knowing what the standards actually are that is the problem. Many applicants, landowners, and residents alike need to know what the standards are in advance. Ensuring that there is sufficient clarity and predictability built into the review process helps applicants understand what is in the standards. In addition, ensuring the LUO includes clearly codified requirements helps avoid heavy reliance on legislative discretion or negotiation to yield desired development outcomes. Making the development review process more predictable is one of the most beneficial economic development activities available, and clear and predictable review processes are hallmarks of a modern development code. The table below sets out ten recommended changes to the current regulations to make the new UDO more predictable for all involved.

6.1 Reduce Application Review Times & Uncertainty to Ease Development Review	Part of the Task 1, Project Initiation task was a meeting with several Town-identified members of the development community in November of 2024 to discuss what is and what is not working with the development review process. One of the primary concerns identified during this discussion was the length of time necessary to complete the development application review process in Carrboro – the second primary concern was the level of uncertainly that exists regarding what standards will be applied, and the likely final outcome of the application review process. There are a variety of ways to address these concerns, including reducing reliance on special use permits through more codified standards, reducing "pre-decision" steps in the process like preliminary sketch plans, reforming some current procedural provisions (like Section 15-52(e)) that allow the review period to be extended based on staff discretion or concerns from the community, bringing greater precision to the review criteria used to make decisions generally, and more detailed application completeness requirements. In addition to these reforms, it is necessary for the Town to recognize that applicants also bear some responsibility for the speed and simplicity of application reviews. The application review process must recognize and memorialize instances where the process is delayed by the actions or inactions of an applicant.
6.2 Add Clarity on Measurement Rules	One hallmark of predictable development codes is a specific section explaining the rules of measurement, or how various calculations are performed or how compliance with dimensional standards is determined. For example, what is the rear setback on a pie-shaped lot, or where is building height determined on a steep-slope lot, or does a cylindrical sign have one or two faces? A rules of measurement section should explain the distinctions between abutting and adjacent, how separation requirements are determined, how time is calculated, how vesting terms are calculated, the types of lot lines, how setbacks are determined, how setback encroachments and height exemptions are addressed, how average slope is measured, and how compliance with parking space, landscaping, and signage standards are determined. Each of the concepts should be supplemented with an illustration.

6.3 Augment Definitions (to around 100 pages)	The current LUO includes numerous definitions in Article 2 (as well as in many other sections throughout the text). We suggest all definitions be consolidated into a single chapter, that any standards or requirements be removed from a definition (so they are not missed by a reader), and that the definitions be supplemented with a glossary of acronyms. All principal, accessory and temporary use types should be defined. All application procedures should be defined. All dimensional standards and concepts should be defined. The definitions should include cross references to alternative spellings or phrasing to help readers find the terms they are seeking. In cases where the same word or phrase has different meanings (like the term "development" from a zoning standpoint versus a stormwater standpoint) each definition or meanings should be included and noted in terms of here it belongs (this is very typical for flood and water supply watershed provisions). We note that most modern development code definition chapters that include around 100 pages of defined terms.
6.4 Identify Review Criteria for All Procedures and Decisions	Article 3 through 6 of the current LUO set out the various application review procedures. We suggest that the new UDO consolidate all the (30-to-35) different review procedures into a new single Applications chapter, and that the procedural language be revised to follow a uniform structure identifying purpose, applicability, exemptions, and review criteria for all application review procedures. Every application review procedure (including map amendment, annexation, and comprehensive plan amendment procedures) should list the review criteria used to make a decision, and review criteria should be measurable and quantifiable wherever possible.
6.5 Reduce Reliance on SUP in Favor of Codified Standards and Limit to One Review Authority	The Table of Permissible Uses in Article 10 of the LUO sets out the range of different use types and the procedure used for their establishment. The table uses the letters "A", "B", "BA", "ZA", "ZB", and "ZBA" to denote use types that are subject to special use permit requirements (at least in some instances). Most uses in Carrboro require some form of special use permit. Section 15-57 requires that special use permits to be decided by the Town Council must first be heard by Planning Board or other advisory committee who shall make a recommendation. We suggest the new UDO include a wider array of use specific standards and codified standards as a means of reducing the range of use types that must undergo special use permit review. We also suggest that the Town Council be the body delegated to consider all special use permits, and that Planning Board or other advisory board recommendation be abolished as the Town Council may not rely on evidence collected outside the hearing where the decision is being made.

6.6 Use Pre-Application Conferences for Efficiency	Section 15-48.1 of the current LUO sets out the procedures necessary for special use permits, which includes a Development Review meeting with Town staff and a presentation of a conceptual preliminary plan or sketch site plan with elevations to the Joint Advisory Board. The constituent members of the Joint Advisory Board may provide subsequent comments to the applicant, which the applicant is compelled to address. For major subdivisions (Section 15-50), applicants must prepare a site analysis plan, schedule an "on-site walkabout," meet with Town staff to discuss the process for the conceptual preliminary plan, and prepare the conceptual preliminary plan. The conceptual preliminary plan must then be presented to the Joint Advisory Board - all *before* submitting the actual subdivision application. Once the application is submitted, the applicant again meets with Town staff to ensure the applicant understands the applicable requirements. We suggest this process be simplified with a basic requirement for one mandatory pre-application conference. The applicant should come prepared with some form of sketch or plan, and the discussion should focus on the application requirements before the application is submitted, not afterwards (as is done in Section 15-51). Applicants who would like to conduct a second or subsequent pre-application conference should have the right to do so, though the Town may desire to charge a fee. We note that all discussions conducted before an application is submitted are informal and are not binding on the Town or an applicant.
6.7 Streamline/ Delegate Advisory Body Reviews	As mentioned in other recommendations, we suggest the Type B special use permit review process by the Board of Adjustment be abolished in favor of all SUP reviews by Town Council. We also suggest that Planning Board or other advisory board reviews of quasi-judicial applications (Section 15-57) be abolished.
6.8 Add Administrative Adjustment and Alternative Plan Review Procedures	Many development codes across North Carolina are now being amended to include so-called "Administrative Adjustment" or "Administrative Variance" provisions that authorize the staff to decide minor deviations or departures from basic dimensional standards or other minor technical requirements when public safety is not compromised. These provisions act as safety valves to allow local governments to address difficult site conditions (like those associated with beneficial infill or redevelopment) while avoiding the legal complexities of variances and the legal hurdle associated with hardship. For example, it is not uncommon to allow an applicant to shave a foot off a side setback requirement if doing so allows a building to avoid a critical root zone associated with existing trees. Likewise, alternative plan or alternative equivalent compliance methods are also quite common. In these instances, an applicant may propose a deviation from current standards in an alternative plan as means of dealing with some unique site condition. For example, an alternative landscape plan might allow a different grouping or plant placement metric in areas of a site that are under constant shade. We suggest both these procedures be included in the new UDO along with clear criteria about when they may be requested, the degree of allowable deviation, and how those deviations are mitigated.

6.9 Remove the Ability to Convert By-Right Applications to Discretionary Reviews	Minor subdivisions are subdivisions of land located outside a watershed protection district, limited to the creation of no more than four lots, and do not involve the creation or extension of any new streets. Minor subdivisions are reviewed and decided administratively by the Planning Director. However, Section 15-78(d) indicates that the Planning Director may, at any time, determine to treat a minor subdivision as a major subdivision (thereby creating a need for special use permit review). Section 15-148 appears to suggest the Planning Director may determine a by-right use must obtain a special use permit if vested rights that accrue to the use took place without adequate public input. We suggest these provisions be removed, or further clarified with respect to the range of reasons or conditions that must exist for this kind of determination to be made.
6.10 Ensure All Districts List Dimensional Standards and Reduce Caveats	Article 12 of the LUO sets out the density and dimensional standards for the zoning districts. The Appendix to this code Diagnosis incudes a five-page summary table of the zoning districts and associated standards. The summary table in the Appendix indicates a series of five zoning districts that have no dimensional standards listed as well as questions about required minimum lot area for several other zoning districts. We suggest all missing standards be addressed and that the wide range of caveats (as reflected in the 18 table notes in the Appendix) be reduced or made more clear in order to limit confusion.

KEY THEME 7. ENSURE LEGAL SUFFICIENCY

The UDO is a legal document, and as such, it must comply with all applicable State and federal law. This can be a challenge in North Carolina given the General Assembly's propensity to revise planning-related legislation during every legislative session. As a result, local governments must regularly audit their local provisions for consistency. In addition to law changes, there are is also court precedent that must also be tracked. The following table outlines ten recommendations that we suggest be made to ensure the new UDO remains consistent with legal requirements. We note that less than 60 days ago State law again changed with the passage of Session law 2025-94 (also known as SB926) that further revises local planning laws (including removal of time periods for refiling denied applications and prohibition of street standards more restrictive than NCDOT). Depending upon the timing of the new UDO drafting effort, there may be even more changes in State law to contend with (particularly current bill SB205, Swimming Pools/Housing Regulatory Reform). For now, the following nine changes are suggested:

7.1 Address New Downzoning Limitations

The downzoning bill (SL2024-57) was passed in December of 2024 and amends NCGS Section 160D-601(d) by barring a local government from initiating, adopting, and enforcing a text or map amendment that lowers allowable densities, reduces the range of allowable uses, or creates nonconforming situations on lots in nonresidential districts without first obtaining consent from all affected landowners. This limits legislative discretion and will require local governments to track if and how new development regulations do or do not apply to any individual lot or development. This law makes wholesale development regulation updates almost impossible. The strategy we recommend as part of adopting a new communitywide regulation (like a new UDO) is to, as part of adoption, not lower densities, not reduce the range of allowable uses, and to grant amnesty to all existing nonconformities. In addition, the new code must permit all existing development to be maintained or replaced in kind or as it was on the effective date in perpetuity (unless, perhaps, it ceases for a period of two or more years, and then could not be restarted). Proposed changes to any existing development after the effective date must bring the development into full compliance with the regulations in place at the time of the application. If full compliance can not be attained, then the applicant must obtain a variance, obtain a conditional rezoning that allows the less-than-compliant development, or be granted a nonconforming authorization for the development to become nonconforming as part of the proposed change to the existing development (which would require landowner consent). Consent, when granted, may not be rescinded, is in place in perpetuity, and must be recorded. The Town should consider new blanket conditions regarding consent as part of any conditional rezoning, and there are new limits that must be placed on any resident-proposed text amendment as these may not be initiated if they result in down zonings (and commencement of action on any resident-proposed text amendment will require research into its potential to be a downzoning, and collection of consent from all affected landowners if it does constitute a downzoning).

More detail on the ramifications and proposed solutions to SL2024-57 are available here:
www.codewrightplanners.com/_files/ugd/cd8718_71ee825ed35847d58340a5dfd4b463f8.pdf

7.2 Remove Criminal Penalties	Two years ago the General Assembly decriminalized all zoning and development-related violations of any local law authorized under Chapter 160D of the General Statutes (the local government planning enabling legislation). Local development rules may no longer apply criminal penalties to such violations, and remedies must be limited to civil penalties and other non-criminal actions. Some development regulations, like flood damage prevention, water quality, and others that are authorized under different chapters of the General Statutes are unaffected by this change and thus may still apply criminal penalties for violations of flood rules or violations of erosion and sedimentation control standards (transferring lots from an illegally-established subdivision also remains a criminal penalty). Article 7 of the current LUO does not make this distinction, and needs to be revised to recognize that violations of rules authorized under Chapter 160D may not impose criminal penalties.
7.3 Remove Content-Based Sign Regulations	Several years ago the US Supreme Court handed down a ruling in the *Reed v Gilbert* case that local government sign rules that regulate sign content must be able to withstand strict scrutiny. Strict scrutiny is a difficult legal concept that says a rule is as narrowly tailored as possible and that it must be adopted in response to a compelling public interest. Legal scholars agree that no sign regulation can ever pass both prongs of the strict scrutiny test. As a result, the practical response to the *Reed* ruling is simply to remove content-based provisions from sign rules. In short, if a local government official must read a sign to know which sign regulations apply to the sign, then the sign regulation is thus content-based. Sign rules that are use-based, time-period-based, or contingent on commercial or noncommercial speech are content-based. No longer may a local regulation adopt special standards for church signs, restaurant signs, for sale signs, non-profit signs, etc. as these all rely on content-based standards. Article 17 of the current LUO includes content-based sign regulations (e.g., off-premise signs for motels, non-commercial messages, real estate signs, etc.). The new UDO should eliminate all content-based sign regulations and instead limit their impacts to time, place, and manner aspects (size, height, illumination, mounting style, etc.).
7.4 Clarify that Unlisted Uses are not Prohibited	Section 15-149(b) indicates that any uses not listed in the Table of Permissible Uses is are prohibited – we are concerned this may be a violation of NC Court of Appeals rulings (see *Byrd v Franklin*) and needs to be updated. We recommend addressing this via a determination procedure that allows unlisted uses to be classified by the Planning Director. Many modern development codes utilize a use classification system that includes additional details about characteristics and operational details shared across individual use types within the same use category that can be used to help discern what standards to require and procedures to follow for an unlisted use based on existing similar use types already listed in the code.

7.5 Clarify that Vested Rights may not be Withheld	Section 15-148(b) of the current LUO appears to state that the Planning Director may determine that any by-right use can be made subject to a special use permit requirement if they determine the statutory vested rights that would accrue to the approval are inappropriate given the lack of public input. The standards go on to say that the applicant may avoid the special use permit process by submitting a waiver of vested rights. We are concerned that this may violate the automatic granting of statutory vested rights as described in NCGS 160D-108(d), and that there are no listed criteria with respect to how and why a Planning Director might make this determination in the first place. We suggest additional discussion and possible removal of this provision from the new UDO.
7.6 Remove References to Obsolete Terms (special exceptions, conditional use permits, etc.)	The current LUO, including the table of contents and Table of Permissible Uses, includes a series of references to outdated terms that should be removed as part of drafting the new UDO. The LUO's use of the term "setback exceptions" could be retained or replaced with the term "Administrative Adjustment."
7.7 Abolish the Construction Management Plan Process	Section 15-49(c1) of the current LUO allows the Administrator (Planning Director) to determine if an approved project would or would not have significant impacts on adjoining lots, streets, or sidewalks during construction. If such a determination is made, and applicant must then prepare a construction management plan. The construction management plan process entails a required meeting with adjacent residents and business owners who may then direct the applicant as to how construction will proceed. Construction may not commence until the construction management plan is approved and the plan provisions must be enforced as though they were LUO requirements. This process, in effect, allows adjacent landowners to dictate the terms of how development will be constructed without regard for current regulatory requirements or customs, and can delay commencement of construction of an application the Town has already approved. We suggest this process be abolished or if it is retained, the parameters of concern and the potential remedies be codified, and that the construction management plan process take place prior to application approval.
7.8 Remove Design Controls Applied to Single-Family Residential	Section 15-177 of the current LUO sets out architectural standards for subdivisions with more than four single-family residences. Section (d)(3) applies building design elements and Section (e) sets out building architectural style requirements, both of which are prohibited by NCGS160D-702(b), and may not be included in the UDO unless agreed to voluntarily or included as a condition of approval.

7.9 Clarify Authority for Schools Adequate Public Facility Standards

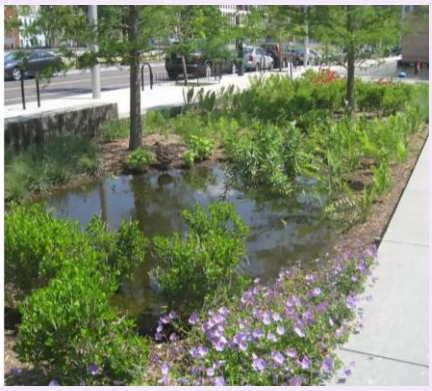
Part 4 of current LUO Article 4 sets out a series of adequate public facility requirements for schools. Generally speaking, these kinds of APF ordinances for schools are prohibited in North Carolina without express statutory authority. We understand Orange County received this authority in 2003; however, the passage of HB406 in 2017 effectively ended all local authority to apply school impact fees to new residential development. Does the Orange County School Board still issue Certificates of Adequacy, and if so, would the Town deny a major subdivision or conditional rezoning for a development that did not receive a Certificate of Adequacy? What is the status of existing, unexpired special use permits that have these certificates? Should this material be carried forward in the new UDO, and does it need further refinement in light of changing legislation?

KEY THEME 8. INCORPORATE INCENTIVES

North Carolina is a "Dillon's Rule" state, meaning that local governments do not have home rule authority when it comes to development regulations; rather, the range of authorities made available to local governments are limited to those expressly stated in the General Statutes or granted via special authorization by the North Carolina General Assembly. As a result, local governments in North Carolina do not have the authority to adopt or employ innovative regulatory approaches like impact fees, inclusionary zoning, tax increment financing, concurrency, transfer of development rights, and a host of other common tools available in home rule states. As a result, local governments must take a more incentive-based approach that encourages applicants to provide affordable housing, establish sustainable development practices, or utilize creative financing. The table below outlines a series of eight incentive-based approaches we suggest be incorporated into the Carrboro UDO as a means of helping create so-called win/win development. In this context, incentives can be a "win/win" proposition where a potential developer exceeds minimum requirements and is rewarded with additional development potential or the ability to deviate from some otherwise-required standard.

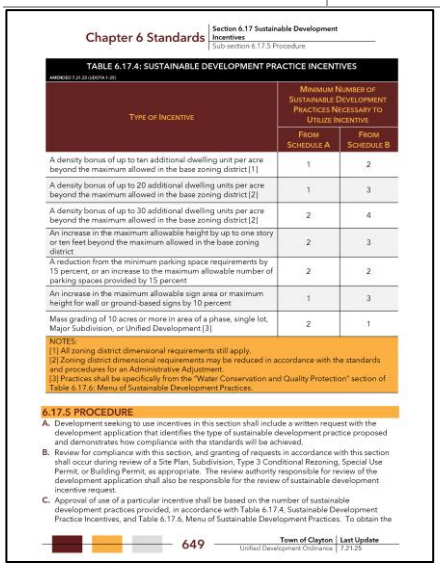
8.1 Exclude Micro-, ADU, and some 'Middle' Housing Units from Density Counts	Section 15-54.1 of the current LUO sets out the Town's affordable housing targets, which effectively exempt affordable housing units from the need to comply with density requirements. Another option is for the Town to extend these density exemptions to micro-residential units (under 350 square feet each), single-room occupancy uses, accessory dwelling units, and some middle housing types like live/work units from density counts as well. It may also be possible to apply density exemptions geographically to further incentivize desired infill and redevelopment locations in the Town.
8.2 Allow By-Right Reviews for Developments Meeting Affordable Housing Targets	The Table of Permitted Uses in Article 10 and Section 15-50 set out the requirements for most forms of residential development to secure special use permit approval. The new UDO could lift requirements for special use permits (thereby allowing these uses to be established administratively) for residential developments that meet or exceed the Town's affordability targets.
8.3 Allow Accelerated Landscaping Credit for Retained Trees	Sections 15-306 and 15-307 of the current LUO set out the standards for "screening" (perimeter landscaping buffers) required between different use types. We suggest this approach be modified slightly to apply screening standards along zoning district edges, which change less frequently than use types Thes standards could also provide accelerated credit toward plant stocking counts for screens that retain existing trees.
8.4 Exclude Structured Parking from Building Height Calculation	Section 15-185 of the current LUO sets out the building height standards in Carrboro. Section (a)(5) allows structured parking to be a maximum of 60 feet tall. We suggest the new UDO exempt structured parking from building height calculation as a means of encouraging this type of parking configuration.

8.5 Include a Conservation Subdivision Option with Smaller Lots/ Setbacks for More Open Space	Conservation subdivisions are described in subsection 3.1 of this Code Diagnosis. This approach allows small or no minimum lot sizes and reduced setbacks (such as those required by the Fire Code) in order to allow dwellings to locate close to one another and preserve open land. The conservation subdivision proposal establishes a minimum open space retention amount of 50% of the total site area. The Town could supplement these provisions that allow density bonuses for conservation subdivisions that set aside more than 50% of the total site area as open space.
8.6 Add Density Bonuses for Voluntary Compliance with Single-Family Design Guidelines	While the building design and architectural standards found in Section 15-177 of the current LUO are now prohibited as mandates, these kinds of provisions can and should be included as design guidelines that are available for applicants to volunteer to follow or suggest as conditions of approval in return for modest density bonuses (perhaps two or three units per acre) that may be applied administratively.
8.7 Allow Some Mixed-Use Development by Right in Residential Districts	The Table of Permissible Uses in Article 10 of the LUO allows residential development in most districts, but stops short of allowing neighborhood serving and small-scale non-residential development like that associated with live/work uses in residential districts. We suggest the new UDO permit micro-commercial, office, and personal service uses by-right in most residential districts as a means of creating more functional neighborhoods and reducing automobile dependance. Such uses would be limited in floor area, be of low intensity, and could be limited to corner lots.
8.8 Credit Green Stormwater Features Towards Open Space	Key Theme 3.3 in this Code Diagnosis introduces the concept of more so-called "green" stormwater infrastructure, like bioswales, rain gardens, infiltration basins, and similar features. We suggest these features, as well as more traditional retention or detention stormwater control measures be credited towards open space set-aside requirements when these features are configured as site amenities (no fencing, gentle slopes, native plantings, and pedestrian access, etc.). These kinds of features should be permitted within required setbacks and required landscaping ("screening") areas as well.



8.9 Add Incentives for Sustainable Development Features

A sustainable development incentive system creates a series of incentives such as: additional residential density, increased maximum building height, increased lot coverage thresholds, reduced off-street parking requirements, reduced open space set-aside provisions, increased maximum sign area, allowable deviations from design standards, exemption from some forms of infrastructure provision (like sidewalks), and potentially other incentives that are provided in return for the inclusion of identified sustainable development features. Sustainable development features often include: compliance with LEED, BREEAM, Energy Star, Green Globes, or National Green Building Standard's requirements, use of green roofs, use of site-generated electricity, rainwater harvesting, oversizing stormwater control mechanisms, use of reflective paving or roof material, and many other features. The approach sets out a menu of sustainable development features along with a point value for each, and then establishes the minimum number of points required to take advantage of one or more of the sustainable development incentives. The system is voluntary for the applicant but helps to provide more sustainable development in the Town. It could also be applied through the conditional zoning system. Example pages from another code are provided below.



Chapter 6 Standards | Section 6.17 Sustainable Development Incentives | Sub-section 6.17.5 Procedure

TABLE 6.17.4: SUSTAINABLE DEVELOPMENT PRACTICE INCENTIVES

AMENDED 7.21.25 (UDOTA 1.25)

Type of Incentive	Minimum Number of Sustainable Development Practices Necessary to Utilize Incentive	
	From Schedule A	From Schedule B
A density bonus of up to ten additional dwelling unit per acre beyond the maximum allowed in the base zoning district [1]	1	2
A density bonus of up to 20 additional dwelling units per acre beyond the maximum allowed in the base zoning district [2]	1	3
A density bonus of up to 30 additional dwelling units per acre beyond the maximum allowed in the base zoning district [2]	2	4
An increase in the maximum allowable height by up to one story or ten feet beyond the maximum allowed in the base zoning district	2	3
A reduction from the minimum parking space requirements by 15 percent, or an increase to the maximum allowable number of parking spaces provided by 15 percent	2	2
An increase in the maximum allowable sign area or maximum height for wall or ground-based signs by 10 percent	1	3
Mass grading of 10 acres or more in area of a phase, single lot, Major Subdivision, or Unified Development [3]	2	1

NOTES:
[1] All zoning district dimensional requirements still apply.
[2] Zoning district dimensional requirements may be reduced in accordance with the standards and procedures for an Administrative Adjustment.
[3] Practices shall be specifically from the "Water Conservation and Quality Protection" section of Table 6.17.6: Menu of Sustainable Development Practices.

6.17.5 PROCEDURE

A. Development seeking to use incentives in this section shall include a written request with the development application that identifies the type of sustainable development practice proposed and demonstrates how compliance with the standards will be achieved.
B. Review for compliance with this section, and granting of requests in accordance with this section shall occur during review of a Site Plan, Subdivision, Type 3 Conditional Rezoning, Special Use Permit, or Building Permit, as appropriate. The review authority responsible for review of the development application shall also be responsible for the review of sustainable development incentive request.
C. Approval of use of a particular incentive shall be based on the number of sustainable development practices provided, in accordance with Table 6.17.4, Sustainable Development Practice Incentives, and Table 6.17.6, Menu of Sustainable Development Practices. To obtain the

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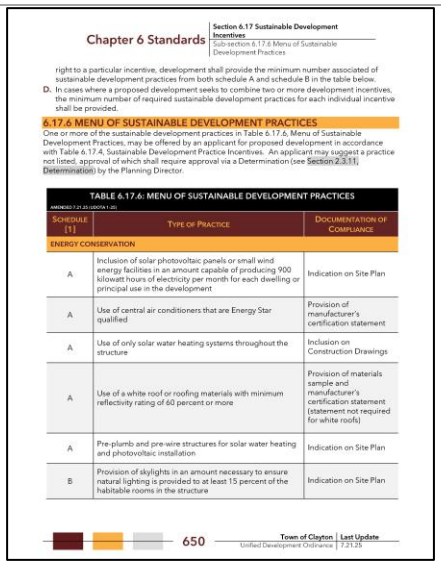

Chapter 6 Standards | Section 6.17 Sustainable Development Incentives | Sub-section 6.17.6 Menu of Sustainable Development Practices

right to a particular incentive, development shall provide the minimum number associated of sustainable development practices from both schedule A and schedule B in the table below.
D. In cases where a proposed development seeks to combine two or more development incentives, the minimum number of required sustainable development practices for each individual incentive shall be provided.

6.17.6 MENU OF SUSTAINABLE DEVELOPMENT PRACTICES

One or more of the sustainable development practices in Table 6.17.6, Menu of Sustainable Development Practices, may be offered by an applicant for proposed development in accordance with Table 6.17.4, Sustainable Development Practice Incentives. An applicant may suggest a practice not listed, approval of which shall require approval via a Determination (see Section 2.3.11, Determination) by the Planning Director.

TABLE 6.17.6: MENU OF SUSTAINABLE DEVELOPMENT PRACTICES

AMENDED 7.21.25 (UDOTA 1.25)

Schedule [1]	Type of Practice	Documentation of Compliance
ENERGY CONSERVATION		
A	Inclusion of solar photovoltaic panels or small wind energy facilities in an amount capable of producing 900 kilowatt hours of electricity per month for each dwelling or principal use in the development	Indication on Site Plan
A	Use of central air conditioners that are Energy Star qualified	Provision of manufacturer's certification statement
A	Use of only solar water heating systems throughout the structure	Inclusion on Construction Drawings
A	Use of a white roof or roofing materials with minimum reflectivity rating of 60 percent or more	Provision of materials sample and manufacturer's certification statement (statement not required for white roofs)
A	Pre-plumb and pre-wire structures for solar water heating and photovoltaic installation	Indication on Site Plan
B	Provision of skylights in an amount necessary to ensure natural lighting is provided to at least 15 percent of the habitable rooms in the structure	Indication on Site Plan

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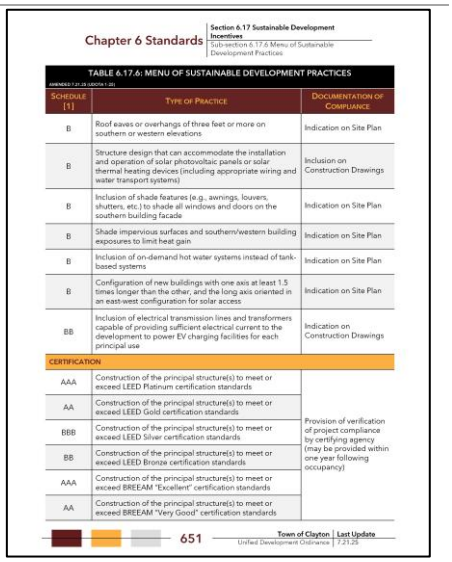

Chapter 6 Standards | Section 6.17 Sustainable Development Incentives | Sub-section 6.17.6 Menu of Sustainable Development Practices

TABLE 6.17.6: MENU OF SUSTAINABLE DEVELOPMENT PRACTICES

AMENDED 7.21.25 (UDOTA 1.25)

Schedule [1]	Type of Practice	Documentation of Compliance
B	Roof eaves or overhangs of three feet or more on southern or western elevations	Indication on Site Plan
B	Structure design that can accommodate the installation and operation of solar photovoltaic panels or solar thermal heating devices (including appropriate wiring and water transport systems)	Inclusion on Construction Drawings
B	Inclusion of shade features (e.g., awnings, louvers, shutters, etc.) to shade all windows and doors on the southern building facade	Indication on Site Plan
B	Shade impervious surfaces and southern/western building exposures to limit heat gain	Indication on Site Plan
B	Inclusion of on-demand hot water systems instead of tank-based systems	Indication on Site Plan
B	Configuration of new buildings with one axis at least 1.5 times longer than the other, and the long axis oriented in an east-west configuration for solar access	Indication on Site Plan
BB	Inclusion of electrical transmission lines and transformers capable of providing sufficient electrical current to the development to power EV charging facilities for each principal use	Indication on Construction Drawings
CERTIFICATION		
AAA	Construction of the principal structure(s) to meet or exceed LEED Platinum certification standards	Provision of verification of project compliance by certifying agency (may be provided within one year following occupancy)
AA	Construction of the principal structure(s) to meet or exceed LEED Gold certification standards	
BBB	Construction of the principal structure(s) to meet or exceed LEED Silver certification standards	
BB	Construction of the principal structure(s) to meet or exceed LEED Bronze certification standards	
AAA	Construction of the principal structure(s) to meet or exceed BREEAM "Excellent" certification standards	
AA	Construction of the principal structure(s) to meet or exceed BREEAM "Very Good" certification standards	

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APPENDIX

This portion of the Code Diagnosis includes a series of seven supplemental work products prepared as a part of developing the recommendations in the Key Themes. These seven supplemental work products include:

- **The Carrboro Connects Land Use Policy Summary – February, 2025**
  A 17-page summary of the relevant land use- and development-related policy guidance from the Town's comprehensive plan along with ideas about how these strategies could be implemented in the new UDO

- **The Downtown Area Plan Summary – May ,2026**
  A summary of the detailed Policy and Regulatory Recommendations of the Town's recently adopted Downtown Area Plan, inclusive of how these policies can be incorporated into the UDO.

- **The Land Use Ordinance Analysis – September, 2025**
  An 80-page detailed review of each section in the current UDO, including suggestions for how to revise this material in the new UDO

- Initial Zoning District Translation Table - May, 2026
  A brief table that summarizes potential translation, consolidation, and additions to the Town's current base and overlay zoning districts

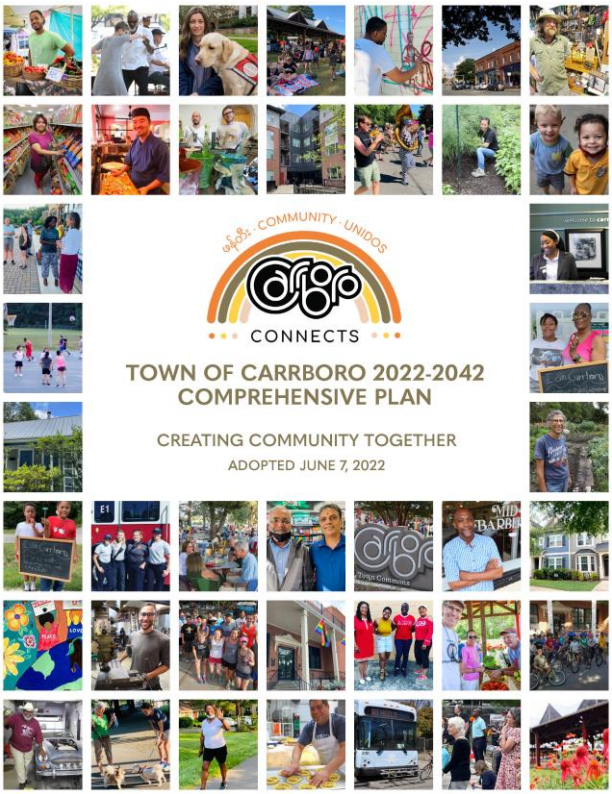
- **Current LUO Dimensional Standards Table – Undated**
  A brief table setting out the codified dimensional standards for the zoning districts identified in the current LUO

- **The Input Summary from Interested Parties – February, 2025**
  A summary of the input received during interviews with 16 Town-identified interested parties and each of the then-sitting Town Council members related to the development review process and the LUO

- **The Developer's Interest Meeting Summary – February, 2025**
  A summary of comments and questions from an initial meeting conducted with Town-identified members of the development community regarding the development review process and the LUO

Each of these work products is provided on the following pages.

The Carrboro New Unified Development Ordinance (UDO) is an effort to rewrite the Town's Land Use Ordinance (or "LUO") to implement the 2022 *Carrboro Connects* Comprehensive Plan. *Carrboro Connects* is the result of a community-wide planning effort to articulate the Town's vision for its future and identify the actions needed to help that desired future become a reality.



The UDO is one of the Town's primary tools for implementing the policy guidance and desired actions in Carrboro Connects. It is the basic set of laws used by the Town to regulate land uses in order to protect public safety, support property values, protect the environment, and ensure adequate mobility. This UDO project is innovative in that it will address the basic elements included in most other development regulations while also maintaining a focus on:

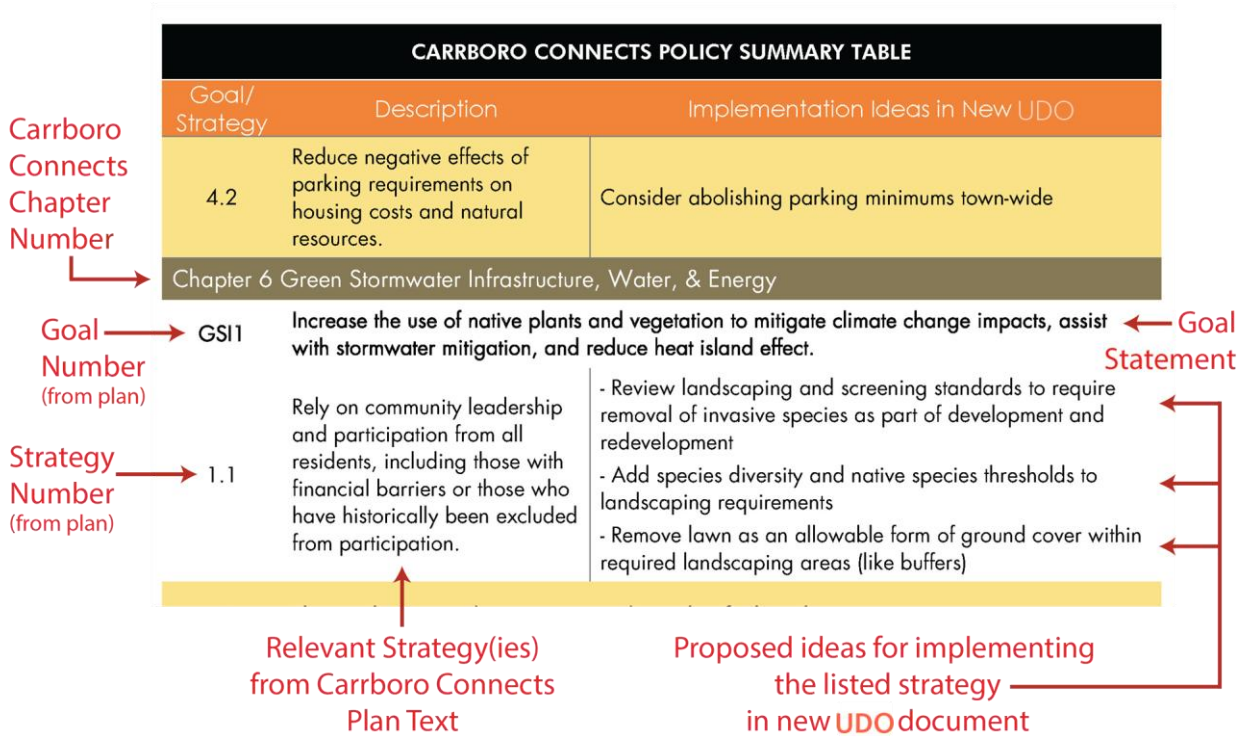
- Creating greater climate resiliency;
- Promoting social justice;
- Ensuring attainable housing for current and future residents; and
- Protecting Carrboro's community character.

Carrboro Connects includes 11 chapters that provide land use policy guidance on a wide variety of factors, including: affordable housing, climate action, transportation, green stormwater infrastructure, economic sustainability, parks and recreation, and land use. The table on the following pages identifies the relevant land use policies and actions from *Carrboro Connects*, provides a brief summary of each, and includes a column with some ideas about how each strategy might be implemented in the updated UDO.

Policies in *Carrboro Connects* that are not directly related to the land use or the UDO are not included in the table. It is important to note that all potential implementation ideas depend on discussion and acceptance by Town staff, elected officials, the public, and that proposed solutions or changes must be permissible under North Carolina law. We note that approximately 43 of the plan's 106 strategies (about 40%) are beyond the scope of a regulatory document like the UDO. For example, requirements that address ownership style (rental versus fee simple ownership) are generally not permissible under State and federal laws. Interventions involving funding-related activities are very important components of Carrboro's goals but are not part the regulatory

framework. Strategies that seek to support or inform residents about opportunities are vital but are also beyond the scope of regulations. With these aspects in mind, the following table outlines the 63 land use-related strategies from Carrboro Connects and some ideas for implementing these strategies in the new Unified Development Ordinance.

Policy Summary Table Key – Description of table features (in red)



CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
Chapter 3 Affordable Housing		
AH1	Increase the number of homeownership units that are permanently affordable with targeted strategies to serve households earning 80% of Area Median Income (AMI) or below with priority to historically disadvantaged households.	

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
1.1	Increase development of for-sale affordable housing units for households earning up to 80% of AMI.	- Scale affordable housing targets to development size (exceeding 15% in some cases like in downtown, as part of mixed-use redevelopment, and in the ETJ) - Discount affordable units from density calculations throughout the planning jurisdiction - Explore maximum unit size thresholds or discretionary review requirements for detached residential exceeding a threshold size - Embrace the Town's role as a primary housing provider
AH2	**Increase the number of rental units that are permanently affordable to very low-income households earning up to 60% of AMI with a particular focus on those earning less than 30% AMI and historically disadvantaged households.**	
2.1	Continue to support rental housing development through the Affordable Housing Fund and leveraging other resources.	Explore use of development agreements to foster incremental redevelopment and expansion of rental and rent-to-own housing in order to permit by-right approval rather than a discretionary review procedure
2.3	Ease the pressure on rental prices by increasing affordable rental housing stock, particularly in high-transit areas.	- Establish detached multi-family structure use types and permit in most zoning districts by-right - Establish standards for micro residential units and exclude from density calculations - Ease tiny home and movable unit requirements (other than building code standards) to facilitate by-right establishment - Consider abolish mandatory vehicular parking requirements altogether (except for accessible parking)
AH3	**Diversify and expand a variety of housing options throughout Carrboro using a mixture of affordable housing types.**	

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
3.1	Expand the provision of Accessory Dwelling Units (ADUs).	- Allow up to two attached or integrated (within the interior of the principal structure) ADUs within single-family detached structures by-right - Allow one detached and one attached/integrated ADU per each single-family detached structure by-right - Explore the desire to regulate (limit) short term rentals
3.3	Preserve existing mobile home parks and identify possible locations for additional mobile and manufactured housing.	- Avoid distinctions between mobile and manufactured home structures - Broaden array of districts where these uses are permitted by-right (not overlay district requirements) - Permit these structure types in small-lot/small-size housing configurations like bungalow courts and pocket neighborhoods by-right - Reduce minimum space size requirements and reduce internal park setbacks
AH4	**Maintain and improve the quality of Naturally Occurring Affordable Housing (NOAH) and "missing middle" opportunities.**	
4.4	Preserve and expand opportunities for "missing middle" housing.	- Discuss the desire to make single-family detached fee-simple units a special use or subject to conditional rezoning requirements - Allow live/work, duplex, triplex, quadplex, and "mansion apartment" uses by-right in all residential and commercial districts - Mandate variable lot sizes in major residential subdivisions, including in the ETJ - Explore minimum density requirements in ETJ areas
AH5	**Support efforts with Orange County to ensure that all homeless individuals and families have access to safe housing, appropriate services, and a path to permanent housing.**	
5.3	Prevent homelessness	Review and update use types to recognize and permit transitional and emergency housing use types by-right in urban areas and on lots abutting transit corridors
AH7	**Reduce utility expenses for all homes**	

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
7.1	Find ways to provide free broadband by using the town's expanding broadband network.	Ensure "small-scale" (50' in height or less) telecommunication facilities (including collocation and small wireless) are allowable by-right everywhere
Chapter 4 Climate Action & Environment		
CA1	**Achieve 80% reduction in per capita greenhouse gas emissions by 2030, as compared to 2010 levels.**	
1.1	Increase the use of renewable energy sources, e.g., solar for all residents, including low-income residents.	- Ease requirements for Level 1 and 2 solar energy systems, particularly Level 2 (community scale) systems - Ease requirements for micro, small, and medium (up to 100 kW) wind systems - Add new incentives for residential subdivisions to be configured with high-capacity transformers, EV guest parking spaces, and EV-ready principal structures
1.2	Integrate Climate Action with the Local Living Economy.	- Allow food production uses by-right throughout the planning jurisdiction - Apply bona fide farm and agricultural exemptions within the corporate limits
CA4	**Enable lower-income residents and small business owners to be able to financially participate and benefit from climate resiliency programs.**	
4.2	Expand access to weatherization, energy efficiency, and continue water conservation measures for all, especially lower-income residents and small business owners, in new construction and retrofits to existing buildings.	Include new sustainable development incentives (like density and height bonuses) related to provision of green building, energy efficiency, and water conservation aspects in new development (note these kinds of features are notoriously difficult to integrate into speculative commercial developments where tenants are not known at the time of permitting)
E1	**Conserve and restore watersheds, ecosystems, and native species.**	

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
1.1	Support native plantings throughout town.	- Supplement the landscaping and screening provisions with species diversity, invasive species removal, and native species threshold requirements - Discuss the Town's desire for tree retention vs reforestation requirements
1.2	Expand nature-based stormwater solutions as part of ecosystem enhancement, watershed restoration, climate resilience, and quality of place improvements.	- Integrate new mandatory green stormwater infrastructure requirements for residential subdivisions, multi-family, non-residential, and mixed-use developments in greenfield areas and incentives for green stormwater infrastructure retrofits on developed sites - Review and update conservation subdivision provisions; consider mandatory conservation subdivision requirements in some greenfield areas
1.3	Create strategic initiatives to overcome historic soil quality degradation and determine ways to protect and restore soil quality as a crucial component of ecosystem and community enhancement.	Add soil restoration (subject to identified standards) as a sustainable development incentive
E2	Promote policies to ensure distribution of environmental burdens and access to natural areas and ecosystems to be equitable across race, income, and ability, especially in neighborhoods that have been denied and historically underserved. Promote policies to ensure distribution of environmental burdens and access to natural areas and ecosystems to be equitable across race, income, and ability, especially in neighborhoods that have been denied and historically underserved.	

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
2.1	Ensure environmental policies and tools do not have disparate impacts based on race and income, and undo harm from historical policies and zoning.	- Review code provisions from the standpoint of social justice and provide recommendations for revision - Investigate of current flood damage prevention provisions create disproportionate regulatory impacts in any specific areas, and if so, consider potential recommendations (implementing recommendations will likely require FEMA review and authorization and it could impact Carrboro's Community Rating System class)
Chapter 5 Transportation and Mobility		
TM1	**Address disparate impacts of transportation decisions and investments in Carrboro's BIPOC, lower-income, and differently-abled populations.**	
1.1	Center equity in transportation planning processes.	Reference the Transportation & Mobility Strategies Map in Carrboro Connects in the UDO street criteria
1.2	Improve transportation options for all communities, with a focus on incrementally shifting transit stops to denser areas to serve as connections between residences and points of interests while limiting displacement impacts on marginalized populations.	Limit establishment of new transit corridors to areas where at least half of the homes within 1,320 feet of the corridor alignment are designated as affordable
TM2	**Continue to expand the transportation system to provide at least one non-automobile option (walking, biking, and transit) for every neighborhood to be usable for a variety of trip purpose.**	

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
2.1	Encourage non-automobile use in the community and reduce vehicle miles travelled through land use decisions of developments that lends itself to public transit use (such as denser mixed-use nodes) and enhancement of public transit itself.	- Ensure UDO transportation requirements prioritize bicycle and pedestrian infrastructure over street infrastructure - Review and update sidewalks standards to require completion of sidewalk connections, street crossings, and connections to greenways - Consider a sidewalk fee-in-lieu system to help complete missing sidewalk connections in established neighborhoods - Discuss if and how the Town will fund bike lane infrastructure, particularly in already-developed areas
2.2	Continue to create safe streets and trail networks for pedestrians, bike riders, and transit riders.	- Review and update UDO to include or cross-reference complete streets or NACTO configuration requirements for public streets (discuss if private streets should follow public street standards) - Reduce Town street design speed to 20 mph (10 mph for alleys) - Review and update (or cross reference) street geometry standards and increase sight distance triangles to 10-70 AASHTO provisions
TM3	Reduce greenhouse gas emissions from motor vehicle use by 80% by 2030.	
3.1	Expand opportunities for transportation options that do not rely on fossil fuel-powered, single-occupancy vehicles.	Review and update EV charging station provisions to ensure inclusion of 110-volt outlets for charging e-bikes and scooters
TM4	Improve the management of parking spaces in the downtown area.	

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
4.1	Establish a regular schedule for conducting parking counts and inventorying existing spaces. Develop a more accurate methodology for utilizing shared parking and satellite parking.	- Consider abolishing parking minimums town-wide - Review, update, and simplify shared and off-site parking provisions - Establish parking maximums in the downtown and for specific non-residential uses
4.2	Reduce negative effects of parking requirements on housing costs and natural resources.	Consider abolishing vehicular parking minimums town-wide (except for accessible spaces)
Chapter 6 Green Stormwater Infrastructure, Water, & Energy		
GSI1	**Increase the use of native plants and vegetation to mitigate climate change impacts, assist with stormwater mitigation, and reduce heat island effect.**	
1.1	Rely on community leadership and participation from all residents, including those with financial barriers or those who have historically been excluded from participation.	- Review landscaping and screening standards to require removal of invasive species as part of development and redevelopment - Add species diversity and native species thresholds to landscaping requirements - Remove lawn as an allowable form of ground cover within required landscaping areas (like buffers)
GSI2	**Plant and maintain the tree canopy along identified roads.**	
2.1	Improve tree canopy downtown to create a more vibrant and inviting urban landscape, reduce the heat island and stormwater runoff, and sequester carbon.	Consider adopting amended street tree requirements for arterial and collector streets in downtown (including species, on-center spacing, pits/structural soils, etc.)

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
2.2	Work with neighborhoods to improve tree canopy and the forest along roads, in neighborhood open spaces, and on private lots.	Consider requirements or incentives for streetscape buffers along streets (but outside the right-of-way) along roadways in nonresidential, multi-family, mixed-use, and new major residential subdivisions
GSI3	**Expand green infrastructure as part of stormwater, watershed restoration, and climate resilience efforts into the Town's public transportation investments.**	
3.1	Coordinate transportation and public infrastructure improvements with green stormwater infrastructure.	Add a blend of mandates for green stormwater infrastructure (e.g., LID in parking lots, rain gardens, bioswales, artificial wetlands, etc.) for new development and incentives for its use as part of redevelopment
W2	**Protect and restore watersheds and ecosystems.**	
2.1	Continue to implement watershed management and restoration projects.	- Explore incentives for converting site-specific stormwater control measures (SCMs) to larger multi-site or community-level facilities (this may require establishment of or changes to a stormwater utility for the purposes of maintenance) - Review and update current stormwater provisions for compliance with State law - Update minimum SCM maintenance and inspection provisions to ensure system functionality - Discuss the degree to which the Town wishes to address nuisance flooding from existing development - Provide credit towards open space standards for SCMs that are configured as green stormwater infrastructure or as open space amenities

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
2.2	Address the effect of development on stormwater management.	- Explore building gutter downspout disconnection requirements for infill development - Discuss new requirements for contour grading with maximum four-foot cut and fill limits from pre-construction grades on greenfield sites - Limit off-site runoff to a non-erosive velocity - Establish incentives for rainwater harvesting - Explore and update impervious surface provisions to allow impervious surface averaging across communities or within unified developments in infill and redevelopment contexts - Consider allowing LID and infiltration facilities as a means to "buy down" impervious surface coverage limits on built lots in urban areas
W3	**Reduce the amount of Carrboro's treated water use while increasing water rate affordability.**	
3.1	Promote water conservation and efficiency efforts among residents and businesses.	- Include sustainable development incentives for low-flow fixtures in buildings and rainwater harvesting facilities - Prohibit use of automatic irrigation for landscaping (but not food production)
E1	**Achieve 80% reduction 2010 levels of per capita greenhouse emissions by 2030.**	
1.1	Reduce greenhouse gas emissions from motor automobile use by 80% by 2030.	Review and update EV charging space requirements (see related implementation ideas in this table)

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
1.2	Reduce community greenhouse emissions attributed to Carrboro buildings by 80% from 2010 levels by 2030.	- Include net zero construction in the array of available sustainable development incentives - Require non-residential structures over 50,000 sf to incorporate net zero construction features - Explore protection of solar footprints to help ensure passive solar access - Explore adding tree retention provisions based on its building shading potential
Chapter 7 Economic Sustainability		
ES1	**Create a more inclusive economy, encourage more racial equity in business development, increase support for locally owned businesses and promote living wage jobs.**	
1.1	Create more equitable opportunities for residents and workers to obtain living wage jobs and a career path to support one's household.	- Increase the ability to accommodate micro-retail and neighborhood-serving nonresidential uses in residential districts by-right - Explore a tiered approach to home occupation provisions that make increased economic activity from homes more permissible in neighborhoods (subject to compatibility protections) - Add new business incubators, makerspace, and artisanal micro-manufacturing use types and provisions
ES2	**Promote economic development that is resilient, promotes excellence in design, reinforces a sense of place, expands commercial development opportunities, promotes infill development and reduces the tax burden on residents.**	
2.1	Support well-planned and designed, higher density and mixed-use development in the downtown.	Expand the downtown zoning district boundaries based on Downtown Area Plan recommendations
2.2	Strengthen other business districts and commercial areas in Carrboro's neighborhoods.	Consider establishing a mixed-use activity center conditional zoning district designation that permits negotiation in return for use-mixing, affordable housing provision, affordable commercial space provision, and community-level stormwater management facilities

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
ES3	**Grow the arts, entertainment, cultural and tourism sectors of the economy.**	
3.3	Expand tourism opportunities.	Discuss if the Town wants to address short term rentals – they benefit tourism but can interfere with housing availability, and can be difficult to enforce depending on how regulated
3.4	Support business opportunities and unique ownership models.	Establish new micro-retail, business incubator, artisanal micro-manufacturing uses and use standards, allow such uses throughout the planning jurisdiction, and incorporate compatibility provisions when such uses abut single-family residential development
ES4	**Encourage the transition of the economy to one based on green technology and low-impact industries.**	
4.1	Promote energy efficiency, renewable energy, and green buildings.	Incorporate sustainable development incentives (see related implementation ideas in this table)
4.2	Promote the green economy including local innovators and low-impact industries.	Encourage local food production as by-right principal and accessory uses in all zoning districts
4.3	Attract a greater share of high tech, biotech and research, and development industries.	Discuss the establishment of adaptive re-use and business start-up use types – such uses would be permitted in most districts by-right and would allow a broad range of non-residential uses and activities, subject to size and compatibility limitations
Chapter 8 Recreation, Parks, & Culture		
RPC1	**Promote recreational programming and cultural resources across all ages, genders, races, and abilities with affordable opportunities.**	
1.1	Evaluate recreational programming through the adopted One Orange Racial Equity Framework to identify any gaps in activities for all interests, age groups, ability, and affordability levels.	Supplement greenway standards to require incorporation of additional exercise equipment and facilities (provided at the expense of the developer constructing and dedicating the greenway)

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
1.2	Identify and promote opportunities for both passive and active recreation for young and old populations.	- Review and update open space standards to recognize three levels or types of open space (passive, active, and urban) - Require all use types to provide at least one form of open space - Recognize a wide variety of public realm features and gathering areas (e.g., public art, outdoor seating, pedestrian mobility elements, etc.) and credit them towards urban open space
RPC2	**Ensure all people in Carrboro have safe, equitable, and connected access to parks, open space, and recreational facilities.**	
2.1	Strive for a park, play field, or other green space within walking distance (e.g. half-mile or 10-minute walk) and physically accessible to all residents in Carrboro.	- Emphasize connection to existing adjacent open space resources (on other lots) as one primary criteria for open space - Ensure greenways are configured in accordance with universal access requirements - Explore the potential for reduction in total open space set-aside requirements for use types that grant public access easements to the open space set-aside areas
2.5	Encourage and support the development of greenways and trails for public use, creating a complete network of connected greenways connecting parks, open spaces and conservation areas for biking, walking, and wildlife corridors.	- Review and update greenway provision requirements to require greenways to be constructed and dedicated - Credit greenways towards park dedication and open space provision - Permit reduced setbacks from lot lines abutting greenways - Encourage greenways to incorporate community-level stormwater management features
RPC3	**Ensure that recreation and park facilities and programming are environmentally responsible and help further climate change related goals.**	

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
3.2	Enhance public access to parks and natural areas while balancing environmental protection and locating active facilities away from ecologically sensitive sites.	Permit open space set-aside areas to be used for food production by residents or the landowner
RPC4	**Strengthen a sense of community and inclusion through the arts, events, and cultural programming that celebrates the diversity in Carrboro.**	
4.3	Continue to support, fund, and install public artwork by local artists in strategic locations throughout Town to celebrate the history and story of Carrboro.	Allow public art features to be credited toward active and urban open space set-aside requirements
Chapter 9 Land Use		
LU1	**Promote the design of new development, renovation of existing buildings and public spaces that add to the character and promote the diversity of the community.**	
1.1	Foster quality design of the public realm including public right-of-way, Town facilities, parking lots and other public spaces.	- Supplement landscaping provisions with requirements for use of native plants - Review and update sidewalk standards to include fee-in-lieu options for use in addressing missing sidewalk connections in other locations - Incorporate new open space set-aside standards that include urban open space options like gathering areas and plazas
1.2	Encourage the improvement of semi-public spaces to provide amenities, stormwater benefits and attractive environments for a balance of people, natural habitat, and open space.	- Allow reduced open space set-aside amounts for uses that allow such spaces to be accessible to the public - Establish mandatory green stormwater infrastructure requirements for greenfield development and incentives for green stormwater infrastructure as part of redevelopment and infill

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
1.3	Utilize the development review process to promote excellence in design that meets the diverse range and cultures expressed in Carrboro's built environment.	- Review the full range of application review procedures in the UDO and ensure all procedures include purpose and intent, applicability, exemptions, review criteria, effect, appeal, and expiration clarity - Review and update development and design standards to raise the bar for new non-residential and mixed-use development - Include incentives for redevelopment efforts to incorporate higher quality design and development features
LU2	**Plan for the expansion of affordable housing availability through land use tools of planning, zoning, and development review.**	
2.2	Preserve and promote the availability of affordable housing along key corridors and nodes that are transit-accessible, walkable and bikeable. Adopt zoning reforms to preserve and increase availability of affordable housing in key corridors that are transit connected, walkable, and bikeable.	- Establish new incentives for the provision of affordable housing by the private sector - Recognize the role of the Town in providing affordable housing when the private market cannot - Suggest avoiding complex regulatory provisions (like overlay districts) in favor of by-right density increases in target areas and additional incentives for density in appropriate locations
2.3	Expand the allowance of Accessory Dwelling Units (ADUs) and tiny homes.	- Broaden allowance for ADUs and tiny homes as identified in other parts of this table - Suggest by-right allowance for ADUs generally rather than requirements for use of pre-approved designs to secure by-right approval
2.4	Explore the creation of an overlay district to preserve mobile home parks.	Suggest addressing mobile and manufactured home parks in ways already explained in this table, but avoiding complex overlay district designations

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
2.5	Fully evaluate and reduce housing density restrictions to slow the increase of housing prices and diversify housing stock.	- Suggest an approach that makes the establishment of smaller homes the "path of least resistance" while the establishment of large detached residential structures subject to discretionary review - Review and update affordable housing density bonus provisions - Broaden the array of allowable by-right residential unit types in traditional neighborhoods
2.6	Improve the development review process to promote more affordable housing and reduce costs.	Expand the ability for developments that exceed affordable dwelling unit targets to be approved administratively
2.8	Pursue updates to the UDO and zoning maps to provide greater densities in areas prioritized for growth, particularly along corridors identified in Strategy 8 and small area plans as part of implementation of the comprehensive plan.	Increase densities in target areas and include incentives for affordable units as described in other portions of this table
LU3	Support development patterns that advance climate action goals and environmental protection.	

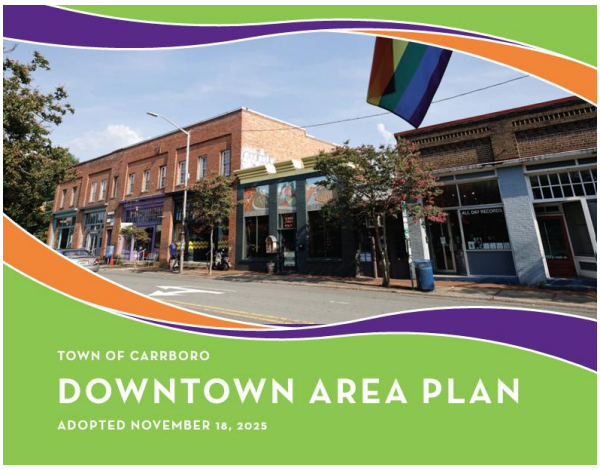
CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
3.1	Pursue development provisions that preserve and maintain natural areas by incorporating environmentally sensitive development and building practices, including redefining pervious pavers and pervious surfaces. Address potential conflicts between land use goals, stormwater and water quality in the land use ordinance and development review process.	- Refine and integrate conservation subdivision provisions, including potential for mandatory conservation design in some areas - Address species diversity, native, and invasive plant removal as described in this table - Review and expand open space set-aside requirements as described in this table - Review and continue to discuss how tree protection provisions should evolve in light of policy guidance
LU4	**Promote land use planning and development that reduces GHG emissions through reducing auto-dependence.**	
4.1	Update the Land Use Ordinance to be consistent with the goals of the Comprehensive Plan.	- Address ADUs, off-street parking provisions, the degree to which the Town will regulate short term rentals, and reductions to dimensional standards as incentives for preferred forms of development as already indicated in this table - Discourage expansive use of overlay districts or other mechanisms that increase complexity or interfere with predictability
LU5	**Expand appropriate development opportunities that meet the goals of the comprehensive plan.**	

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
5.1	Increase the amount of land available for commercial, light industry, and mixed-use development.	- Review the current zoning district configuration, broaden the ability to locate residential uses in more districts, add the ability to accommodate low-intensity non-residential uses in residential districts - Consider abolishing commercial districts in favor of mixed-use districts - Explore increased use of conditional rezoning to facilitate negotiated outcomes for developments that exceed affordability or climate reliance objectives
5.2	Improve the development approval process to be more predictable and efficient while continuing to offer vibrant community participation.	- Update development review procedures for efficiency and predictability as identified in this table - Delegate as much administrative authority to Town staff as possible while also codifying the Town's desired forms and format of development - Rely on public participation in the determination of common goals regarding location, type, and configuration of preferred forms of development, and then make development consistent with these requirements by-right - Rely on public participation for consideration of development forms and formats that differ from the Town's codified standards or for developments that seek to deviate from codified standards
LU6	**Improve access and availability of Town Parks and schools to meet recreation and educational needs.**	
6.1	Identify additional park space needed to serve residents within a 10-minute walk.	- Review and update parkland dedication requirements for residential and mixed-use development - Broaden requirements for open space set-aside provision and create incentives for open space that is subject to public access easements - Add proximity and connection requirements to open space set-aside requirements as described elsewhere in this table

CARRBORO CONNECTS POLICY SUMMARY TABLE		
Goal/ Strategy	Description	Implementation Ideas in New UDO
6.2	Coordinate with Orange County and Chapel Hill-Carrboro Schools regarding school siting, capital needs and improved access via bike facilities and sidewalks.	- Review and update sidewalk standards to ensure maximum sidewalk (and greenway) accessibility to schools - Discuss the ways in which bicycle facilities may be used to increase safe access to school
LU7	**Preserve the architecturally significant and historic properties and districts in Town that reflect the range of cultures and experiences in Carrboro.**	
7.1	Review and Update Neighborhood Preservation Districts.	Explore the possibility of converting some neighborhood design guidelines to standards
7.2	Create a local historic landmark property program.	This effort requires work with the State Historic Preservation Office and is outside the scope of this UDO effort (but placeholders and other anticipatory aspects can be added to the UDO as part of this project)
LU8	**Plan for future land uses that advance goals and strategies in the comprehensive plan and protect, enhance, and complement the unique character of each area.**	
8.1	Plan for balanced growth at key nodes and corridors that further the goals of this plan. The Future Land Use Map shows existing and future land uses. Specific changes in land use are identified in the Corridor Plans.	Update the UDO in accordance with the growth management strategies and recommendations outlined in this table

END OF TABLE

The table included on the following pages is a summary of the Policy and Regulatory Recommendations included in the Town's adopted Downtown Area Plan. The Downtown Plan is a direct result of implementing a priority project identified in through the Town's Comprehensive Plan, Carrboro Connects. The Downtown Area Plan was formatted in two volumes, the first containing the "analysis, assessment, and recommendations of the study area" and the second volume providing the background information. Because the Town had overlap in the timing of the Downtown Area Plan and the Unified Development Ordinance (UDO), the Plan contains specific recommendations to be implemented through UDO updates.



DOWNTOWN AREA PLAN RECOMMENDATIONS SUMMARY TABLE		
Ref#	Recommendation/Description	Implementation Ideas in New UDO
PR-01	Establish Parking Lot Joint Agreements	
	Promote joint agreement for adding green infrastructure and LID stormwater techniques for existing and future parking lots and decks, Use joint agreements to ensure a sufficient amount of public parking in the downtown	- Require connectivity between commercial lots to reduce driveway turning movements and promote shared access - Creation of an Alternative Parking Plan to allow for shared, off-site, valet, and other non-traditional arrangements, or minor deviations with engineering report
PR-03	Activate the First Floor	
	Require first floor commercial businesses and amenities for building residents on the first floor in all multi -family and mixed-use projects in the downtown area.	- Update use standards to include a requirement for commercial first floor uses for integrated vertical mixed-use buildings. - Creation of building design standards for new vertical mixed-use buildings that support pedestrian access on fronting sidewalks
PR-04	Addressing Building Heights	
	Align building heights with the character areas discussed in the Downtown Area Plan. Should include incentives for affordable housing and commercial areas	- Provide incentives (such as density bonus, building heights, etc.,) for the provision of affordable housing and affordable commercial space - Update dimensional standards to adjust minimum and maximum building heights for downtown districts.

DOWNTOWN AREA PLAN RECOMMENDATIONS SUMMARY TABLE		
Ref#	Recommendation/Description	Implementation Ideas in New UDO
PR-05	Encourage Affordable Commercial Space	
	Encourage affordable commercial spaces in all commercial and mixed-use developments through incentives	Provide incentives (such as density bonus, building heights, etc.,) in exchange for the provision of affordable commercial space
PR-06	Encourage Affordable Housing	
	Encourage affordable housing in all private developments through incentives that increase the number and variety of affordable housing units in the downtown area	- Provide incentives (such as density bonus, building heights, etc.,) for the provision of affordable housing and affordable commercial space - Continue to implement the SUP process for the approval of major subdivisions unless affordable housing (or a fee-in-lieu) is provided
PR-07	Encourage Green Building	
	Encourage the use of building green techniques in all private developments through incentives	Provide incentives (such as density bonus) for the provision of LEED and other green infrastructure
PR-08	Incorporate Quality Open Spaces	
	Include provisions that require private developments to incorporate quality, functional open spaces that should include plazas, greens, pocket parks, gathering spaces and other types of open space	- Update the open space requirements for all uses based a percentage of the proposed site area - Expand open space options to include active, passive, and gathering space - Provide specifications and design standards for types of open space
PR-09	Increase Tree Canopy and Native Plantings	
	Include provisions that require robust tree planting and preservation requirements, and limit plantings to native, beneficial species.	- Revisit tree preservation options for the provision of increased canopy (preservation vs reforestation) - Panting list should be updated to include native and/or non-invasive species - Include updated landscape requirements to include buffers, street trees/streetscape buffers, parking lot landscaping, foundation and site plantings, and screening requirements.
PR-10	Reduce Stormwater Runoff	
	Reduce stormwater runoff through the use of high-quality and robust stormwater control measures and reduce impervious surface coverage for all private developments	-Update dimensional requirements in downtown districts to reduce impervious coverage percentages - Revisit stormwater requirements to ensure in alignment with minimum state standards

DOWNTOWN AREA PLAN RECOMMENDATIONS SUMMARY TABLE		
Ref#	Recommendation/Description	Implementation Ideas in New UDO
PR-11	**Support Appropriate Parking**	
	Limit surface parking lots in the downtown area and allow them in locations based on the Character Area as described in the Plan.	- Creation of an Alternative Parking Plan to allow for shared, off-site, valet, and other non-traditional parking arrangements, or minor deviations to typical standards with engineering report - Explore ways to address differential parking requirements based on Character Area recommendation - Creation of sustainability incentives that allow for alternative parking arrangements or reduced number of space
PR-12	**Support Green Infrastructure**	
	Require the incorporation of green infrastructure as part of all private development, including rain gardens, native plantings, LID techniques, etc.	- Provide incentives (such as density bonus) for the provision of LEED and other green infrastructure - Update standards to include rain gardens and other type of green initiatives as required open space options - Revise planting and landscaping requirements to require native and non-invasive plants
PR-13	**Support Mobile Vendors**	
	Support mobile food vending and provide opportunities for small business startups using mobile operations in the downtown area.	- Revise district use table to allow for mobile vendors - Create new mobile vendor and pop-up vendor facility use standards - Allow for micro-commercial uses in downtown districts

The following table is a section-by-section review of Carrboro's current Land Use Ordinance ("LUO"). The table identifies the current articles, section numbers, section titles, and includes a short description of the current section contents. Articles are identified with green rows. The column on the right "Implementation Ideas in the New UDO" details recommendations for how to revise the current section for greater consistency with the Town's adopted policy guidance, State law, regulatory best practice, or community input received to date. In some cases, there are questions or ideas that merit further discussion or consideration included in yellow cells. Some articles are supplemented with text in a grey row found at the end of the article's contents. These grey rows suggest new sections or information that could be added to the new UDO. The ideas and information in this table form the basis for the recommendations to be included in the Code Diagnosis, the "blueprint" for the Town's new Unified Development Ordinance.

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	**Title**	**Description**	**Implementation Ideas in New UDO**
Yellow cells include topics for further discussion with Town staff and officials			
Article I. General Provisions			
15-1	Short Title	This ordinance is officially called the Carrboro Land Use Ordinance.	- Changing name to Unified Development Ordinance - Include reference to Official Zoning Map and any other applicable maps in addition to the Zoning Map
15-2	Authority	Ordinance derives authority from multiple North Carolina General Statutes and various Session Laws.	Carry forward with new references to Town Charter and include references to various NCGS statutes and special legislation
15-3	Jurisdiction	Ordinance applies within Carrboro's planning jurisdiction; jurisdictional adjustments allowed by mutual agreement per G.S. 160D-203.	- Clarify what constitutes the "planning jurisdiction" - Suggest adding additional clarity regarding the applicability of these standards to bona fide farms and agricultural uses - Clarify the standards in the UDO are minimum requirements unless subject to an authorized condition of approval, approved variance, vested right, or preferred development incentive
15-4	Effective Date	Ordinance originally enacted and effective November 25, 1980.	- Replace with new effective date - Suggest the UDO include both an adoption date and an effective date (it is not uncommon to delay the effective date for 60-90 days to allow the Town time to update its applications forms, conduct training, etc.)
15-5	Relationship To Existing Zoning, Subdivision, and Flood Control Ordinances	Substantively unchanged provisions are continuations of earlier ordinances; prior unlawful situations remain unlawful.	Delete. This language is from 1980. No need to carry forward. Prior approval, violations, continue as set down in a new Transitional Standards section in new Chapter 1, Administration

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-6	Relationship To Comprehensive Plan, Land Use Plan, and Other Adopted Plans	Comprehensive Plan guides development; ordinance amendments may revise the Future Land Use Map if inconsistent.	- Relocate to new section on Consistency with Adopted Policy Guidance in new Chapter 1, Administration - Enumerate adopted policy guidance documents (Carrboro Connects, Climate Action Plan, Racial Equity Action Plan, Downtown Master Plan, etc.) - Clarify that plans and policy guidance are advisory in nature - Clarify that UDO should be amended to be consistent with policy guidance, but lack of consistency is not unlawful and does not invalidate the UDO
15-7	No Use of Land or Buildings Except in Conformity with Chapter Provisions	All land and building use must comply with ordinance provisions unless excepted under Article VIII.	- Relocate to new Applicability section in Chapter 1, Administration - Enhance with more discussion about no grading, tree removal, transfer of land, construction of buildings, except in compliance with the UDO - Clarify that there is no double counting and subdivision rules apply to division of land everywhere in Town (except for subdivisions exempted by State law) - **Discuss**. Supplement current applicability provisions with new details about how the UDO comports with recent changes to NCGS Section 160D-601(d) pertaining to downzoning. In essence, the approach proposed in the new UDO consists of the following three pillars: 1) recognize all existing lawfully-established nonconformities existing on or before June 14, 2024 are now considered conforming, and may be continued as they existed upon the effective date of the UDO unless the development ceases for a period of two or more years, then it may not be recommenced. 2) expand the definition of new development to include changes in principal use, increases in impervious surface, or increases in floor area/footprint of a principal structure and require any new development to comply with <u>all</u> standards in the UDO in place at the time of application. In cases where existing development can not comply with all applicable standards, then the applicant may: seek a conditional rezoning, seek a variance, or request a nonconforming authorization. 3) Development subject to nonconforming authorization may continue, subject to the rules for nonconformities in the UDO, which are also proposed for adjustment
15-8	Fees	Reasonable fees cover administrative costs; must be paid with applications; staff may delay approvals for unpaid fees.	- Relocate this material to the Applications portion of the Common Review Procedures section of new Chapter 2, Applications - Carry forward references to fee schedule and timing of fee payments
15-9	Stricter Regulation Controls	More restrictive provisions for health, safety, or environment prevail over less restrictive laws or ordinances.	Replace with a new comprehensive Conflict section that addresses internal conflicts and external conflicts

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE

§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
Grey rows at the end of each article identify additional suggested revisions or other potential changes that are not in the current LDO, but we suggest be considered as part of the new UDO. The Annotated Outline prepared in Task 4 will go into more detail on each of these additional suggested revisions. a. Add a new Applicability section that describes application to governmental units b. Add a new Transitional Standards section that address already approved (but unfinished) applications, prior approvals, existing violations, etc. This section also clarifies that lawfully-established nonconformities existing prior to June 14, 2024 are no longer considered nonconforming and may be continued and replaced in kind c. Add a new Section on Vested Rights (relocate current Section 15-128.2 & 3 material on vested rights to this section) d. Add a new section establishing the Purpose and Intent for the UDO that is based on general statutory language and statements from adopted policy guidance e. Add a new section on Severability to protect UDO language if a clause or section is struck down f. Reduce the number of chapters from 21 to 11 & re-name chapters to more intuitive names g. Include chapter number in sections (but remove use of roman numerals) h. Remove gender-based language i. Remove "legalese" language (e.g., "notwithstanding the forgoing", "without limiting the generality of the foregoing" etc.) j. Remove reserved placeholders throughout ordinance k. Remove editor's notes regarding amendment dates (the UDO is a repeal and replace document) l. Formalize capitalization conventions, including for each review authority and permit procedure m. Provide one space after a period ending a sentence in the new UDO n. For General Statutes citations, use: "NCGS§160D-903"			
Article II. Basic Definition and Interpretations			
15-15	Definitions of Basic Terms	Contains the definition for the words and phrases used in the Chapter	- Relocate these to a new Terms Defined section of new Chapter 10, Word Usage - Ensure consistency with 160D terminology (e.g., Building, Dwelling, Development, etc.) - Ensure all use types (principal, accessory, temporary) are defined - Relocate any standards from definitions to the appropriate locations in the text - If terms are defined in-line in portions of the UDO text, use cross-references in Terms Defined instead of duplicated definitions - Remove obsolete terms (conditional use permit, extraterritorial planning area, etc.) - Remove definitions of terms that are not used in the ordinance text - Identify and add definitions for terms used but not already defined
15-16	Lots Divided by District Lines	Provides regulations for the determination of zoning when a lot created before the effective date of the ordinance contains two or more zoning districts	- Relocate these provisions to the General Dimensional Standards section of new Chapter 5, Measurement - Abolish Subsection (c); very confusing - Suggest changing how bifurcated lots of less than 2 acres are currently addressed in favor of just applying district standards to lands as mapped

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
Grey rows at the end of each article identify additional suggested revisions or other potential changes that are not in the current LDO, but we suggest be considered as part of the new UDO. The Annotated Outline prepared in Task 4 will go into more detail on each of these additional suggested revisions. a. Add a glossary of abbreviations used in the UDO b. Certain terms, such as sign types, and terms addressed in the Measurement Chapter (Chapter 5) are defined in-line in the ordinance, and are only cross-referenced in the Terms Defined section			
Article III. Administrative Mechanisms.			
Part I. Planning Board (note this material also includes review of the most recent text amendment on Boards and Commissions)			
15-21 (As amend)	Appointment and Terms of Planning Board Members	Outlines composition, appointment, terms, voting rights, and removal procedures for Planning Board members, ensuring representation from town, ETJ, and transition areas.	- Carry forward in Planning Board portion of Review Authorities section of new Chapter 2, Applications - Note that the Town may appoint ETJ members if the County does not do it within 90 days of notification about the need for an appointment - Remove language about terms starting in 2007 or 2009; no longer needed - Suggest relocating attendance, removal, and desired member attributes material to the Board's Rules of Procedure document (all Boards should likely have their own Rules of Procedure document that can be served on the Town's webpage – the UDO can direct readers to check the Town's webpage for these documents)
15-22 (As amend)	Meetings of the Planning Board	Establishes meeting schedule, notice posting, public access, and procedures to promote open deliberation and agenda transparency.	- Remove and relocate to Planning Board Rules of Procedure document - There are several provisions in the LUO that call for review of quasi-judicial decisions by the Planning Board or other Advisory Committees. While this is not unlawful *per se*, it is not advisable. NCGS160D-301.b.6 clarifies that no part of a Planning Board forum or recommendation may be used as the basis for a quasi-judicial decision by a different body. See also: https://canons.sog.unc.edu/2016/01/advisory-board-review-of-quasi-judicial-decisions/ Based on this, we suggest removing the current practice of review of special use permits by multiple boards or committees - Suggest addressing sign posting requirements for advance notice purposes as a mater of policy rather than as a code requirement (based on the legal exposure that inclusion of this kind of standard creates)
15-23	Quorum and Voting	Defines quorum requirements and voting rules, including provisions for roll call votes upon request.	- - Suggest simplifying the quorum standards to a stated minimum number of members rather than a variable quorum based on the number of non-vacant seats - Clarify that Board business may not be conducted without a quorum present

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-24	Planning Board Officers	Designates annual officer appointments for chair and vice-chairs; limits chair tenure and defines vacancy procedures.	Carry forward officer provisions, but suggest Chair term limits be relocated to the Rules of Procedure
15-25 (As Amend)	Powers and Duties of the Planning Boards	Enumerates Planning Board duties including planning studies, development policy recommendations, and review of land use proposals.	- Address powers and duties through cross references to Application Review Summary Table section of new Chapter 2, Applications - Carry forward and enhance details on Planning Board role in the preparation and update of comprehensive plan policy guidance - Suggest abolishing Planning Board review of special use permits (B) (see notes in Sec. 15-22)
15-26 (As Amend)	Advisory Committees	- Allows creation of advisory committees to support the work of the Planning Board. - The NTAAC is re-aligned as a subcommittee of the Planning Board instead of being its own advisory board.	- Carry forward while streamlining, where possible - The NTAS, like the Planning Board, should not be involved in any quasi-judicial decisions
Part II. Board of Adjustment			
15-29 (As Amend)	Appointment and Term of Board of Adjustment	Describes board composition, appointment by jurisdiction, terms, and removal procedures, ensuring proportional representation.	- Carry forward in new subsection on Board of Adjustment in Review Authorities section of new Chapter 2, Applications - Clarify that the Board of Adjustment has no alternate members - Suggest removing language pertaining to initial appointment term expiration - Suggest relocating attendance and removal material to a Rules of Procedure document
15-30	Meetings of the Board of Adjustment	Details meeting schedules, special meeting protocol, public access, and adherence to quasi-judicial procedures.	Carry forward with other BOA material in new subsection
15-31	Quorum	Specifies quorum rules based on active membership and defines presence for quorum calculation.	- Suggest simplifying the quorum standards to a stated minimum number of members rather than a variable quorum based on the number of non-vacant seats - Clarify that tie votes are denials
15-32	Voting	Explains voting procedures, conflict of interest standards, excusals, and roll call provisions for quasi-judicial matters.	- Carry forward but supplement with a summary table that sets out 4/5 majority amounts when seating is less than 9 members - Relocate conflict of interest provisions to a single set of provisions in the General Standards portion of the new Review Authorities section in new Chapter 2, Applications, and apply to all review authorities
15-33	Board of Adjustment Officers	Mandates annual election of chair and vice-chair, term limits, and voting participation for officers.	Carry forward

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-34	Power and Duties of Board of Adjustment	Lists Board of Adjustment powers, including variances, appeals, special use permits, and zoning map interpretations.	- Address powers and duties through cross references to Application Review Summary Table portion of new Chapter 2, Applications - Suggest removing special exceptions from the UDO as these are no longer authorized under 160D; setback exceptions are variances, but de minimus setback deviations (e.g., +/- 10%) may be considered by staff as "Administrative Adjustments", when subject to clear criteria - Remove BOA review of major subdivisions, this is unnecessary, even if subject to special use requirements - Delegate Planning Director to interpret UDO text and Zoning Map boundaries - Consolidate the Type A and B special use permits in favor of a single SUP procedure decided by Town Council
Part III. Land Use Administrator and Planning Director			
15-37	Land Use Administrator	Authorizes Town Manager to designate staff as Land Use Administrator; prohibits conflicts of interest in administrative decisions.	Suggest reliance on the term "Planning Director" along with new language clarifying authority delegation to a professional-level subordinate in section on Rules of Language Construction
15-38	Planning Director	Defines Planning Director's authority over minor plats, editorial ordinance corrections, and documentation procedures.	- Carry forward in new subsection on Town Staff in Review Authorities section of new Chapter 2, Applications - Address powers and duties through cross references to Application Review Summary Table portion of new Chapter 2, Applications - Supplement with the following powers and duties: Preside over the Technical Review Committee, conduct pre-application conferences, enforce the UDO, maintain the Official Zoning Map, process development applications and prepare staff reports, and maintain public records pertaining to the UDO - Clarify Planning Director serves as the floodplain Administrator? Who serves as the Stormwater Administrator? Who serves as the Watershed Administrator?
Part IV. Town Council			
15-40	The Town Council	Outlines Council roles in quasi-judicial and legislative capacities, and sets decision-making standards under conflict of interest rules.	- Carry forward in new subsection on Town Staff in Review Authorities section of new Chapter 2, Applications - Address powers and duties through cross references to Application Review Summary Table portion of new Chapter 2, Applications - Relocate a single set of conflict of interest provisions to the General Standards portion of the new Review Authorities section in new Chapter 2, Applications (and apply to all review authorities)
Part V. Transportation, Mobility, and Greenway's Advisory Commission			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-42 (As Amend)	Appointment and Terms of TMGAC	Establishes commission membership, appointment, terms, removal, and criteria for diverse and qualified representation.	- Suggest the Review Authorities portion of new Chapter 2, Applications, include a section on the Town's Joint Review Committee that details the TMGAC's powers and duties as part of the Joint Review Committee; activities undertaken by the TMGAC that do not directly relate to review of applications submitted under the UDO should not be described in the UDO - Suggest all non-UDO-related material related to the TMGAC be relocated to an outside document
15-43 (As Amend)	Organization and Meetings of TMGAC	Details meeting procedures, quorum, officer election.	Relocate to Rules of Procedure
15-44 (As Amend)	Powers and Duties of TMGAC	Defines duties including beautification initiatives, inter-agency coordination, development appearance review, and acting as historic or preservation district commission.	- Clarify if the TMGAC has a review role for appearance as part of development applications submitted under the UDO; if so, establish the committee as a review authority and describe its composition, and powers and duties - Suggest the UDO establish the Historic Preservation Commission as a review authority and describe its composition, and powers and duties under the UDO - Clarify if the Preservation District Commission has a review role of development applications submitted under the UDO; if so, establish this Commission, if not remove references to the Commission in the UDO
Part VI. Climate and Environmental Advisory Board			
15-45	Appointment and Terms of CEAC	Describes membership criteria, appointment, terms, and conditions for removal due to absences or performance.	- Suggest the Review Authorities portion of new Chapter 2, Applications, include a section on the Town's Joint Review Committee that details the CEAC's powers and duties as part of the Joint Review Committee; activities undertaken by the CEAC that do not directly relate to review of applications submitted under the UDO should not be described in the UDO - Clarify if the CEAC has a review role of development applications submitted under the UDO; if so, establish the committee as a review authority and describe its composition, and powers and duties
15-45.1	Organization and Meetings of the CEAC	Outlines meeting structure, quorum requirements, and election of officers for one-year terms.	Relocate to Rules of Procedure
15-45.2	Powers and Duties of the CEAC	Empowers CEAC to advise on environmental policy, promote sustainable development practices, and adopt operational goals.	Suggest relocation of provisions not directly related to this body's role in the review of development applications submitted under the UDO to a separate document
Part VII. Membership Limitations			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
	Membership Limits	Limits members to two consecutive full terms per board; outlines exceptions and oath requirement before service.	Suggest relocating to general section on Review Authorities in new Chapter 2, Applications
Grey rows at the end of each article identify additional suggested revisions or other potential changes that are not in the current LDO, but we suggest be considered as part of the new UDO. The Annotated Outline prepared in Task 4 will go into more detail on each of these additional suggested revisions. a. While there is no current section in the LDO, suggest abolition of the Appearance Commission altogether (this includes abolition of the Neighborhood Preservation District Commission, and the Historic Preservation Commission since the Appearance Commission serves in these capacities) b. Relocate Review Authorities to a portion of new Chapter 2, Applications c. Establish a new section of general standards for all review authorities that address oath, conflict, rules of procedure, etc. d. Supplement the list of Town staff responsible for making decisions under the UDO (e.g., Engineer, Stormwater Administrator, Floodplain administrator, Watershed Administrator, Building Inspector, etc.)			
Article IV. Permit and Final Plat Approval			
Part 1. Permit Requirements			
15-46	Permits required	Land use changes or developments require zoning, special use, or sign permits; major subdivisions need special use or plat approval; conditional use permits convert to special use permits.	- Establish a new Application Types section of Chapter 2, Applications, and locate all application types here. Remove instances where one section deals with two or more different permit types – 1 sub-section per procedure is best practice - Suggest removing the Type B Special Use Permit, in favor of the single SUP decided by Town Council (the Type A) - Carry forward SUP recording requirements - Suggest removing conversion language about conditional use permit and conditional use zoning district translations as this should have taken place four years ago - The use of special use permits for subdivision review is not typical, and we would normally suggest abolition. However, there is an opportunity to consider waiving SUP requirements for subdivisions that provide affordable housing units at or beyond the Town's goals or that provide a fee-in-lieu for affordable housing (the Town may wish to consider increasing its minimum fee-in-lieu amounts) - The current subdivision process is murky – should be preliminary plat, minor grading, construction drawing review, erosion control, then infrastructure, then final plat - Delete (g) because unnecessary, or locate to in the Development Agreement procedure
15-47	No Occupancy, Use, or Sale of Lots Until Requirements Fulfilled	No land use, occupancy, or lot sales until permit conditions and ordinance requirements are satisfied.	Relocate to Applicability section in Chapter 1, Administration

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-48	Who May Submit Permit Applications	Permit applications can only be submitted by those legally authorized; proof may be required if authorization is questioned.	Relocate to Applications portion of Common Review Standards section in new Chapter 2, Applications
15-48.1	Concept Plan Review Procedures Prior to Submitting Applications	Applicants for specified permits must first present concept plans at advisory board meetings and gather feedback before formal application.	- - Suggest the new UDO include a separate, stand-alone concept plan procedure in the Specific Applications portion of new Chapter 2, Applications. The UDO should clarify which kinds of development are subject to concept plan approval (i.e., special uses, residential subdivisions not including affordable units, the initial step in some conditional rezonings, etc.) - Certain application types will simply list prior concept plan approval as part of the application submittal requirements - Empower the DRM or the Planning Board to be the review authority for concept plans - The standards need to clarify that concept plan does not substitute for a site plan, and a site plan must be reviewed at some point in the process (though the applicant could request concurrent review, at risk) - Replace (b) with new pre-application requirements and suggest the "walkabout" be treated as a voluntary option during the pre-application conference stage
15-49	Applications to be Complete	Permit applications must be complete; additional detailed drawings required if development impacts are significant.	- Relocate this material to the Application Filing portion of the Common Review Standards Section of new Chapter 2, Applications - Supplement with additional detail on what constitutes a complete application, including some details in current Appendix A-2 - Clarify that permit choice options are not triggered until application is declared complete. Permit choice provisions discussed in Common Review Standards portion of new Chapter 2, Applications - Application procedures or an appendix of application submittal requirements should specify the required information for applications – use of vague language regarding if a set of construction drawings will be required should not be carried forward - - Suggest apply the construction management plan process only when attached as a condition or approval and removing requirements for the applicant to meet with neighbors; the UDO or other Town document should clarify standards to be observed during construction, not comments from neighboring land owners - Carry forward subsection (c)(2) with other completeness standards - The standards in current section (d) violate due process and equal protection and should be revised because they allow Town staff to potentially append submittal requirements arbitrarily

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-50	Site Planning Procedures for Major Subdivisions	Major subdivisions require a phased site planning process, including a site walkabout, design discussions, and a concept plan using a four-step conservation-oriented layout.	- Suggest addressing site analysis during a pre-application conference, but walkabouts should be at applicant's request, not mandatory - Concept plans should only be required in cases where a subdivision requires a special use permit, and when required, should follow the separate concept plan application procedure (including decision by the Planning Board) - Suggest the Planning Director make decisions on preliminary plats that meet Town targets for the inclusion of affordable housing, so-called "middle" housing, or that meet target affordable housing fee-in-lieu amounts rather than going through a special use permit procedure
15-51	Staff Consultation After Application Submitted	Staff reviews and discusses submitted applications to ensure completeness and understanding before proceeding.	Suggest abolition of this section; the application submittal requirements should be clear and the completeness review should address these issues
15-52	Zoning Permits	Administrator issues zoning permits unless application is incomplete, outside jurisdiction, or noncompliant. May notify surrounding property owners. Also contains procedures for wireless facilities.	- Split these various permit procedures into discrete application types. Special use permit applications have their own section with relevant material. Zoning permit applications have their own section. There is also a common review procedures section that addresses the common or typical steps in most or all application review processes. - Remove (b)(1). If a use requires a special use permit, then list it as a SUP in the use table instead of listing it as a zoning permit - The Administrator should not have the authority to make a by-right use a special use permit – this is an equal protection violation - Remove (c) as it allows the ZA to deviate from statutory notice requirements with no standards - Suggest an automatic notification sign-up process where residents can sign up for automatic notification about applications on certain tax numbers - Remove (e) as it violates the applicant's due process rights. - Relocate material pertaining to wireless facilities to the use-specific standards for these uses
15-53	Performance Guarantee to Ensure Compliance with Zoning Permit	A performance guarantee may allow use or occupancy before full compliance if circumstances prevent immediate fulfillment of all requirements.	- Relocate these provisions to a new Performance Guarantee procedure in the Application Types section in Chapter 2, Applications - Use this single procedure for all performance guarantees - Expand the procedure to recognize applicant-requested and Town-mandated guarantees - Ensure the standards comply with all applicable requirements

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-54	Special Use Permits-A and Special Use Permits-B	Town Council or Board of Adjustment grants special use permits if standards are met; permits denied if negative impacts or nonconformance found.	- Carry forward in single Special Use Permit procedure - Abolish type B and send all SUP applications to Town Council - Reduce reliance on SUPs by adding more codified standards
15-54.1	Affordable Housing Goal and Alternative Methods of Achieving Goal	Developments not meeting 15% affordable housing must contribute financially or provide other alternatives as specified.	- Suggest adding a new Affordable Housing section to new Chapter 7, Standards + discuss with Town's affordable housing staff - Suggest further exploration of 15% affordability goal be revisited - Carry forward FIL option, but supplement with a couple examples to help applicant's understand the calculation - Suggest not counting deed-restricted affordable units towards allowable residential density - Suggest all affordable units be subject deed restriction requirements - Consider exempting residential developments that meet the Town's targets for affordable housing or missing middle units from having to undergo SUP review (allow administrative decision on the preliminary plat instead) - Consider exempting residential developments from SUP review that provide FIL that exceeds the current amount (perhaps up to 25%) - Prepare a menu of potential deviations for developments that provide 100% affordable housing
15-55	Burden of Presenting Evidence, Burden of Persuasion	The burden to present a complete application is on the applicant. The burden of presenting evidence to lead to a denial shall be on the party urging the permit denial.	Address the applicant's burden of proof in the application filing portion on the Standard Review Procedures section of new Chapter 2, Applications
15-55.1	Findings and Burden of Proof Special Use Permits-A required for Taller Buildings in Commercial Districts	Taller commercial buildings require special findings that they harmonize with surroundings, protect property values, and align with adopted plans.	Suggest these standards be clarified or removed
15-56	Recommendation on Special Use Permit – B Applications	Planning staff provide findings and recommendations on special use permit-B applications; advisory board input may be requested.	Delete. Abolish Type B SUPs. Suggest not referring an SUP to any other review body

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-57	Recommendation on Special Use Permits – A	Special use permit-A applications must be reviewed by relevant advisory boards before Council hearings; staff and board reports must accompany applications.	- Remove review of SUPs by other advisory bodies, this creates potential legal exposure through improper reliance on evidence developed outside of evidentiary hearing - Suggest SUPs only be reviewed by Town Council (no longer by BOA) - Suggest standards require a concept plan to be submitted with an SUP- an applicant may file a concurrent site plan at risk. but site plan review is required after concept plan review
15-58	Board of Adjustment Action on Special Use Permits – B and Town Council Action on Special Use Permits – A	Regardless of the SUP type, a three step procedure should be followed that includes a complete application, compliance with requirements, and a vote supported with findings of fact if application is denied.	Carry forward with other SUP application material in Specific Applications section of new Chapter 2, Applications
15-59	Additional Requirements on Special Use Permits -B and -A	Boards may impose additional reasonable conditions on special use permits to ensure public safety and plan conformity, but cannot exceed statutory authority.	Suggest removal of the extraordinary situations language in favor of rules that permit more restricted conditions of approval
15-60	Authorizing Use, Occupancy, or Sale Before Completion of Development Under Special Use Permits	Use, occupancy, or lot sales may proceed before development completion if a satisfactory performance guarantee is provided.	- Relocate to basic Performance Guarantee procedure in new Chapter 2, Applications - Do not require SUP for subdivisions that include 15% (or whatever revised target is decided) affordable housing or include an affordable housing FIL of 25 percent - Conform this to General Statutes changes regarding 30-days for inspection and release
15-61	Completing Development in Phases	Phased developments must follow approved schedules; related improvements must align with permitted phase timelines.	Carry forward in Phased Development portion of Common Review Procedures section of new Chapter 2, Applications
15-62	Expiration of Permits	Permits expire if unused or inactive within set timeframes; extensions may be granted if specific conditions are met.	- Relocate this material to each individual permit type - Note that statutory vesting has a term of 1 year – 2 years is generous, but at the Town's discretion - Revert delay provisions to statutory language instead
15-63	Effect of Permit on Successors and Assigns	Permits run with the land and bind successors if use continues as approved and proper notice is recorded.	Carry forward in new Effect portion of Common Review Procedures Section in new Chapter 2, Applications

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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Yellow cells include topics for further discussion with Town staff and officials			
15-64	Amendments to Modification of Permits	Minor or insignificant permit changes may be administratively approved; major changes require new applications and potential permit modification.	Replace with amendment provisions for conditional rezoning concept plans, special use permit concept plans, and a general set of amendment provisions applied to site and subdivisions found in the Common Review Procedures section of new Chapter 2, Applications
15-65	Reconsideration of Council or Board Action	Disapproved permits may only be reconsidered if conditions change, applications are modified, new information arises, or a motion to reconsider is made promptly.	- Carry forward with additional detail regarding legislative verses quasi-judicial decisions - Supplement with abandoned application provisions
15-66	Applications to be Processed Expeditiously	The town must process applications efficiently to avoid undue delays and applicant costs.	- Suggest deletion - Replace with Concurrent Processing standards in Common Review Procedures section of new Chapter 2, Applications
15-67	Maintenance of Common Areas, Improvements, and Facilities	Permit holders must maintain all required shared facilities unless responsibility has been accepted by a public authority.	Relocate the maintenance provisions to the section on Open Space Set-Aside in new Chapter 7, Standards
Part II. Major and Minor Subdivisions			
15-76	Regulation of Subdivisions	Major subdivisions require a two-step permit and plat approval process; minor subdivisions only need final plat approval.	- Suggest abolition of special use permit requirement for subdivisions that meet affordable housing goals, or that consist of so-called "middle housing" - Remove two types of special use permit in favor of one type that is decided by the Town Council
15-77	No Subdivision Without Plat Approval	Subdivision without approved and recorded final plats is prohibited under state law and local ordinance.	There are two kinds of subdivisions that do not require plats: exempt subdivisions and court-ordered subdivisions. The UDO needs to recognize these, and not require plats in these instances
15-78	Minor Subdivisions Approval	The planning director reviews and approves minor subdivision plats based on compliance and inclusion of required certifications.	- Suggest supplementing minor subdivision definition; any subdivision that includes installation of new or extension of existing streets, potable water, or sewer is a major subdivision, regardless of # of lots - Carry forward final plat (but refer to as a Minor Subdivision Plat instead) - Allow voluntary pre-ap unless doing on-site wastewater, then pre-app is mandatory - Abolish sketch plan – unnecessary for a minor plat. It could can be done as part of pre-ap if applicant wishes - Relocate required certificates and declarations to new Chapter 11, Appendix - Abolish ability for Planning Director or applicant to trigger major subdivision review process; this is a violation of due process - Require any subsequent subdivision of land subject to an already-approved minor subdivision within a ten-year period to be reviewed as a major subdivision

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-78.1	Special Review for Certain Classes of Subdivision	Sets out the provisions for so-called expedited subdivisions	- Relocate to new "Limited Subdivision" procedure in Specific Applications portion of new Chapter 2, Applications (use a different procedure for voluntary review of an exempt subdivision) - Relocate certificates and declarations to new Chapter 11, Appendix
15-79	Major Subdivision Approval Process	Final plat for major subdivisions must meet detailed content, format, and submission standards, and is subject to approval unless it fails to comply or substantially differs from previous approvals.	- Reconfigure to establish three sequential procedures: Preliminary Plat, Construction Drawings, and a Final Plat – each as its own separate procedure (installation of new or extension of existing public infrastructure requires prior approval of Construction Drawings) (Note: the new UDO anticipates use of the term "Site Plan" to replace the term construction drawing as it is used in the current LUO); in addition the a major residential subdivision not meeting the Town's affordability targets also requires a special use permit, which also requires review of a concept plan prior to the SUP - Do not require a SUP in cases where affordable housing, fee-in-lieu, or "middle" housing meeting the Town's targets is proposed - If an SUP remains necessary, then it should be reviewed and decided by Town Council - Preliminary Plats should have a mandatory pre-application meeting (unless there is no new or extension of existing infrastructure) - Suggest that if the subdivision meets the Town's affordable housing or missing middle housing targets, then the preliminary plat be decided by the Planning Director (if not, then the preliminary plat review requires a SUP decided by Town Council) - Suggest DRM decide Preliminary Plats and Construction Drawings, and Planning Director (not Town Manager) decides Final Plats - Relocate submittal requirements for plats, concept plans, and site plans to Appendix in new Chapter 11 - Clarify that plat approval expires within 30 days if not recorded
15-80	Endorsements on Major Subdivision Plats	Major subdivision plats must include specific certificates: ownership, approval, survey accuracy, Department of Transportation street compliance, and planning standards for federally funded projects, as applicable.	Relocate this section to new Chapter 11, Appendix
15-81	Plat Approval Not Acceptance of Dedication Offers	Town approval of a plat does not equal acceptance of public dedications unless formally accepted through resolution, written notice, or actual control and maintenance.	Carry forward

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-82	Protection Against Incompleteness	Performance guarantees ensure completion of required improvements before dedication; developers must provide certifications, and the town may use guarantees to complete outstanding work.	Relocate to new procedure on Performance Guarantees in Specific Applications section of new Chapter 2, Applications
15-83	Maintenance of Dedicated Areas Until Acceptance	Developers must maintain improvements intended for public dedication until formally accepted by the appropriate public authority.	- Carry forward in Construction Drawing, Site Plan, subdivision, and Performance Guarantee procedures in the Specific Applications section of new Chapter 2, Applications - Conform the UDO to NCGS§136-96.2 pertaining to the 15-year window for the Town to accept a dedication (or the owner may rescind the dedication offer)
15-83.1	Display of Approved Site Plan Required	Developments with more than four lots must display an approved site plan on-site showing lots, easements, and amenities in a legible, weatherproof case until developer ownership ends.	**Discuss**. Suggest removal of this requirement. It could lead to trespass, danger to people wandering into construction zones, and on-site altercations. Site plans and subdivisions should be on file and available for inspection in Town Hall.
15-83.2	Signs Posted to Disclose Development Plan	Developers of larger subdivisions may be required to post signs showing proposed design features to inform prospective buyers about aspects affecting lot use or enjoyment.	**Discuss**. What problem is this solving? What if it takes 20 years or more for the subdivision feature to be completed? Who makes sure the signs are accurate or remain legible?
15-83.3	Covenants May Not Prohibit Devices that Generate or Conserve Energy or Water	Prevents covenants or deed restrictions that prohibit: solar collectors (SES Level 1), clotheslines, rain barrels, garden fences, any device designed to generate or conserve energy or capture, store, or re-use water	- Carry forward in concept - Relocate to Accessory Uses section of new Chapter 4, Land Uses, with more specificity on energy devices, water capture, storage, or re-use
Part III. Construction Drawing Approval			
15-84	Construction Drawings Shall Conform to Land Use Permit Plan	Construction drawings must conform to approved land use permit plans; substantial deviations may require further review before construction begins.	- Differentiate between Construction Drawings (in the new UDO these are solely for public streets, water, sewer, etc.) and Site Plans (in the new UDO these are for development like buildings and site features other than infrastructure) - Disengage plan review (Site Plan, Subdivision, and Construction Drawing) from other permit procedures

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-85	Construction Drawing Submittal Process	Construction drawing submittal requires multiple review rounds and final approval; pre-submittal conferences are encouraged to streamline the process.	- The UDO should clarify what kinds of development require Site Plan review - Some forms of development do not require Ste Plans (but may still require a plot plan or sketch; e.g., construction of a single detached dwelling on its own lot, placement of a manufactured home, interior up-fits in non-residential buildings, secondary uses, etc.) - Carry forward mandatory pre-application conference for Construction Drawings - Unnecessary to mention the number of resubmittals- the process continues until the plan is approved
15-86	Record Drawings	Final "record drawings" reflecting as-built conditions must be submitted, signed, and sealed before town acceptance of completed construction.	- Replace with term “as-builts” - Maintain in Final Plat and Construction Drawing procedures only (as these drawings are only required for public infrastructure)
15-87	Construction Drawing Submittal Requirements	Construction drawings must include certified site plans, profiles, utility layouts, and comply with standards in Appendix C for full town review and approval.	Relocate submittal requirements to for plans, plats, concept plans, and construction drawings to a new summary table in Chapter 11, Appendix
Part IV. Adequate School Facilities			
15-88	Purpose	Ensures new residential development is approved only when adequate public school facilities are reasonably expected to be available.	- Carry forward as written with no substantive changes as a new procedure in the Specific Applications portion of new Chapter 2, Applications - Town staff, please provide the Session Law reference number pertaining to special authorization for a schools APFO for inclusion in the procedure’s purpose statement
15-88.1	Certificate of Adequacy of Public School Facilities	A residential special use permit requires a school adequacy certificate unless exempt; certificate follows land and must be issued by the school district.	
15-88.2	Service Levels	Adequate public school service exists if projected enrollment stays within defined capacity limits per school level, as outlined in the Schools Adequate Public Facilities Memorandum of Understanding.	
15-88.3	Expiration of Certificates of Adequacy of Public School Facilities	A CAPS issued in connection with approval of a special use permit-A or special use permit-B shall expire automatically upon the expiration of such permit approval.	

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-88.4	Exemption from Certification Requirements for Development with Negligible Student Generation Rates	A CAPS is not required for residential developments restricted for 30+ years to elderly, special needs, or university dorm housing; CAPS is required if the use changes.	
15-88.5	Applicability to Previously Approved Projects and Projects Pending Approval	Only applies to new special use permit applications; exceptions exist for minor amendments and certain prior approvals; Town Council may grant exceptions; decisions are appealable; Mayor may administer oaths.	
15-88.6	Appeal of School District Denial of a CAPS	An applicant denied a CAPS may appeal to the Town Council, which holds a hearing and may affirm, remand, or issue CAPS per specific criteria and procedures.	
15-88.7	Information Required From Applicants	Applicants must submit required information for CAPS decisions or appeals; special exception or appeal requests must also be served to the School District superintendent via personal delivery or certified mail.	
Grey rows at the end of each article identify additional suggested revisions or other potential changes that are not in the current LDO, but we suggest be considered as part of the new UDO. The Annotated Outline prepared in Task 4 will go into more detail on each of these additional suggested revisions. a. Suggest adding an Exempt, Limited (aka "expedited" or other appropriate term), and Conservation Subdivision procedures b. Suggest adding additional procedures for the following: Annexation, Building Permit, CO, Driveway Permit, Fee-in-Lieu, Floodplain Permit, Grading Permit, Sign Permit, Stormwater Permit, Street Renaming/Closure, Temporary Permit, TIA, Zoning Permit c. Add a uniform section on Common Review Procedures that address all typical aspects of application processing: submittal, completeness, revision, notice, hearings, etc.			
Article V. Appeals, Variances, Setback Exceptions, Interpretations, and Determinations			
15-91	Appeals	Outlines process, notice, timelines, and procedures for appealing administrative decisions to the Board of Adjustment, including stays, mediation, and hearing rights.	- Add distinctions about other forms of appeal heard by Superior Court - Add additional detail about standing (who has it), the decision process, the review criteria, effect, and how the BOA decision may be appealed

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-92	Variances	Details criteria, conditions, and processes for granting variances, including floodplain and watershed-specific standards, and reporting requirements to state and federal agencies.	- Carry forward this section - Suggest organizing Variances into the following three groups: 1) zoning/subdivision; 2) water related (flood, WSW, stormwater); 3) reasonable accommodation - Suggest adding a fifth criteria to the zoning/subdivision variance criteria that the variance is the minimum necessary - Suggest adding detail about conditions of approval (e.g., what is permitted, what isn't, reasonable relationship, and procedural aspects)
15-92.1	Setback Exception Permits	Allows reduced building setbacks in certain residential cases or for additions to nonconforming structures, with Board findings on health, safety, and neighboring property impacts.	Consider revising the current setback exception process into an "Administrative Adjustment" procedure for numerical deviations (subject to clear standards) to some standards in the UDO like setbacks, height, parking spaces, landscaping, etc. (but not density)
15-93	Interpretations	Administrator interprets zoning maps and boundaries; includes specific rules for determining unclear district limits and how vacated streets affect zoning.	- Relocate to section on Zoning Map in new Chapter 3, Districts - Reference in a new Determination procedure in the Specific Applications section of new Chapter 2, Applications, for interpretations of mapped boundaries
15-93.1	Determinations	Administrator issues written, binding determinations on ordinance interpretations; notice includes property signage, and decisions may be appealed to the Board of Adjustment.	- Revise this into a more formal review procedure - Distinguish between informal (verbal) and binding (written) Determinations - Allow Planning Director (or a designee) to decide these (and address the following: ordinance text questions, unlisted uses, conditions of approval, zoning map boundaries, and vested rights status)
15-94	Requests to Be Heard Expeditiously	The Board of Adjustment must consider appeals and variances promptly, following procedures and ensuring informed, timely decisions.	Delete, unnecessary
15-96	Board Action on Appeals, Variances, and Setback Exceptions	Outlines voting procedures and findings required for approving or denying appeals, variances, and special exceptions.	- Relocate variance-related provisions to the Variance procedure in Specific Applications section of new chapter 2, Applications (note that variances should be organized by zoning related versus "water-related" that pertain to flood damage, stormwater, and water supply watershed provisions) - Abolish references to Setback Exceptions in favor of the new Administrative Adjustment procedure (which can be filed concurrent with an application, apart from another application already in process, or after the fact

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-97	Reasonable Accommodations	Establishes procedures for land use accommodations under federal disability laws, requiring findings that requests are reasonable and necessary; decided by the Town Council.	- Carry forward with other Variance provisions in the Specific Applications section of new Chapter 2, Applications - Allow BOA to decide these applications - We suggest that Reasonable Accommodation approvals run with the land
Article VI. Evidentiary Hearing Procedures for Appeals and Applications			
15-101	Evidentiary Hearing Required on Appeals and Applications	Requires evidentiary hearings for appeals and applications, ensuring public participation, reasonable limitations, and continuation if necessary.	Relocate evidentiary hearing material to a new portion in the Common Review Procedures section of new Chapter 2, Applications, and include additional information on legislative hearings and public meetings
15-102	Notice of Evidentiary Hearing	Establishes notice requirements for evidentiary hearings, including mailed notices, posted signs, and newspaper publications for special use permits.	- Relocate to public notification portion of Common Review Procedures section of Chapter 2, Applications - **Discuss**. Suggest following basic statutory requirements regarding notice. Additional notice provision should be handled via policy, not ordinance. This is an issue of balance between support for public engagement and legal exposure for exceeding statutory limits regarding notice radius
15-102.1	Administrative Materials	Ensures relevant administrative materials are provided to decision-making bodies, with objections addressed before or during hearings.	Carry forward in each quasi-judicial procedure (Appeal, Special Use Permit, and Variance)
15-103	Evidence	Governs evidentiary hearing procedures, requiring sworn testimony, competent evidence, and rules on objections, jurisdiction, and subpoenas.	Carry forward with other evidentiary hearing provisions
15-104	Modification of Application at Hearing	Allows applicants to modify their application during hearings in response to input, with conditions for substantial changes.	- Carry forward in each quasi-judicial procedure in the Specific Applications section of new Chapter 2, Applications - Remove subsection (c) and relocate to the material on public meetings and hearings in the Common Review Procedures section of new Chapter 2, Applications
15-105	Record	Requires audio recordings and accurate minutes for evidentiary hearings, ensuring preservation of evidence for at least two years.	Suggest updating the recordation mechanism and removing detail from the UDO - retention duration is a policy matter
15-106	Written Decision	Mandates written decisions for quasi-judicial matters, specifying documentation, notification methods, and effective dates.	- Carry forward in Common Review Procedures section of new Chapter 2, Applications - Quasi-judicial decision-related material is relocated to each QJ procedure in the Specific Applications section of new Chapter 2, Applications

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15-107	Standing	Defines standing requirements for filing appeals, listing eligible petitioners and procedural steps for certiorari review.	- Relocate to the Appeal procedure to the Specific Applications section of new Chapter 2 - Suggest removing subsections (e) and (f) as these are addressed in the Statutes and relate to the appeal process to Superior Court (beyond the scope of the UDO)
Article VII. Enforcement and Review			
15-111	Complaints Regarding Violations	Administrator investigates signed complaints, takes warranted action, and informs complainants in writing.	- Clarify that enforcement is complaint-based, but may also be Town-initiated, subject to applicable statutes of limitation - Clarify that goal of enforcement is to reach compliance, not punish
15-112	Persons Liable	Liability extends to owners, tenants, occupants, architects, builders, contractors, and agents involved in violations.	Add a provision that failure of the Town to follow its regulations properly does not relieve the individual of liability for violations, subject to applicable statutes of limitation
15-113	Procedures Upon Discovery of Violations	Violations prompt written notices; urgent threats allow immediate enforcement without notice.	Expand this process to go into more detail regarding: complaint receipt, investigation, notice, remedy, or appeal
15-114	Penalties and Remedies for Violations	Violations incur penalties up to $5,000 based on severity, duration, intent, and impact; appeals allowed.	- Review and update to remedies and penalties section of the enforcement provisions - Land use laws authorized under 160D (except for illegal lot transfer, lying under oath, or building permit violations) have been decriminalized – switch to civil penalties - Relocate material under subsection (1) to a civil penalty procedure section that follows remedies
15-115	Permit Revocation and Building Permit Denial	Permits may be revoked for noncompliance; affected parties receive notice and hearings.	Carry forward with other remedies, clarify the same process must be used for approval revocation as was used for its issuance
15-116	Judicial Review	Quasi-judicial decisions are subject to superior court review via certiorari.	Carry forward
15-117	Stop Work Orders	Stop work orders issued for immediate violations; appeals available but do not stay orders.	Clarify the stay provisions to help limit confusion
15-118	Statues of Limitations	Statutes of limitations set timeframes for challenges, enforcement defenses, and appeals.	Carry forward and review for consistency with Statutes, especially section (d)

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Grey rows at the end of each article identify additional suggested revisions or other potential changes that are not in the current LDO, but we suggest be considered as part of the new UDO. The Annotated Outline prepared in Task 4 will go into more detail on each of these additional suggested revisions. a. Supplement with purpose and intent section b. Suggest a section that describes, generally, the violations of the UDO, add a section on how civil penalties are established and resolved c. Relocate any environmental-related enforcement provisions (e.g., stormwater, flood, riparian buffers, etc.) to this chapter			
Article VIII. Nonconforming Situations, Vested Rights, and Permit Choice			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-121	Definitions	Defines key terms related to nonconforming situations, development, permits, vested rights, and regulatory frameworks.	- **Discuss**. Suggest significant revision to this material based on recent changes to 160D-601(d) (the "downzoning" prohibition), including: • Add a section clarifying that all lawfully-established nonconformities (except for development nonconforming with respect to State or federal law, or in an active code enforcement case) existing on or before June 14, 2024 are now considered conforming, and may continue and be replaced in kind in perpetuity provided there is no expansion, no increase, or no period of cessation exceeding five years • Existing nonconformities that are unlawfully established remain nonconforming and may not be revised in any way except in full compliance with the UDO standards in place at the time of proposed revision • Any existing development that becomes subject to a request for change in principal use, an increase in impervious surface, or an increase in principal building floor area/footprint shall come into full compliance with all UDO standards in place at the time of the application, or shall either: 1) rezone – likely to a conditional district, 2) obtain a variance to reconcile nonconforming aspects, or 3) obtain a nonconforming authorization from the Town Council • Unify and simplify the various nonconforming rules to address lots, structures, uses, and sites (nonconforming signs have special provisions based on recent statutory changes to 160D-912.1) • Review and update nonconforming provisions to further limit the flexibility applied to nonconforming uses, structures, lots, and sites (but not signs) • Re-organize the nonconformity article to address: continuation and maintenance, actions permitted, construction on vacant lots, replacement, alteration, conversion, damage (casualty and non-casualty), cessation, and abandonment • Clarify that alterations, other than actions permitted, are prohibited (no use changes, no expansions, etc.) - Suggest definitions be relocated to Terms Defined section of new Chapter 10, Word Usage - Suggest permit choice material be relocated to Application Filing portion of Common Review Procedures Section of new Chapter 2, Applications - Suggest vested rights section be relocated to new Vested Rights section in Chapter 1, Administration
15-122	Continuation of Nonconforming Situations and Completion of Nonconforming Projects	Allows lawful nonconforming situations to continue, with restrictions on completion of nonconforming projects.	- Relocate to the Transitional Provisions section of new Chapter 1, Administration - Clarify that lawfully-established nonconformities existing prior to June 14, 2024 are no longer nonconforming and may be continued and replaced in kind in perpetuity

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-123	Nonconforming Lots	Establishes conditions under which nonconforming lots may be used and developed, including exceptions for setback requirements.	- Suggest addition of new standards that limit subdivision of a nonconforming lot unless the subdivision renders the lot conforming - Remove requirements for recombination; but continue to allow for recombination provided such recombination does not remove the ability of another existing lot to meet the applicable dimensional requirements of the zoning district where it is located - Continue to permit the use of Administrative Adjustments (up to allowable thresholds, such as 10%) to help ease dimensional standards compliance
15-124	Extension or Enlargement of Nonconforming Situations	Regulates expansions of nonconforming situations, limiting increases in nonconformity while allowing single-family residential enlargements.	Alterations to a nonconformity, including expansions, are prohibited unless the development fully complies with all UDO standards in place, or receives a Variance, an Administrative Adjustment, a Conditional Rezoning, a Development Agreement, or a Nonconforming Authorization approval
15-125	Repair, Maintenance, and Reconstruction	Permits minor repairs and maintenance while restricting major renovations exceeding twenty-five percent of appraised valuation.	- Allow continuation and maintenance (regardless of the cost of maintenance) in the Actions Permitted portion of the Nonconforming Situations section of new Chapter 6, Nonconformities - Clarify that prior nonconformities that became conforming upon adoption of the UDO may be reconstructed in kind with no changes; if any changes or alterations are proposed (or if there is a cessation of five years or more), then the entire development needs to be fully compliant with the UDO (or be subject to a variance, rezoning, or nonconforming authorization) - Clarify that post-UDO adoption nonconformities that suffer casualty damage (damage with a repair cost that exceeds 50% of the structure's pre-damage assessed value) may only be reconstructed in full compliance with the UDO
15-126	Change in Use of Property Where a Nonconforming Situation Exists	Limits changes in use of nonconforming properties, requiring permits for significant alterations.	- Suggest that any change of principal use requires full compliance with the UDO in place at the time of the change, or approval of a conditional rezoning or a nonconforming authorization
15-127	Abandonment and Discontinuance of Nonconforming Situations	Prohibits reinstatement of nonconforming uses discontinued for twelve months, with certain exceptions.	- Carry forward the notions of cessation of a nonconformity, as well as abandonment, and the requirement for post-abandonment development to be in full compliance - Consider reducing the time period for cessation/abandonment of a nonconforming use downwards to 90 days

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-128	Completion of Nonconforming Projects	Governs completion of nonconforming projects, allowing vested projects to proceed based on previous approvals and investment.	- Suggest relocating (a) to Transitional Provisions section in new Chapter 1, Administration - Suggest deleting section (b) - Suggest deleting subsection (c) because of needless complexity. If the development has an approval that has not expired, then the development may be completed in accordance with the approval. If the approval expires before the development is complete, then it may only be continued in accordance with the rules in place at the time it expired
15-128.2	Vested Rights and Permit Choice	Contains the NCGS 160-D requirements for Vested Rights and Permit Choice	- Review and update for consistency with 160D - Add a definition of vested rights and effect of vesting - Suggest distinguishing between Common Law vesting, Statutory vesting, Site-Specific Vesting Plan vesting, Multi-Phase Development Plan vesting, and Development Agreement vesting, etc. - Suggest more clarity on vesting terms (6 months, 1 year, 2 years, 7 years, etc.) - Suggest adding cross references to a new Vested Rights Certificate procedure in the Specific Applications section of new Chapter 2, Applications, that allows an applicant to request a vesting term beyond two years for a site-specific vesting plan - Relocate termination to its own subsection
15-128.3	Vested Rights – Site Specific Vesting Plans	Contains the NCGS 160D requirements for Site Specific Vesting Plans	
15-129	Nonconforming Signs	Requires nonconforming signs exceeding regulations to be altered or removed within three years.	This current section needs to be replaced with new standards for nonconforming signage consistent with NCGS 160D-912.1 (Note: adoption of the new UDO does render existing nonconforming signage as conforming, so the nonconforming signage standards only become applicable after the Town recognizes signage as nonconforming)
15-130	Nonconforming Mobile Home Communities	Limits expansion of nonconforming mobile home communities while allowing replacement of units within existing spaces.	The UDO changes with respect to downzoning will render these communities as conforming; it is possible to allow these uses to further expand based on district and use-specific standards
Article IX. Zoning Districts and Zoning Map			
Part I. Zoning Districts			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-135	Residential Zoning Districts Established	Establishes residential zoning districts to promote comfortable, safe environments, including standard, watershed, rural, and high-density residential zones with varied density and development regulations.	- The new UDO will reorganize this article (see grey row at end of Article 9) - Suggest establishing a subsection for each residential zoning district that sets out district purpose and applicable dimensional standards for the district (along with any district-specific standards and precedent imagery) Suggest the current residential district lineup be revised in the following ways: • Establish new more intuitive names and abbreviations • Consolidate R-20 & R-15 • Consolidate R-10 and the two R.S.I.R districts • Consolidate the different classification systems for WSW-II in the ETJ and WSW-IV-PA east of Smith level Road so as to show all lands in a WSW as being in the Town's one water supply watershed overlay district (instead of University Lake and JLWP)
15-135.1	Conservation District	Creates a conservation district to limit development near water bodies and flood-prone areas, minimizing environmental impact and protecting water supply.	Carry forward but clarify the kinds of land typically classified with this district
15-136	Commercial Districts Established	Defines commercial zoning districts with varying business types, densities, and restrictions, ensuring compatibility with residential areas and pedestrian accessibility.	- Establish a subsection for each commercial zoning district that sets out district purpose and applicable dimensional standards, along with any district-specific standards and precedent images - Suggest the business and manufacturing district lineup be revised in the following ways: • Establish new more intuitive names and abbreviations • Consolidate CT, OR-MU, O, and O/A into a single new Office district • Consolidate B-2, B-3, and B-T-3 into a single Neighborhood Business district • Split B-1(c) into at least two new base districts (Downtown Core & Downtown Edge) • Shift VMU and FLX into legacy district status • Convert the EAT overlay district into new standards applied to the appropriate base business districts
15-136.1	Historic Rogers Road Districts Established	Creates the Historic Rogers Road districts as HR-R (residential) and the HR-CC (community commercial).	Carry forward without the "historic" portion of the name since there is already a HD historic district

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15-137	Manufacturing Districts Established	Establishes manufacturing districts with tiered restrictions, accommodating industrial activities while regulating environmental impact and proximity to residential zones.	- Suggest the business and manufacturing district lineup be revised in the following ways: • Establish new more intuitive names and abbreviations • Rename the PID to the new Conditional Manufacturing (CZM) district and continue to recognize the existing master plans
15-138	Public Facilities District Established	Creates a Public Facilities zoning district for government-owned developments, ensuring appropriate land use and service provision.	Carry forward unless the Town wants to abolish
15-139	Planned Unit Development District Established	Introduces Planned Unit Development (PUD) districts, combining residential, commercial, and industrial elements for flexible, mixed-use development.	- Suggest the PUD district procedure/use type be replaced with a modernized conditional zoning procedure - Suggest establishment of five generic conditional zoning districts (including residential, commercial, mixed-use, downtown, and manufacturing conditional district) - Suggest the current PID district be renamed to manufacturing conditional, and the approved parcel-specific master plan requirements be carried forward - Each of the five generic conditional zoning districts takes one of two forms: a limited version (which includes conditions that exceed the current standards or further limit development potential beyond the new UDO standards) and an unlimited version (which allows applicants to request deviations from the current UDO standards subject to approved mitigation) - In this approach, existing PUDs would be translated to the closest applicable generic conditional district and continue to be subject to their prior master plan approvals. In the event there was a desire to amend a prior PUD approval, any amendment meeting the threshold of a major modification would require re-review as a conditional rezoning to one of the five generic conditional districts
15-140	Residential High Density and Commercial Overlay District	Establishes a Residential High-Density and Commercial Overlay District, encouraging redevelopment and mixed-use downtown growth with compact, pedestrian-oriented designs.	- This overlay appears to be limited to lots on the eastern side of downtown in the B-1(g) and B-1(c) base districts (perhaps OA & CT as well?) - Suggest abolition of this overlay and changes to the use table, removal of use-based floor area caps, and review of proposed parking provisions - Explore the possibility of inserting the RHDC standards to the various base zoning districts
15-140.1	Office-Residential Mixed Use District	Creates an Office-Residential Mixed-Use district near downtown, allowing balanced development with residential and office elements.	- Suggest consolidating this district with CT, O, O/A into a new Office base district

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-141	Neighborhood Preservation District Established	Establishes Historic and Neighborhood Preservation Districts to conserve historical and cultural significance while maintaining local identity.	- Carry forward the HD district to enable the Town to successfully compete for grants in the National Register District, but do not apply the Historic (HD) district to any land area and do not establish a Certificate of Appropriateness procedure - Carry forward the Neighborhood Preservation District designations but enumerate them (e.g., NPO-1, NPO-2, etc.) so they may be distinguished from one another and remove all building design regulations prohibited by NCGS§160D-702(b)
15-141.1	Jordan Lake Watershed District Established	Introduces Jordan Lake Watershed Protection District to regulate development within the watershed and comply with state environmental statutes.	- Carry forward, but change name to Watershed Protection Overlay (WPO) district - Relocate to the Overlay portion of new Chapter 3, Districts - Include the necessary standards for WSW-II-CA, WSW-II-PA and WSW-IV-PA from the most recent State model ordinance - Clarify that the University Lake Watershed is an area within the WPO and contains WSW-II-CA land and WSW-II-PA land
15-141.2	Village Mixed Use District Established	Defines Village Mixed-Use districts, promoting small-scale, pedestrian-friendly villages with preserved open spaces, mixed housing, and commercial areas.	- - Suggest making this a legacy district that is carried forward but can not be expanded or newly established - Changes to land in the VMU legacy district should take the form of a conditional rezoning
15-141.4	Conditional Zoning Districts	Creates Conditional Zoning Districts, allowing customized development regulations for specific parcels based on community needs and landowner requests.	- Suggest revising the 22 parallel conditional zoning districts into five generic conditional zoning districts (residential, commercial, manufacturing, mixed-use, downtown). Current districts would be carried forward as legacy districts that can continue but not grow or be established anew (revisions would require rezoning to one of the five generic conditional districts) - Suggest two types of conditional zoning: limited and unlimited., Limited is structured to permit conditional rezoning applications that seek to apply more restrictive standards than those in the UDO or that further limit development potential, and do not require concept plan review. Unlimited allows applicants to seek deviations or reductions from UDO standards, but must include mitigation and require concept plan approval as part of the rezoning (subdivision and site plan review takes place after the zoning decision, not concurrent with it) - Developments seeking less restrictive standards must demonstrate (to the satisfaction of the Town Council) that the proposed development is superior to a strict application of the standards (in terms of its furtherance of the Town's land use policy goals) - Remove any requirements for special use permits associated with consideration of a conditional zoning (except for when development proposes a use type that also requires an SUP in the particular district). In these instances, the SUP could be considered only after the rezoning application is approved

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-141.5	Site Specific, Flexible Zoning District	Establishes a Site-Specific, Flexible Zoning District for adaptable developments with detailed standards ensuring planned, market-driven growth.	Suggest this district be abolished or if kept, converted to a legacy district (like VMU) and any changes to land in this district would require a rezoning (likely conditional)
Part II. Zoning Map			
15-142	Official Zoning Map	Official Zoning Map defines district boundaries and serves as the legal record for zoning designations.	Carry forward in the Official Zoning Map section of new Chapter 3, Districts
15-143	Amendments to Official Zoning Map	Governs amendments to the Official Zoning Map, requiring Town Council approval and procedural updates.	- Carry forward, but clarify where the Official Zoning Map is kept, and how it may be inspected - Add additional detail as to how copies of the current Official Zoning Map may be obtained - Provide more detail about how historical copies of the Official Zoning Map are maintained, where they may be reviewed, and how copies may be obtained.
15-143.4	Downtown Neighborhood Protection Overlay District	Establishes Downtown Neighborhood Protection Overlay District, setting height and setback regulations for commercial properties near residential areas.	- If this overlay district is carried forward, relocate with other overlay districts in the Overlay Districts section of new Chapter 3, Districts - Suggest considering ways to make these standards part of base zoning districts for the downtown area rather than an additional set of standards applied in addition to base district requirements
15-143.5	Lloyd/Broad Overlay District	Defines Lloyd/Broad Overlay District to preserve neighborhood character and regulate development impacts.	- Relocate to the Overlay Districts section of new Chapter 3, Districts - Include overlay district standards with the purpose provisions - Ensure any massing requirements are not applied to single-family detached or attached dwellings, duplexes, triplexes, or quadplexes
Grey rows at the end of each article identify additional suggested revisions or other potential changes that are not in the current LDO, but we suggest be considered as part of the new UDO. The Annotated Outline prepared in Task 4 will go into more detail on each of these additional suggested revisions. a. Restructure Chapter to following subsections: Chapter intro (establishes districts), conventional zoning districts, conditional districts, overlay districts, Zoning map b. Suggest district re-naming and new abbreviations c. The current code lists 119 zoning districts (28 conventional base, 23 conditional, 8 overlay, 62 PUD) – this needs to be drastically simplified – Carrboro is only 6 square miles in size d. We need a through discussion of the current district lineup and what can be done to simplify it e. Do not include a copy of the Official Zoning Map in the UDO unless this is the Town's Official copy. If the Official Zoning Map is included within the text of the UDO, every approved rezoning will also require a text amendment to update the Zoning Map page of the UDO.			
Article X. Permissible Uses			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-146	Table of Permissible Use	Contains the Table of Permissible Uses which indicates which land uses are permitted, how they are permitted, and in which districts	- Remove language pertaining to amendments - Carry forward a table of common principal uses in new Chapter 4, Land Uses - Re-organize the table into five use classifications (Agricultural, Residential, Institutional, Commercial, Industrial) instead of current number-based approach. Each Use Classification is, in turn, comprised of a series of Use Categories (e.g., the Residential Use Category includes the Household Living, Group Living, and Congregate Care Use Categories – each of which, in turn, include specific use types) - Separate accessory and temporary uses from the common principal uses - Supplement the table with links to applicable use-specific standards - Revise the table procedures to include P (requires Zoning Permit), S (requires Special Use Permit), C (requires conditional rezoning), and '·' (prohibited) instead of the large number of acronyms in current use - Supplement the district list with columns for each of the generic conditional zoning districts (which means each conditional district would list the range of allowable and un-allowable uses in that district) - Remove the numeric use system and replace with a use classification/use category system instead - Review and update the table to include modern use types, remove needless use distinctions, and plainly list common desired uses - Colorize the columns to make distinctions easier to see
15-147	Use of Designations A,B,Z in Table of Permissible Uses	Defines permit designations for permissible uses, outlining requirements for zoning, special use, and conditional permits based on zoning district and development specifics.	- Suggest the material related to use table structure or operation be relocated to a section that introduces the use table - All uses in the new table should be either a Z, an S, a C (requires conditional zoning), or prohibited. It is possible to allow something requiring an S to become a Z if certain aspects are voluntarily included by the applicant - - Suggest adding a column that lists the appropriate section where a use-specific standard is located (in the Use-Specific Standards portion of new Chapter 4, Land Uses), and apply the applicable standard to the use regardless of the district where it is located - Remove requirements for special use permits when uses are proposed within a conditional zoning district

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-148	Board of Adjustment Jurisdiction Over Uses Otherwise Permissible With a Zoning Permit	Grants the Board of Adjustment authority to require special use permits for uses normally allowed with zoning permits, based on potential impact on neighboring properties or the public.	- Town staff should not have authority to arbitrarily require an SUP, regardless of their determination about the development's impact or the appropriate degree of public input – the UDO establishes the procedure, not the staff - If use is not desired in a specific zoning district, the Table of Permitted Uses should be changed to reflect the specific instances of where and when an SUP or other permission is desired - The Town may not withhold vested rights status for an application that is approved due to concerns over public input – this is a violation of the statutes - vesting status occurs with the approval
15-149	Permissible Uses and Specific Exclusions	Establishes that unlisted uses are prohibited and defines exclusion criteria, including highly combustible materials, stockyards, motor vehicle-based businesses, and certain fencing and gating practices.	- Suggest (a) be carried forward with the material on how to classify unlisted uses - Section (b) needs to be deleted -it violates the Byrd ruling - Suggest carrying forward (c) with simplified language in a new section on Prohibited Uses in new Chapter 4, Land Uses. A new section on Access and Driveways in new Chapter 4, Land Uses will set down the prohibitions on vehicular gates across public and private streets - Suggest the fence, wall, berm material be reviewed and revised, where possible, to reduce confusion. Also suggest addressing these standards in either a unique section on Fences and Walls in new Chapter 6, Standards, or as secondary uses in new Chapter 4, Land Uses
15-150	Accessory Uses	Defines accessory uses, allowing incidental uses that integrate with principal uses, including solar arrays, child day care, and residential parking limitations.	- Suggest revising this section to include a new purpose and intent section, a new section discussion how accessory uses are established - Add a section on general standards for all accessory uses (location, size, height, design standards, compliance with use-specific standards, etc.) - Ensure the new standards address common secondary features like tree houses, swing sets, trampolines, skate board ramps, saunas, fire pits, informal athletic courts, garden sheds, etc. - Supplement with a summary table listing common accessory uses by zoning district (relocate from current principal use table) - Broaden the range of listed secondary uses - Add a section on use-specific standards for secondary uses - Clarify when a secondary use requires a zoning permit or special use permit - Relocate any temporary uses (e.g., garage sales) to new section on Temporary uses in new Chapter 4, Land Uses

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-151	Permissible Uses Not Requiring Permits	Lists permissible uses that do not require permits, including public utility infrastructure within public rights-of-way, bus shelters, and specific police department operations.	Suggest abolition of this section. Infrastructure within a public right-of-way is not a principal or secondary use type
15-152	Changes in Use	Describes substantial changes in use, differentiating between modifications requiring new permits and minor transitions, including ownership changes or temporary vacancies.	- Carry forward along with other prefatory material related to the Table of Common Principal Uses - Clarify that a change in principal use after the UDO effective date will require the site to reach full compliance with the UDO or require a Variance, Conditional Rezoning, or Nonconforming Authorization
15-153	Developments in the B-3 Zoning District	Restricts broad commercial use classifications within B-3 zoning, emphasizing compatibility with the district's objectives.	Delete. Unnecessary
15-154	Combination Uses	Outlines permit requirements for combination uses, considering different classifications to determine necessary permit levels for mixed-use developments.	- Carry forward along with other prefatory material related to the Table of Common Principal Uses - Address density by use type for each zoning district in new Chapter 3, Districts - Suggest removing (c) - overly complex - Relocate (e) to the Parking and Loading section in new Chapter 7, Standards
15-155	Planned Unit Developments	Governs planned unit developments, permitting residential and limited commercial uses while ensuring integrated and well-planned development.	- Relocate this material with the other district-related provisions in new Chapter 3, Districts - Suggest the current PUD districts be carried forward as legacy districts that are permitted to continue in accordance with prior approvals, but any changes will require rezoning (likely to an appropriate conditional rezoning district)
15-156	More Specific Use Controls	Prioritizes more specific use classifications when applicable, preventing broader interpretations from overriding detailed zoning restrictions.	Delete – unnecessary. The new table of common principal uses should set out the range of use type, which are defined (in the case of offices, they are typically distinguished as low or high intensity based upon specific standards like size, traffic, etc.)
15-157	Residential Uses in Conservation Districts	Limits residential development in conservation districts to caretaker housing or similar essential residential uses.	Delete – unnecessary. The range of allowable principal and secondary use types is addressed in the Table of Common Principal Uses and the Table of Common Secondary Uses in new Chapter 4, Land Uses
15-158	Hazardous Substances in B-5 and WM-3 Districts	Prohibits hazardous substances in B-5 and WM-3 districts, except for certain commercial sales and janitorial uses.	Convert to use-specific standards and apply to specific use types in the Use-Specific Standards portion of new Chapter 4, Land Uses

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-159	Mobile Home Type Structures Prohibited In Business Districts	Bans mobile home-type structures in business districts unless built to state building code standards.	Delete – unnecessary. Address this in the Table of Common Principal Uses
15-160	Outside Display of Goods in B-1(c) and B-1(g), and WM-3 Districts	Allows outdoor display of goods for sale in designated commercial districts, with size limitations based on principal building space.	Carry forward and simplify, where possible. These are secondary uses
15-160.1	Residential Uses in B- 1(c) Districts	Prohibits ground-floor residential uses in B-1(c) districts except for limited affordable housing developments.	- Carry forward requirements for the street-fronting portion of the ground floor be limited to non-residential floor area unless used as affordable housing - Suggest allowing "market rate" residential development in the "back half" of the ground floor provided the entire ground floor is configured in accordance with non-residential building code standards and provided the residential development is accessed via a separate entrance
15-160.2	Permissible Uses in the Historic District (HD)	Limits Historic District zoning to single-family residences for specified residential zoning categories.	Carry forward the HD district as an overlay district to allow the Town to participate in National Register grant opportunities, but do not assign the HD district to any land and do not include a Certificate of Appropriateness procedure
Article XI. Supplemental Use Regulations			
Part I. Non-Residential Performance Standards			
15-161	"Good Neighbor" Performance Standards for Non-Residential Uses	Establishes performance standards for non-residential uses to minimize environmental and quality-of-life impacts on surrounding properties.	Suggest a section on Performance be added as development standards in new Chapter 6, Standards, that addresses odor, vibration, water use, and electrical interference. Establish basic threshold standards beyond which the proposed development must secure a Special Use Permit (even if typically permitted by right)
15-162	Smoke, Dust, Fumes, Vapors, Gases, and Odors	Prohibits emissions of smoke, dust, fumes, gases, and odors beyond property lines that could harm health, animals, vegetation, or neighboring properties.	- Suggest replacement with: no use shall emit odors that are detectable beyond the property line at an intensity exceeding 7 dilution-to-threshold (D/T) when measured with a field olfactometer, or that are detectable for more than 15 minutes in any hour, and that unreasonably interfere with the use and enjoyment of adjacent property.
15-163	Noise	Sets noise limits for business and industrial districts, defining maximum permissible levels by zoning category and time of day.	- **Discuss**. Why applied only to these use types? Why applied in only some zoning districts? Wouldn't these standards be applied to all uses everywhere? The standards need to clarify that the measurement device is properly calibrated and operated by a trained professional. The measurement system appears very complicated - Suggest using decibels rather than Leq microbars - Consider moving these to the Town's basic noise ordinance provisions in the Town Code (enforced by the police)

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-164	Vibration	Restricts ground-transmitted vibrations, limiting perceptible disturbances beyond property boundaries, with specific particle velocity thresholds for industrial districts.	Suggest replacement with: no use shall generate ground-borne vibration that exceeds a peak particle velocity of 0.05 inches per second (in/sec) at or beyond any residential property line, 0.10 in/sec at or beyond any mixed-use or commercial property line, or 0.20 in/sec at or beyond any industrial property line, as measured using calibrated seismographic equipment
15-165	Ground Water Supply	Regulates outdoor storage of hazardous materials, requiring impervious containment to prevent groundwater contamination	Suggest deletion
15-166	Air Pollution	Ensures compliance with state air pollution standards, requiring environmental certification before issuing local permits.	Shift to regulation of smoke or dust under a visible plume and duration standard – avoid regulating pollution – this is a federal function
15-167	Disposal of Liquid Waste	Prohibits improper disposal of liquid waste, requiring compliance with state regulations and OWASA treatment facility restrictions.	Delete – unnecessary
15-168	Water Consumption	Limits excessive water consumption for industrial operations, capping use per employee per day.	Suggest utilizing a SUP requirement for land uses surpassing a general GPD or gallons-per-minute threshold with requirements for a water impact analysis and drought contingency
15-169	Electrical Disturbance or Interference	Bans electrical disturbances that interfere with external equipment or communications.	Suggest removal – the FCC regulates radio frequency and electromagnetic interference provisions
Part II. Miscellaneous Supplementary Use Provisions			
15-172	Neighborhood Utility Facilities	Defines neighborhood utility facility regulations, including size exemptions, noise limitations, and screening requirements.	- Generally, use-specific standards in Part II will be relocated to the use-specific standard portion of Chapter 4, Land Uses - These standards will be sorted by type (principal, secondary, temporary, and relocated to appropriate sections) - Suggest the new UDO categorize utilities as "major" and "minor" that rely on type of facility rather than size or scale, with more significant requirements for major (water treatment, substation, natural gas city gate, etc.). Minor utilities include lift stations, water towers, ground-based transformers, etc.
15-172.1	Community or Regional Utility Facilities	Establishes site requirements for community and regional utility facilities, including parking, screening, and operational restrictions.	Carry forward in use-specific standards, as appropriate
15-173	Horticultural Sales With Outdoor Display	Allows horticultural sales with outdoor displays on small lots without requiring onsite parking in certain cases.	Carry forward, if appropriate. Outdoor display is an accessory use

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-174	Signs on Historic Buildings	Permits preservation of historic signs on buildings in the National Register, overriding standard sign area restrictions.	- Relocate to Signs section in new Chapter 7, Standards - Distinguish between signage and mural/public art
15-175	Special Events	Regulates special events, ensuring noise, litter, and parking impacts are minimized.	- Relocate to Temporary Use standards in new Chapter 4, Land Uses - Review and update special event standards (duration, frequency per lot, special standards, public safety review, etc.)
15-175.1	Density Restrictions on 7.200 Uses	Limits density for specific residential care facilities based on multifamily zoning allowances.	- Delete- suggest treating these uses differently – they do not have density; they have beds or classrooms - Ensure new UDO sets out standards for congregate care use types (CCRC, nursing home, assisted living, etc.)
15-175.2	Recycling Operations	Requires enclosed storage and site maintenance for recycling collection operations.	Carry forward, if appropriate
15-175.3	Seasonal Christmas Tree or Pumpkin Sales	Allows seasonal Christmas tree and pumpkin sales on commercial properties under specific conditions.	Relocate to Temporary Use standards in new Chapter 4, Land Uses
15-175.4	Temporary Homes for Homeless and Overnight Shelters for Homeless	Imposes onsite supervision and behavioral rules for temporary homeless shelters.	If carried forward, supplement with additional rules (including separation standards)
15-175.5	Veterinarian Offices	Mandates soundproofing for veterinarian offices to contain noise from animals.	Carry forward, if appropriate
15-175.6	Temporary Structures and Parking Facilities	Sets temporary structure and parking facility guidelines, limiting duration and requiring site restoration.	- Relocate to Temporary Use standards in new Chapter 4, Land Uses - Address off-street parking requirements in the Parking and Loading Section of new Chapter 7, Standards
15-175.7	Automobile Repair Shop or Body Shop (9.400) Uses	Requires screening, hazardous material management, and vehicle registration for auto repair and body shops.	Carry forward, if appropriate
15-175.8	Access for 8.500 and 8.600 Restaurant Uses in the B-1(g)	Limits restaurant traffic flow in specific business districts to arterial streets.	Explore limits on drive-through uses in new downtown districts and conditional zoning downtown (may not remove this use from B-1(g) if already permitted)
15-175.9	Senior Citizen Residential Complex	Defines density, housing size, and zoning buffer requirements for the Historic Rogers Road District.	Ensure new UDO sets out standards for congregate care use types (CCRC, nursing home, assisted living, etc.)

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-175.10	Flag Lots in the Historic District	Sets minimum frontage and setback requirements for flag lots in historic districts.	If carried forward, relocate with other flag lot standards in new Chapter 5, Measurement
15-175.11	Solar Arrays	Establishes installation, safety, and decommissioning standards for solar array facilities.	- Suggest use of term "Solar Energy Conversion", not solar array - Split level 1 rules and relocate to Accessory Uses section of new Chapter 4, Land Uses - Review Town's current standards for SEC2, 3 and update if appropriate
15-176	Towers and Antennas, and Wireless Facilities including Small and Micro Wireless Facilities	Governs placement, lighting, structural integrity, and zoning compliance for wireless towers and antennas.	- Redraft this section in accordance with all applicable state and federal rules. - Suggest incentives for concealed (stealth) facilities and towers less than 50-feet-tall - Allow collocation, eligible facilities requests, and substantial modifications with zoning permits rather than special use permits (new towers over 50 feet should be located in industrial districts, and established via SUP with a 1:1 setback) - Add standards for small wireless when proposed on land outside street ROWs
15-176.1	Businesses with Drive-In Windows	Restricts drive-in window locations, hours, and vehicle stacking impact for businesses.	- Carry forward by relocate to Secondary Uses section of new Chapter 4, Land Uses - Review policy guidance for removal of drive throughs in downtown and ensure avoidance of downzoning limitations
15-176.2	Village Mixed Use Developments	Sets commercial and residential mix standards for village mixed-use developments.	Suggest converting the VMU to a legacy district or outright abolition of the district; explore relocation of some simple versions of the standards be relocated to other parts of the UDO, where appropriate
15-176.3	Reserved for the Transfer of Development Rights	RESERVED	
15-176.4	Vehicle Sales in the B-1(g) Zoning District	Limits vehicle sales operations based on lot size, location, and outdoor storage requirements.	Carry forward in light of policy guidance, but do not remove these uses as allowable from current district as this is a downzoning
15-176.5	Mobile Prepared Food Vendors	Regulates mobile prepared food vendors on commercial properties, restricting water connections and parking interference.	Carry forward with the secondary use standards, but allow as a temporary use for those landowners who seek a permit (continue to prohibit on street rights-of-way unless part of a properly permitted special event)
15-176.6	Data Service Provider Facilities	Establishes security, screening, noise, and environmental requirements for data service provider facilities.	Rename to data center, carry forward, and review for consistency with best practice
15-176.7	Social Service Provider with Dining	Requires licensing, transit proximity, and queue management for social service providers with dining.	Carry forward

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-176.8	Performing Arts Space	Defines requirements for performing arts spaces, including accessory uses, parking, and noise control.	Carry forward but remove requirements for location on lots with buildings 50 years old or older?
15-176.9	Special Standards for Historic Rogers Road District	Sets residential and commercial building size limits and environmental buffers for the Historic Rogers Road District.	Relocate to the appropriate district-specific section in new Chapter 3, Districts
15-177	Architectural Standards for Subdivisions Containing Four or More Single-Family Detached Residences	Establishes architectural design standards for subdivisions with four or more single-family residences	- These standards can be included in the UDO, but only as guidelines that may be complied with on a voluntary basis via a conditional rezoning application or when an applicant signs a voluntary consent to comply - Relocate the glossary (if retained) to new Chapter 10, Word Usage, and ensure terms do not conflict with other definitions applied to the same terms in separate UDO sections
15-178	Architectural Standards for Downtown Development	Requires transparency, shading, and scale adjustments for downtown development.	- Suggest splitting B-1(c) into two districts for the Downtown area - Additional new districts for the Downtown area should increase development potential or should only be available by owner-initiated request - Clarify that design standards may not be applied to one-family, two-family, triplex, and quadplex uses except through voluntary consent or conditional zoning
15-179	Child Day Care Homes and Child Day Care Facilities	Sets regulations on hours of operation, turn around areas and yards for child day care facilities. Also requires a neighborhood meeting.	- Carry forward and split into principal and secondary uses, as appropriate - Remove current neighborhood information meeting use-specific standard
15-179.1	Day Care Uses Within Village Mixed Use Developments	Contains performance standards for day care located in SFR use areas of a village mixed use development.	Suggest removal of VMU district
15-180	Electronic Gaming Operations	Defines operational hours, spacing, and licensing conditions for electronic gaming establishments.	Suggest adding this use to the list of Prohibited Uses in new Chapter 4, Land Uses
Article XII. Density and Dimensional Regulations			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-181	Minimum Lot Size Requirements	Lists minimum lot sizes by zoning district; includes exceptions for integrated subdivisions and specific overlay districts.	- Consolidate these provisions with other dimensional standards and organize by zoning district rather than by type of standard. Include caveats for conservation subdivisions, existing lots of record, or overlay designation by zoning district - Ensure all included base conventional and conditional zoning districts have standards listed for each type of dimensional requirement - **Address the** R-2 min. lot size requirement that is double the min. lot area/unit - Carry forward the IAS concept with new standards that mandate lot size differentials and only allow uniform lot sizes for all lots in a IAS subdivision subject to SUP approval - Suggest replacing cluster subdivision with a conservation subdivision option that permits smaller lots and reduced setbacks in favor of 50% open space set-asides
15-182	Residential Density	Specifies minimum square footage per dwelling unit by zone; provides exceptions for duplexes, conversions, phased developments, and affordable or single-room occupancy units.	- Suggest retaining min. lot area standard and applying to single-family detached residential. Remove the lot area per unit standard for duplex, triplex, quadplex, single-family attached, and multifamily and use a density per acre standard instead. Allow detached residential on existing lots of record regardless of lot size (setbacks still apply unless varied). Apply max. density figures on existing lots of record and remove need for a second tier of lot size standards on existing lots of record. Remove the 150% lot area standard for ADUs whether internal or detached and just allow by-right as a part of single-family detached residential - Remove caveats for expired approvals - - Apply density requirements instead of lot sizes for SRO units
15-182.1	Residential Density in R-SIR Zoning	Allows R-SIR zones to match R10 density; density bonuses granted for meeting ownership, bedroom, and building-style diversity criteria.	Suggest R-SIR districts be consolidated with R-10 and density bonuses be made available to most/all zoning districts without requiring re-designation to R-SIR or R-SIR-2
15-182.2	Effect off Public Acquisition of Property on Density, Setback, and Height Requirements	Allows dedicated or condemned public land to count toward density calculations; addresses setbacks and height exceptions due to public right-of-way changes.	Suggest carrying forward these provisions with drastic simplification. Public acquisition (whether through eminent domain or owner dedication outside a development application) has no impact on lot area, setbacks, or building heights. Dedication of land as part of meeting the requirements for a development application does not impart the ability to use dedicated land as part of setbacks or required land area
15-182.3	Residential Density of Major Developments in Certain Districts	Establishes density calculations for certain zones with special use permits, using adjusted acreage or yield plans based on utilities and environmental constraints.	- It is no longer authorized to discount unbuildable land from gross allowable density as is called for in this section - Suggest a new approach using abolition of special use permits as an incentive for the provision of affordable housing units or affordable housing fee-in-lieu; consider this strategy for other forms of preferred development such as "middle" housing or desired site features

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-182.4	Residential Density Bonuses for Affordable Housing	Details incentives and conditions for affordable housing units/lots, including density bonuses, size limits, and resale restrictions.	- Carry forward these ideas in a new section on Affordable Housing in new Chapter 7, Standards - Establish the definitions of affordable housing as definitions, not standards **Discuss**. The Town's current goals for 15 percent of new development to include affordable units may merit further discussion. If this percentage is insufficient to reach the Town's goals over the life of Carrboro, then perhaps the percentage should be increased…or, it may be possible to apply differential goals to different areas or use types. In addition, it is important to recognize existing affordable units and ensure these units remain affordable during redevelopment since replacement of existing affordable units could lead to an overall decline in affordability - Suggest removing special use permit requirements for developments that voluntarily provide the threshold number of affordable units of affordable housing fee-in-lieu - Create a menu of options for applicants to utilize in the voluntary provision of affordable housing where the provision of affordable housing entitles an applicant to a range of allowances or incentives from increased allowable densities to reductions of certain other standards in accordance with a codified schedule. Applicants may utilize one or more incentives available based upon the number of affordable units provided - Suggest removal of current ("2 for 1") ratio of market rate housing to affordable units - Carry forward the requirements regarding deed restrictions and protection of a unit's affordability
15-182.5	Residential Density in Planned Unit Developments	Allows density within PUDs' commercial components to be transferred from unused residential density, with limitations on modifications.	Suggest simplifying this by using a conditional zoning district instead of relying on multiple different base zoning districts where density transfer becomes necessary
15-183	Minimum Lot Widths	Establishes minimum lot widths by zone and prohibits variances from setback requirements for lots below certain widths.	- Carry forward with other dimensional standards organized by zoning district rather than topic - Clarify that these are minimum standards, and ensure that all conventional zoning districts identify applicable dimensional standards - Clarify that the minimum lot width is determined at the inside edge of the street setback line - Clarify how lot widths work as part of attached residential (townhouse) development

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-184	Building Setback Requirements	Outlines required setbacks for buildings and signs by zone; includes exceptions for certain structures, features, and overlay districts.	- Relocate dimensional standards to individual zoning district tables in new Chapter 3, Districts - Remove references and requirements applied to signs from this section and relocate to Sign section of new Chapter 7, Standards - Carry forward the provisions pertaining to how setbacks are measured in a Setbacks section of new Chapter 5, Measurement, and supplement with additional illustrations and rules for how encroachments into required setbacks (canopies, fences, stairs, patios, etc.) are addressed - Rename to street setback and consolidate with other dimensional requirements organized by district in new Chapter 3, Districts - Suggest side and rear lot line distances be more clearly identified (currently "minimum distance from lot boundary line") - Use standards, like those for mobile homes, should be included in the use standards portion - Simplify or remove the caveats to the setback standards
15-185	Building Height Limitations	Limits building height by zone; includes exceptions, story-based height bonuses, rooftop feature allowances, and rules for specific overlay districts.	- Relocate height standards to individual zoning district tables in new Chapter 3, Districts - Supplement current standards with foot-based measurements as well as stories (currently only some districts use stories, and these districts do not include footage measurements) - Carry forward the provisions pertaining to how height is determined (as well as exemptions to height such as for mansard roofs) to a new section on Height in new Chapter 5, Measurement, and supplement with additional illustrations - Relocate use standards (like those for structured parking) to the use standards in use-specific standards portion of new Chapter 4, Land Uses, and clarify height determination provisions - The provisions in 15-185(b) are difficult to understand and exemptions to height should be relocated to provisions in Chapter 5, Measurement - Remove and unify current techniques for determining building heights for single-family detached dwellings versus other buildings

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-185.1	Downtown Neighborhood Protection Overlay District Requirements	Restricts building size, height, and placement in buffer zones near residential properties; sets conditions for height-based permit requirements.	- **Discuss**. Does the DNP buffer area restrict development potential within the downtown, and is that consistent with the City's efforts to increase densities in downtown? - **Discuss**. There are some lands zoned B-1 that could be subject to any one of THREE different sets of dimensional standards based upon their location. This is an example of how the current code is overly complicated. Downtown is the area where the Town wants to encourage density, mixed-use, and affordable housing, but is subject to a myriad of different rules and limitations that generally seek to limit development potential. The ability to have taller or more dense buildings seems constrained - Suggest abolition of this overlay, but if retained, relocate this material to the Overlay districts portion of new Chapter 3, Districts
15-185.2	Llyod / Broad Overlay District Requirements	Sets height, size, setback, and parking requirements; limits occupancy and discourages front yard parking in the overlay district.	Relocate this material to the Overlay Districts section of new Chapter 3, Districts
15-186	Cluster Subdivisions	Allows reduced lot sizes in exchange for usable open space, preserving overall density and requiring compliance with setback and open space standards.	- Suggest replacing the cluster subdivision concept with a conservation subdivision procedure and new standards - Carry forward the AIS concept but with true requirements for lot size mixing
15-187	Architecturally Integrated Subdivisions	Permits flexibility in lot size and setbacks if development meets density limits and sets aside land as open space.	Carry forward the AIS concept but revise to require new AIS subdivisions to include true lot size differential requirements (and resulting higher density yields)
15-188	Restrictions Designed to Mandate the Construction of Some Smaller New Homes for Sale	Mandates a percentage of units in large subdivisions be size-limited to increase housing affordability and diversity.	Suggest AIS approach be revised to mandate differential lot sizes
Grey rows at the end of each article identify additional suggested revisions or other potential changes that are not in the current LDO, but we suggest be considered as part of the new UDO. The Annotated Outline prepared in Task 4 will go into more detail on each of these additional suggested revisions. a. There are several districts that appear to be missing some or all dimensional standards (RSIR-2, OR-MU, PF, VMU, FLX) – ensure all districts have dimensional standards listed b. Suggest adding several new dimensional standards, including maximum lot coverage, setbacks between buildings on the same lot, perimeter setbacks for unified developments, and setbacks for accessory structures c. Rely on table notes rather than outside subsections for dimensional standards caveats (to ensure all standards are read) d. Add illustrated rules of measurement in a different chapter to help readers understand encroachments and how numbers are derived			
Article XIII. Recreational Facilities and Open Space			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-196	Active Recreational Areas and Facilities Required	Residential developments must provide recreational areas and facilities, measured in recreation points, based on the type and cost of facilities.	- Suggest simplifying this section. All developments (including non-residential) should provide open space, but that provision can simply be a percentage of the development site - Establish 3 kinds of open space: active, passive, and gathering, and apply the requirement for which based on use type or location - Limit active open space requirements to residential development, and identify the range of features that can or cannot be credited towards active open space standards (remove threshold requirements for certain types of features – public play equipment is the Town's responsibility, not private development's) - Credit greenways and parkland dedication towards active and passive open space requirements - Credit LID, GSI, landscaping, and tree retention areas towards passive open space requirements Downtown and urban areas should be subject to gathering space requirements – seating, outdoor dining, plazas, roof gardens, public art, etc. - Unbuildable areas should be credited towards passive open space, but do not pass muster for required active or gathering spaces - Utilize a fee-in-lieu system to help create a revenue stream for the Town to provide recreation facilities in already-developed-but-underserved areas - Exempt residential developments without an HOA or of less than 10 units from providing open space (but these could still contribute fee-in-lieu)
15-197	Exception to Recreational Facilities and Open Space Requirements	Exceptions to recreational facilities and open space requirements for subdivisions without substantial improvements or reconstruction of pre-existing units.	Carry forward
15-198	Open Space	Residential developments must preserve open space for environmental, recreational, and aesthetic benefits, with specific criteria for primary and secondary conservation areas.	Carry forward, but abolish use of "primary" and "secondary" conservation areas in favor of active, passive, and gathering space standards - Consider reducing the current 40% open space requirements applied in downtown - Suggest the decision about the form of open active space be left up to the applicant – some developments are age restricted and this play space would be underutilized - Suggest limiting the ability to remove existing trees in required passive open space set-aside areas

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-199	Ownership and Maintenance of Recreational Facilities and Open Space Not Dedicated to the Town	Recreational facilities and open space not dedicated to the town must be maintained by the developer or homeowners' association.	- Carry forward. Clarify when open space ownership transfers from developer to HOA (if HOA is formed) - Clarify that some forms of passive open space may be transferred to a public entity for ownership and maintenance
15-200	Dedication of Open Space	REPEALED	
15-201	Homeowners' Association	Homeowners' associations must be established to maintain common areas, with authority to collect contributions and establish a capital fund.	- Relocate these standards to an Owners' Association section of new Chapter 7, Standards - Clarify what features the HOA are responsible for maintaining (including community stormwater, cluster mailboxes, etc.) - Clarify formation and membership is required - Establish the process for creation, including Town attorney review (but not approval) of formation documents - Identify required documentation- Clarify timing of mandatory turnover from developer
15-202	Flexibility in Administration Authorized	Permit issuing authority can allow minor deviations from recreational and open space standards if objectives are met without strict adherence.	Carry forward, but limit deviation to that permitted under administrative adjustments, alternative plans, conditional rezoning, or variances
15-203	Fees in Lieu of Active Recreational Areas and Facilities or Useable Open Space	Developers may pay fees in lieu of providing recreational facilities or open space if town property can adequately meet residents' needs.	- Carry forward ability to provide fee-in-lieu for both public parkland and private common open space - Establish a new Fee-in-Lieu procedure in new Chapter 2, Applications - Fee-in-lieu amounts are based on assessed value of land prior to development instead of based on points or potential features to be provided - Ensure procedure is clear that fee-in-lieu amounts are prepared by or vetted by appraisal experts - Clarify fee-in-lieu must be paid prior to final plat approval or prior to issuance of certificate of occupancy, as appropriate
15-204	Downtown Livability Area and Urban Amenities Provisions	Downtown developments must include livability areas and urban amenities to enhance pedestrian experience, reduce stormwater runoff, and provide social gathering spaces.	- Suggest using these standards as the basis for gathering space requirements associated with open space standards - All use types (not just residential) are subject to gathering area standards - Remove any dollar amount standards
15-205	Fees in Lieu of Downtown Livability Area and Urban Amenities	Fees in lieu of downtown livability areas and urban amenities are allowed if town property can meet objectives.	Carry forward with other fee-in-lieu provisions and recognize that there may be instances where the Town would mandate a fee-in-lieu rather than provision of the feature

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§	Title	Description	Implementation Ideas in New UDO
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15-206	Ownership and Maintenance of Downtown Livability Areas and Urban Amenities.	Downtown livability areas and urban amenities must be maintained by the developer or property owners' association.	Delete and address other previous owners' association provisions
Article XIV. Streets and Sidewalks			
15-209	Council Findings and Declaration of Policy for Complete Streets	Complete Streets policy promotes safe, accessible travel for all modes, enhancing safety, health, connectivity, and reducing carbon emissions through multimodal infrastructure and vehicle electrification.	- Carry forward as Purpose and Intent language in Streets section of new Chapter 8, Utilities and Infrastructure - Relocate technical standards pertaining to streets and street-related infrastructure to an outside manual that is only referenced by the new UDO
15-210	Street Classification	Streets in new subdivisions are classified based on projected traffic volume and dwelling units served, including minor, local, cul-de-sac, subcollector, collector, arterial, marginal access, loop, and alley streets.	Relocate technical standards pertaining to streets and street-related infrastructure to an outside manual that is only referenced by the new UDO
15-211	Access to Public Streets in General	Every lot must have sufficient access for emergency vehicles and intended use, ensuring ingress and egress.	Carry forward in new Access and Driveways section of new Chapter 8, Utilities and Infrastructure, and consolidate with standards for driveways by use type, configuration, and new provisions for shared driveways serving residential uses
15-212	Access to Arterial Street	Major subdivisions bordering arterial streets cannot have direct driveway access to maintain traffic flow and safety.	- Suggest revising these standards to clarify that driveway permits are required for access, that single-family residential lots should not have direct access to arterial streets (unless no other option is available) - Revise the current blanket access limitation as it prevents multi-family, mixed-use, and nonresidential from accessing arterial streets
15-213	Entrances to Streets	Driveway entrances must ensure safety, minimize traffic interference, and comply with specific standards and permits.	- Carry forward with other material intended for the Access and Circulation section of new Chapter 8 Utilities and Infrastructure - Relocate relevant material from current Appendix B to this section - Supplement with details regarding driveway apron and drainage requirements

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-214	Coordination with Surrounding Streets	Subdivision streets must coordinate with surrounding streets for safe, convenient traffic flow, including temporary turnarounds if necessary.	- Carry this material forward with the other street-related provisions in new Streets Section in new Chapter 8, Utilities and Infrastructure - Suggest supplementing this material with a new street connectivity index approach that establishes minimum street connectivity options that heavily favor connections to existing streets - Add standards requiring continuation of all existing or planned arterial and collector streets, but apply the connectivity index standards to local streets along with standards for pedestrian connections if vehicular connections between neighborhoods are not made (or made via emergency-only accessways) - Supplement street stub material with new provisions for fee-in-lieu and easement dedication in cases where adjoining landowner will not permit encroachment to complete the street stub - Suggest adding maximum unit counts for cul-de-sac streets (including nested cul-de-sacs) - Supplement with new minimum number of vehicular access points for residential and non-residential developments based on # of proposed units or non-residential square footage
15-215	Relationship of Streets to Topography	Streets should align with topography to facilitate drainage and stormwater runoff, adhering to maximum grade requirements.	Cross-reference technical standards in outside documents, but permit the Planning director to deviate from standards in accordance with allowable procedures

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-216	Street Width, Sidewalk, and Drainage Requirements in Subdivisions	Street width, sidewalk, and drainage requirements vary based on street type and grade, with specific standards for curb and gutter construction.	- Carry forward, but divide this material into standards applied to streets, standards applied to sidewalks, and provisions applied to curb and gutter in appropriate sections in new Chapter 8, Utilities and Infrastructure - Relocate material related to sidewalks to new Pedestrian Access section of new Chapter 8, Utilities and Infrastructure (which addresses sidewalks, greenways, trails, and on-site pedestrian circulation) - Address allowable deviations in a more comprehensive way, including the process to be used to seek deviation (and recognize that the Town may mandate a deviation or require a fee-in-lieu), and what standards may be relaxed in pursuit of preferred forms of development (LID, affordable housing, etc.) - Suggest the UDO require bicycle and pedestrian infrastructure on all streets, but allow deviations for topography and sidepaths (consolidated bikeways/walking paths outside ROW) - New sidewalk standards should go into greater detail about where sidewalks are required, how the street side is determined when only required on one street side, and more detail on fee-in-lieu or when an alternative like a trail or greenway can be credited towards sidewalk standards - Carry forward brick edging standards on sidewalks in downtown district(s) - Update sidewalk standards in accordance with Sidewalk Plan
15-216.1	Street Widths, Sidewalk and Drainage Requirements in Certain Developments.	Alternative street standards for certain developments to preserve natural systems, manage stormwater, and include affordable housing.	- Address allowable deviations in a more comprehensive way, including the process to be used to seek deviation (and recognize that the Town may mandate a deviation or require a fee-in-lieu), or what standards may be relaxed in pursuit of preferred forms of development (LID, affordable housing, etc.)
15-217	General Layout of Streets	Streets should be interconnected; cul-de-sacs are limited to specific conditions, ensuring safe and convenient traffic turnaround.	- Suggest use of a street connectivity index which disincentivizes cul-de-sacs, but does allow them provided cul-de-sac bulbs include pedestrian connections - Ensure cul-de-sac standards are consistent with current NC Fire Code - Suggest traffic calming features be provided in accordance with outside manual requirements/standards
15-218	Street Intersections	Streets must intersect at right angles; specific distance requirements for intersections to ensure safety.	Carry forward with other street material and supplement with illustrations
15-219	Construction Standards and Specifications	Construction standards for streets, sidewalks, and curbs are detailed in Appendix C, ensuring compliance with design specifications.	- Street specifications should not be an appendix to the UDO – having these standards as an appendix opens them to deviation during the development process, and requires a public hearing every time they are amended. Suggest relocating to an outside document

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-220	Public Streets and Private Roads in Subdivisions	Subdivisions must have public street access; private roads allowed under specific conditions, including maintenance responsibilities and disclosure requirements.	- Remove requirement for all lots to abut a public street, this prevents maximization of available land, prevents development of deep lots of record, and can complicate infill - Allow private roads where appropriate, provided they comply with public street standards - Supplement new Lot Access provisions with shared driveway provisions that allow up to four dwelling units on their own lots to share a driveway (necessary to accommodate limited or "expedited" subdivisions) – access by more than 4 units requires configuration as a street (whether or public or private) - Relocate private street declaration provisions to the new Chapter 11, Appendix with other plat certification and declaration statements - Suggest the Town treat private streets the same as public streets with respect to allowance for and provision of sidewalks and bicycle facilities
15-220.1	Design Standards for Village Mixed Use Developments	Village mixed-use developments may follow NCDOT Traditional Neighborhood Development guidelines, superseding related street design standards.	Suggest legacy designation or removal of VMU district
15-221	Road and Sidewalk Requirements in Unsubdivided Developments	Private roads in unsubdivided developments must ensure safe, convenient traffic movement, linking dwelling units with public streets and onsite activity centers.	Ensure the Streets portion of new Chapter 8, Utilities and Infrastructure include requirements for private streets, which should be treated the same as public streets in terms of configuration and location
15-222	Attention to Handicapped in Street and Sidewalk Construction	Curb and gutter construction must include wheelchair ramps for accessibility, adhering to NCDOT standards.	Carry forward with other provisions in Pedestrian Access section of new Chapter 8, Utilities and Infrastructure
15-223	Stret Names and House Numbers	Street names and house numbers must avoid duplication and follow specific suffix guidelines, ensuring clear identification.	- Carry forward with other street standards in new Chapter 8, Utilities and Infrastructure - Supplement subdivision standards in Subdivision Design section of new Chapter 7, Standards, to avoid name duplication/confusion
15-224	Bridges	Bridges must meet NCDOT standards; private road bridges need licensed design for safety and compliance.	Carry forward wit other infrastructure standards and supplement with additional details for dams
15-225	Utilities	Utilities in public rights-of-way must conform to Article XV requirements, ensuring proper installation and maintenance.	Relocate this material into the appropriate locations in new Chapter 8, Utilities & Infrastructure

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15-226	Road Standards in the University Lake Watershed	Roads in the University Lake Watershed cannot have curb and gutter to protect the watershed environment.	Carry forward in the Overlay Districts section of new Chapter 3, Districts (with a cross reference in the Curb and Gutter section of new Chapter 8, Utilities and Infrastructure)
Article XV. Water and Wastewater, Outdoor Lighting and Miscellaneous Utilities			
Part I. Water and Wastewater			
15-236	Utility Ownership and Easement Rights	Developers must transfer ownership or easement rights for utilities to the respective public utility or entity for operation and maintenance.	Carry forward in the Easements section of new Chapter 8, Utilities & Infrastructure
15-237	Lots Served by OWASA-Owned Water and Sewer Lines	Lots must connect to OWASA water/sewer lines if within specified distance, unless legally impossible or impractical.	- Carry forward these provisions but increase the minimum connection distances to around 1,000 linear feet based on number of units or acreage - Suggest utility provisions be organized in potable water, sanitary sewer, and any other relevant section under the Potable Water section of new Chapter 8, Utilities & Infrastructure - Carry forward limits for individual water or sewer service lines to cross lot lines - Supplement with basic requirements when lots can not be served by public water supply systems (also consider mandatory pre-aps for minor subdivisions using on-site water to ensure proper soil scientist preliminary reports before the lots are approved)
15-238	Sewage Disposal Facilities Required	Principal uses and lots in subdivisions must have adequate sewage disposal systems complying with health regulations	- Carry forward in wastewater section of new Chapter 8, Utilities & Infrastructure - Update current language regarding Orange County Health Department approval of on-site wastewater – this is no longer required prior to subdivision approval – ensure a soil scientist preliminary report is filed with any application for subdivision of land with on-site wastewater service - Supplement these standards with minimum connection distances of around 1,000 linear feet based on the number of units or acreage
15-239	Determining Compliance with Section 15-238	Compliance with sewage disposal standards is determined by relevant agencies, depending on the type of development and system.	- Carry forward and revise in accordance with any policy changes (the Town will need to specify if policy guidance has changed) - Reorganize to locate this material with other wastewater provisions
15-240	Water Supply Required	Principal uses and lots in subdivisions must have adequate water supply systems complying with health regulations.	Reorganize to locate this material with other potable water service provisions

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15-241	Determining Compliance with Section 15-240	Compliance with water supply standards is determined by relevant agencies, depending on the type of development and system.	- Carry forward and revise in accordance with any policy changes (the Town will need to specify if policy guidance has changed) - Reorganize to locate this material with other potable water service provisions
Part II. Outdoor Lighting			
15-242	Purpose and Intent	Outdoor lighting should enhance safety, security, and productivity while minimizing glare, light trespass, and energy waste.	- Relocate to the Exterior Lighting section in new Chapter 7, Standards - Suggest supplementing with additional detail about avoiding light trespass - Suggest adding dark sky requirements for new multi-family, mixed-use, and non-residential development
15-242.1	Definitions	Definitions for terms related to outdoor lighting, including direct light, fixture, floodlight, footcandle, full cut-off luminaries, and more.	Relocate to Terms defined Section of new Chapter 10, Word Usage
15-242.2	Applicability	Applicability of outdoor lighting provisions to new developments, with exceptions for specific lighting types and situations.	- Carry forward with more detail on the kinds of exterior lighting subject to these standards - Consider supplementing with standards on prohibited lighting
15-242.3	Minimum Lighting Requirements for Security	Minimum lighting requirements for security in streets, sidewalks, common areas, and building entrances/exits.	Suggest relocating to purpose statements as these standards are very vague – if there are to be minimum requirements, suggest standards specify minimum illumination levels on lots, streetlight spacing along roadways, and uniformity ratios in parking lots
15-242.4	Subdivisions	Street lighting requirements for subdivisions, including coordination with utility companies and installation responsibilities.	- Carry forward, but clarify exactly what the applicable standards for street lighting are – Apply streetlighting standards to private streets

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15-142.5	General Standards	General standards for outdoor lighting, including light level limits, shielding, fixture height, and specific requirements for different zoning districts.	- 0.2 FC thresholds at lot lines are very low. The Town might consider applying a tiered maximum footcandle at lot line limit that differs based on adjoining zoning district designations - Supplement provisions with a summary table that sets out maximum illumination values at lot lines - Continue to apply exterior lighting maximum standards to single-family homes - Suggest shielding standards be applied uniformly based on use type or district rather than lumen count; also suggest moving away from maximum lumen values per lot towards footcandle at lot line limits and uniformity ratios across the site - Suggest more clarity on light standard height. Standards should address maximum heights in parking lots - Suggest parking lot lighting standards include provisions preventing trees in landscaping island that include lighting - Avoid standards that permit deviations in light height on a case-by-case basis in favor of uniform standards (most lights follow uniform heights based on provider) - Suggest additional detail about wall packs (height, shielding, etc.)
15-242.6	Vehicular Canopies	Lighting standards for vehicular canopies, including maximum light levels and acceptable fixture types.	- Carry forward and supplement with illustrations - Add additional detail to the requirements to revert lighting to security lighting after closing for sake of clarity
15-242.7	Outdoor Display Areas	Lighting standards for outdoor display areas, ensuring fully shielded luminaires and minimal glare.	Carry forward with the standards for outdoor display areas in the accessory use provisions in new Chapter 4, Land Uses (with a cross reference in the lighting section)
15-242.8	Outdoor Sports Fields and Performance Areas	Lighting regulations for outdoor sports fields and performance areas, including fixture height, glare control, and operating hours.	- Carry forward and do not exempt these uses from compliance with lighting standards; explore glare controls and limits on illumination after hours
15-242.9	Prohibited Uses of Light	Prohibited uses of light, including laser source lights, searchlights for advertising, and mercury vapor luminaires.	- Carry forward with applicability/exemption provisions - Add limits on use of LED strips around doors or windows - Clarify where and how neon lighting is permitted
15-242.10	Light Measurement Techniques	Methods for measuring light levels, ensuring accuracy and compliance with approved light plans.	Carry forward with clarification that the staff member operating the measurement equipment has been properly certified in its use
Part III. Miscellaneous Utilities			
15-244	Electric Power	Principal uses and lots in subdivisions must have adequate electric power sources, with certification from utility companies if necessary.	Carry forward in Electricity section of new Chapter 8, Utilities & Infrastructure

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-245	Telephone Service	Principal uses and lots in subdivisions must have adequate telephone service, with certification from utility companies if necessary.	Carry forward
15-246	Underground Utilities	All utilities in new subdivisions must be placed underground, with specific exceptions for existing above-ground lines.	Carry forward, but clarify that these standards only apply to new services extended to serve the new development – the Town may not require applicant to bury existing services (except through negotiated conditions of approval)
15-247	Utilities to be Consistent with Internal and External Development	Utility facilities must be constructed to allow for future extensions and minimize interference with traffic and maintenance.	Carry forward
15-248	As-Built Drawings Required	Developers must provide as-built drawings of utility lines installed in public rights-of-way, certified by the utility company.	Carry forward with Site Plan and Final Plat procedures in new Chapter 2, Applications
15-249	Fire Hydrants	Developments served by public water systems must include fire hydrants, with specific location and maintenance requirements.	Carry forward in the Fire Protection section of new Chapter 8, Utilities & Infrastructure
15-250	Screening of Dumpsters	Developments requiring dumpsters must provide screened sites that facilitate collection and minimize negative impacts.	- Relocate to Refuse Collection section of new Chapter 7, Standards - Supplement with additional detail regarding dumpster enclosure placement and screening of all refuse and recycling dumpsters not found within a building - Supplement with additional detail regarding gates and facilities to prevent windblown refuse - Supplement with additional standards regarding paving details
Article XVI. Flood Damage Prevention, Stormwater Management, and Watershed Protection			
Part I. Flood Damage Prevention			
15-251	Purpose and Objective	Establishes flood prevention measures to protect health, safety, and property, aiming to minimize erosion, flood damage, and disruption through regulated land use and structural requirements.	- Review for conformity with most current 2026 non-coastal State model ordinance - Carry forward with other flood damage standards in a new Flood Hazard Prevention Overlay (FPO) district in the Overlay Districts section of new Chapter 3, Districts
15-251.1	Definitions	Defines key flood-related terms, including floodplain management regulations, special flood hazard areas, floodproofing, and development activities affecting water flow and elevation.	- Relocate and consolidate with other definitions in Defined Terms section of new Chapter 10, Word Usage - Clarify when these terms are used solely for purposes of the flood damage prevention standards versus when they are used in other parts of the ordinance

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15-251.2	General Provisions	Applies flood protection regulations to all designated flood hazard areas, ensuring development is restricted unless properly permitted and in compliance with applicable laws.	- Carry forward in new Applicability portion of FHO overlay standards in new Chapter 3, Districts - Relocate section (g) to the Enforcement of Flood Damage Prevention Rules section of new Chapter 9, Violations, and include cross reference in the FHO overlay district section
15-251.3	Application Requirements	Specifies documentation required for development permits in flood-prone areas, including site plans, elevation data, floodproofing measures, and impact assessments.	- Relocate this material to a new Floodplain Development Permit procedure in the Specific Applications section of new Chapter 2, Applications - Incorporate relevant material from current Appendix A to this procedure - Relocate plan-related submittal requirements to the Plan/Plat Submittal Requirements section of new Chapter 11, Appendix
15-251.4	Permit Requirements	Outlines permit requirements for floodplain development, detailing elevation standards, flood protection measures, and necessary certifications.	Relocate plan-related submittal requirements to the Plan/Plat Submittal Requirements section of new Chapter 11, Appendix
15-251.5	Certification Requirements	Establishes certification standards for flood elevation and proofing, requiring engineer verification, permits, and as-built evaluations prior to occupancy.	Consolidate with other Floodplain Development Permit Procedure material in Specific Applications section of new Chapter 2, Applications
15-251.6	Duties and Responsibilities of the Administrator	Defines administrative responsibilities, including permit enforcement, compliance monitoring, inspections, and floodplain boundary interpretations.	- Relocate to Town Staff portion of Review Authorities section in new Chapter 2, Applications - Clarify if there is another Town staff position that also serves as the Floodplain Administrator
15-251.7	Variance Procedures	Allows variances from flood restrictions to be granted by the board of adjustment in specific circumstances.	Address variances to flood damage prevention standards with other water-related variance provisions (stormwater, WSW, etc.) in the Variance procedure in the Specific Applications section of new Chapter 2, Applications
15.251.8	General Standards for Flood Hazard Reductions	Mandates flood hazard reduction standards for new construction, ensuring structures are adequately anchored and built with flood-resistant materials.	- Conform to current State model, where appropriate - Relocate to the FHO overlay district portion of the Overlay Districts section of new Chapter 3, Districts

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-251.9	Specific Standards for Flood Hazard Reductions	Details flood protection requirements for residential and commercial developments, manufactured homes, tanks, and elevated buildings within hazard areas.	- Relocate to the FHO overlay district portion of the Overlay Districts section of new Chapter 3, Districts - Ensure the various accessory structure requirements (including tanks) are cross referenced in the Accessory Uses section of new Chapter 4, Land Uses - Relocate the fence and wall provisions in section (k1) to the Fences and Wall section of new Chapter 7, Standards and include a cross reference is included with the flood damage prevention standards - Ensure the sidewalk standards are cross referenced in the Pedestrian Circulation section of new Chapter 8, Utilities and Infrastructure - Ensure the driveway standards are cross referenced in the Access and Circulation section of new Chapter 8, Utilities and Infrastructure - Ensure the street standards are cross referenced in the Streets section of new Chapter 8, Utilities & Infrastructure
15-251.10	Floodways and Non-Encroachment Areas	Restricts development in floodways and non-encroachment areas unless proven not to impact base flood levels, requiring hydrological analysis and FEMA approval.	- Relocate to the FHO overlay district portion of the Overlay Districts section of new Chapter 3, Districts - Conform to 2026 model ordinance, but give Town staff authority to require a flood study to be completed
15-251.11	Special Provisions for Subdivisions	Requires subdivisions in flood-prone areas to account for flood restrictions, preventing creation of lots unsuitable for development due to flooding risks.	- Relocate to the Subdivision Design Standards section of new Chapter 7, Standards and ensure these provisions are cross-referenced in the FHO provisions - Address Final Plat declaration language in the Certifications and Declarations section of new Chapter 11, Appendix
Part II. Stormwater Management			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-261	Natural Drainage System Utilized to Extent Feasible	Encourages development to conform to natural drainage contours, preserving existing waterways, ponds, and wetland areas wherever feasible.	- Relocate and reorganize the stormwater standards into their own Stormwater section in new Chapter 7, Standards - Enhance this material as Purpose and Intent, and supplement with findings and authority details; aspects of this section that serve as standards should be relocated to the Standards portion of these provisions - **Discuss**. This section lacks many of the typical provisions found in modern stormwater standards. Suggest this part be revised in accordance with best practices used in similar communities. For example, is there a Stormwater Administrator, where is the Stormwater Permit, how are variances handled, where are the enforcement rules, etc. Additional discussion is necessary regarding whether the Town is a delegated authority, and the various aspects to be addressed by the standards - **Discuss**. Does the Town have its own Stormwater Design Manual, or does it use the State's? The current standards reference a manual in Appendix A, but there is no manual (the Manual should NOT be included in the UDO, but should be standalone) - **Discuss**. It is unclear if and how the Town is addressing sedimentation and erosion control – current Section 15-264 includes some provisions, but is lacking in detail – many local governments address these standards in their own section - Suggest new standards include sections on Authority, Purpose & Intent, Applicability/Exemptions, References to the applicable Design Manual, References to applicable procedures (Stormwater Permit, Variances Appeals, etc.), Standards, Maintenance (of SCMs), and cross references to enforcement
15-262	Development Must Drain Properly	Requires development to prevent water retention, ensuring proper stormwater drainage through constructed facilities without directing runoff into sanitary sewers.	- Revise into a more clearly-defined set of Applicability and Exemption provisions - Clarify the parameters for inclusion of stormwater control measures (e.g., disturbance of more than 1 acre, impervious surfaces over threshold percentage of lot, etc.) - Relocate standards to new section on Stormwater in new Chapter 7, Standards
15-263	Measurement of Stormwater	Establishes stormwater management requirements based on impervious surface area, mandating systems to filter pollutants and control runoff volume.	- Revise into a more clearly defined set of standards - Suggest organizing into standards applied to nutrient-sensitive waters (WSW), standards applied to control of runoff (quantity), standards applied to the treatment of runoff (quality), standards for stormwater control measures, etc. - Explore the suggestion for a new 5,000 sf net impervious surface area trigger for inclusion of stormwater control measures
15-263.1	Maintenance of Structural BMP's	Requires maintenance and periodic inspection of structural stormwater management devices to ensure continued effectiveness.	Carry forward in a new section on construction, completion, dedication, and maintenance standards for SCMs

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-264	Sedimentation and Erosion Control	Mandates compliance with erosion and sedimentation control measures before approving development permits, ensuring land disturbance does not contribute to environmental degradation.	- Suggest this material be relocated to its on section in new Chapter 8, Utilities & Infrastructure - Suggest this section include new provisions on purpose and intent, applicability, erosion control plans, basic control objectives, design and performance standards, inspections, maintenance, and cross references to violations
15-265		REPEALED	
15-266	Impervious Surface Limitations	Sets impervious surface limitations to mitigate runoff effects in various zoning districts, with stricter requirements for sensitive watershed areas.	-**Discuss**. This material is very detailed and appears to be the subject of considerable thought and discussion, and yet, it is not located within the water supply watershed provisions (which is where it appears to belong)- why is this material here, how does it relate to or exceed the scope of the other water supply watershed standards, and how might this material be further simplified? Relocate this material to either the Water Supply Watershed overlay standards in new Overlay district portion of new Chapter 3 Districts, or to the B-5 and WM-3 district standards in the same chapter - **Discuss**. What is the origin and purpose for the table in subsection (b)? This material appears quite detailed, yet is vague as to purpose and intent
15-267	Additional Development Standards within C and WR Districts	Requires buildable areas to be designated on subdivision plats in certain zoning districts to prevent stormwater conflicts and erosion risks.	- **Discuss**. What is "assimilative capacity", what are the associated standards, how is compliance determined, and how are deviations from this requirement addressed? - **Discuss**. Should these standards be carried forward? There are rules, and then a means for the Zoning Administrator to waive them with no criteria. If they are to be carried forward, need to provide more detail and relocate to the appropriate district-specific provisions in new chapter 3, Districts
Part III. Water Quality Buffers			
15-269	Findings, Purpose, and Applicability	Establishes the purpose of water quality buffers, highlighting their role in filtering pollutants, preventing erosion, and protecting aquatic ecosystems.	- If the Town does decide to include riparian buffers in the UDO, carry forward these standards in a Riparian Buffers section of new Chapter 7, Standards - Clarify the locations where the riparian buffer standards are applied, and what actions are exempted
15-269.1	Definitions	Defines key terms related to water quality buffers, including different types of streams, wetlands, stormwater management practices, and buffer zones.	- Relocate to the Terms Defined section of new Chapter 10, Word Usage - Clarify when these terms are used solely for purposes of the riparian buffer standards versus when they are used in other parts of the ordinance

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-269.2	Required Buffers	Requires protective buffers adjacent to designated surface waters and outlines methods for determining appropriate buffer areas.	Carry forward in standards portion
15.269.3	Width of Buffer	Specifies required buffer widths based on waterbody type and location, ensuring adequate protection for streams, ponds, lakes, and reservoirs.	Carry forward with other standards and supplement with diagram
15-269.4	Diffuse Flow Requirements	Establishes diffuse flow requirements to prevent concentrated stormwater runoff from eroding buffer zones.	Carry forward with other standards
15-269.5	Exempt and Allowable Activities	Lists exempt and allowable activities within buffer areas, including utility crossings, road construction, stormwater controls, and vegetation management.	- Carry forward with other standards - Conform consistency with most recent NCAC requirements
15-269.6	Determination of "No Practical Alternatives"	Provides criteria for determining whether buffer disturbances are necessary, ensuring that alternatives are considered before allowing impacts.	- Carry forward, but discuss if this process should be renamed and included with the other application procedures in Chapter 2, Applications
15-269.7	Mitigation for Water Quality Buffers	Establishes mitigation requirements for buffer impacts, including restoration, enhancement, and offset payments to water quality funds.	Carry forward in new section on mitigation for disturbance
15-269.8	Permits and Enforcement of Buffer Requirements	Outlines permitting and enforcement for buffer protection, ensuring compliance with development regulations.	Relocate and clarify enforcement provisions in new Chapter 9, Violations, and include an cross reference with these standards
Article XVII. Signs			
15-270	Definitions	Defines signs, including freestanding, off-premises, sandwich board, and temporary signs. Clarifies sign characteristics, placement, and illumination exceptions.	- Relocate sign-related definitions to Terms Defined section of new Chapter 10, Word Usage - Relocate sign definitions to the new summary table on individual sign standards in the Signs section of new Chapter 7, Standards

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-271	Permit Required for Signs	Establishes sign permit requirements. Details approval processes for zoning and special use permits. Allows master sign plans for multi-tenant developments, regulating sign surface area allocation.	- Carry forward with Sign Permit procedure in new Chapter 2, Applications (include cross reference here) - Suggest requiring master sign plans for unified developments and developments with two or more principal structures. Suggest the review authority deciding the related development application also decide the MSP request - Allow an applicant to seek deviations from the dimensional provisions in the sign standards via an Administrative Adjustment, Alternative Plan, Conditional Rezoning, Development Agreement, or Variance - Remove content-based standards for hotels/motels - Relocate the signage standards for secondary uses to the section on secondary uses - Suggest current dependence on street type as a method for applying sign standards be carried forward for monument (and possible pole) signs, but reduced in its impact on other types of signage, particularly pedestrian-oriented signage
15-272	Signs Excluded from Regulation	Lists exempt signs such as residential, governmental, nonprofit, utility, window displays, and noncommercial notices. Includes conditions on exemption limits, illumination, placement, and signage material.	- Suggest a new section clarifying exemptions and distinguish between signs subject to the standards but exempted from Sign Permits - Remove content-based provisions (like "noncommercial, residential use, commercial promotion, bear no advertising, non-commercial messages, for sale, for rent", etc.) and explain why these provisions are removed/minimized - Rely on Statutes for the regulation of political signs - Suggest simplifying the window sign standards (such as limiting total coverage to 30% of a window)
15-273	Certain Temporary Signs" Permit Exemptions and Additional Regulations	Defines temporary signs exempt from permits, including real estate, construction site, holiday, campaign, and event signage. Specifies size, duration, removal timelines, and usage limits.	- Suggest requiring either a sign permit or a temporary use permit for temporary sign that is not listed as exempted altogether - Add a temporary sign to the individual sign types table - Relocate exempt signs (like holiday displays) to the section on exempt signs - Remove the content-based standards in this section
15-274	Determining the Number of Signs	Establishes rules for counting signs. Differentiates between individual and grouped signage, and multi-sided displays.	Relocate to Signs section of new Chapter 5, Measurement, with a cross reference in the sign-related provisions in new Chapter 7, Standards
15-275	Computation of Sign Area	Specifies measurement rules, including enclosing sign elements, window coverage, multi-sided signs, signage orientation, and proportional reductions based on distance from streets.	- Relocate to Signs section of new Chapter 5, Measurement - Supplement with illustrations

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-276	Total Sign Surface Area	Sets maximum sign area by zoning type, street frontage, subdivision allowances, and wall-mounted signs. Defines adjustments for multi-frontage lots.	- Relocate to Signs section of new Chapter 5, Measurement - Supplement with illustrations - Suggest moving away from the "total sign surface area" concept
15-277	Freestanding Sign Surface Area	Restricts freestanding sign size based on frontage. Establishes maximums for lot width categories and unconventional sign structures.	- Carry forward with individual sign types standards in new summary table; supplement with definition, districts permitted, applicable standards, and example images - Suggest re-naming freestanding sign to pole sign for greater clarity
15-278	Number of Freestanding Signs	Limits developments to one freestanding sign but allows exceptions for corner and double-front lots where additional signage is necessary.	Relocate to individual sign table for freestanding signs
15-279	Subdivision and Multi-family Development Entrance Signs	Permits up to two entrance signs with defined surface area caps for residential developments.	Address development entry signage as an individual sign type rather than as a freestanding sign
15-280	Location and Height Requirements	Defines placement setbacks, rooftop signage restrictions, projection limits, encroachment permissions, and overall sign height maximums.	Address freestanding sign dimensional requirements in new section on sign measurement in new Chapter 5, Measurement
15-281	Sign Illumination and Signs Containing Lights	Governs lighting restrictions, including hours of operation near residential zones, shielding, flashing lights, animated displays, and holiday lighting exceptions.	- Suggest removing limits on sign illumination based on location – signs may either be internally or externally illuminated or not - Suggest prohibiting use of string lights or LEDs around doors and windows - Add standards for electronic message boards (brightness, static hold time, movement, etc.)
15-282	Miscellaneous Requirements	Miscellaneous Requirements: Regulates off-premises signs, animated signage, traffic obstructions, structural stability, prohibited movement features, and safety precautions.	- Disaggregate this section and place in relevant other sections (prohibited signs, freestanding signs, off-premise signs, etc.) - Suggest addressing new outdoor advertising as a prohibited individual sign type
15-283	Sandwich Board Signs	Sandwich Board Signs: Allows sandwich board signs for businesses in specific zoning districts, setting requirements for placement, size, structural integrity, illumination prohibition, and indoor storage when businesses close.	- Carry forward as an individual sign type - Provide more detail on if these signs are permitted within the right-of-way, and if so, where

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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Grey rows at the end of each article identify additional suggested revisions or other potential changes that are not in the current LDO, but we suggest be considered as part of the new UDO. The Annotated Outline prepared in Task 4 will go into more detail on each of these additional suggested revisions. a. Add a purpose and intent section that provides more detail on how the standards are intended to limit content-based sign regulations to the maximum possible extent, and clarify that when included, content-based standards are narrowly tailored and provided to serve a compelling public interest. Also clarify that the standards are intended to support business activity and first amendment rights b. Incorporate a more detailed applicability section that identifies the kinds of signs subject to these standards, and ones that are exempt (including government signs, signs related to parking, signs exempted by State law, and others, as appropriate) c. Include a new section on how signs within the right-of-way are regulated d. Add a section on signs that are exempted from having to obtain a Sign Permit, but that are still subject to the sign requirements of the Ordinance e. Add a section on public murals and a cross reference to public art (as an accessory use) f. Use a new summary table-based approach to the standards, definitions, and illustrations related to individual sign types g. Supplement with several missing sign types: wall sign, awning sign, banner, projecting sign, EMB, incidental sign, suspended sign, etc. h. Add more detail on nonconforming signage in accordance with recent changes in the Statutes i. Address outdoor advertising – will this sign type be permitted or prohibited?			
Article XVIII. Parking			
15-290	Definitions	Defines terms including vehicle areas, EV stations, green vehicles, gross floor area, and various parking space classifications.	- Supplement these standards with a purpose and intent section, applicability, exemptions, and how changes of use/additions are addressed

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-291	Number of Parking Spaces Required	Specifies required parking based on use; allows flexible reductions, future conversion space, and establishes EV and bicycle infrastructure requirements.	- Unless abolishing off-street parking altogether, suggest this table be carried forward, but modified to list individual use types rather than use numbers, supplement with minimum and maximum vehicular requirements, supplement with bicycle parking requirements - Review and update table to rely on use intensity metrics that can be identified at site plan review (number of employees, seats, or number of beds can not always be known at site plan review stage) - Suggest removing the parking reserve system for non-residential development - Suggest review/revision of 4-year temporary parking clause - Add additional clarity with standards for addressing unlisted use types - Lower residential parking requirements where possible (allow garage parking to be credited, reduce to 1 space for SFD under 2,000 sf, reduce to 1 per unit for multi-family) - Add guest parking area requirements for multi-family and residential subdivisions with over 10 units - Carry forward updated bicycle parking requirements but include counts in summary table; add parking/charging standards for E-bike parking - Clarify if habitable/uninhabitable space is addressed as part of parking space standards (suggest limiting complexity) - Carry forward electric vehicle parking requirements in its own section, but relocate charging station standards to the section on Secondary Uses in new Chapter 4, Land Uses and include a cross reference
15-292	Flexibility in Administration Required	Allows parking/bicycle space deviations when strict application causes underuse or shortage, or for elderly, transit-oriented, or walk-in-oriented developments.	- Carry forward consolidated section that addresses shared parking, off-site parking, valet parking, fee-in-lieu of parking, use of on-street parking, and the procedure for applicants who wish to exceed an applicable parking maximum (via a parking demand study) - Remove bicycle parking requirement waivers and address through exemptions instead - Parking flexibility provisions should also address surfacing and required location provisions - Suggest the UDO permit reductions in required off-street parking standards for developments that provide low-impact development- or green stormwater infrastructure-configured parking lots - Allow affordable housing units to reduce compliance with some off-street parking standards

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§	Title	Description	Implementation Ideas in New UDO
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15-292.1	Payment of Fee In Lieu Providing Parking Spaces	Permits developers in specific districts to pay a fee instead of building parking, if nearby public parking is available or planned.	Relocate to section of parking flexibility
15-293	Parking Space Dimensions	Sets standard and compact car space dimensions; includes requirements for parallel, motorcycle, and subcompact spaces.	- Carry forward and supplement with illustrations - Add standards allowing alternative paving surfacing, but clarify space demarcation requirements for unpaved parking
15-294	Required Width of Parking Area Aisles	Establishes aisle width standards based on parking angle and type; allows alternatives if designed by qualified engineer and approved.	Carry forward and supplement with illustrations
15-295	General Design Requirements	Requires safe, contained vehicle areas with proper circulation; discourages parking between building and street in certain districts.	Carry forward and supplement with illustrations
15-295.1	Design Standards for Bicycle Parking	Requires visible, secure, accessible bike racks; specifies spacing, clearance, structure, signage, and preferred rack types.	- Carry forward and supplement with illustrations - Clarify the allowable means of sheltering - Explore minimum space standards for consistency with best practice - Review space design provisions and general locational standards
15-296	Vehicle Accommodation Area Surfaces	Specifies surfacing standards based on usage; includes paving exceptions, marking, and maintenance requirements for different conditions.	- Carry forward and supplement with illustrations - Suggest allowing alternative surfacing methods as part of Alternative Plan procedure - Clarify that surfacing requirements may no longer be more restrictive than NCDOT or may be configured as proposed by a licensed professional engineer - Suggest removing 4-year timed compliance requirements for parking lots in light of the recent downzoning bill
15-297	Joint Use of Required Parking Spaces	Allows shared parking across uses with different peak hours; sets ratios for shared use and conditions for satellite parking.	- Consolidate with other parking flexibility mechanisms into a single section - Require submittal of an alternative parking plan for the use of parking flexibility provisions - Shared parking should require recordation of a shared parking agreement between all affected parties - Suggest abolishing shared parking ratio- overly complicated
15-297.2	Creation of Public Parking Lots from Private Parking Areas	Town may create public parking from private lots without affecting parking compliance status of contributing properties.	Carry forward with new documentation requirements

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-298	Satellite Parking	Allows off-site parking if on-site is impractical; must be within 1000 feet and supported by agreements; some exceptions apply.	- Consolidate with other parking flexibility mechanisms into a single section - Require submittal of an alternative plan for deviations beyond scope of Administrative Adjustment - Off-site parking should require recordation of a shared parking agreement between all affected parties - Supplement with a maximum distance requirement and required improved pedestrian access - Suggest allowing for any use
15-299	Special Provisions for Lots With Existing Buildings and Lots within Neighborhood Preservation Districts	Grants parking flexibility for older buildings and preservation districts; allows on-site use trade-offs and limited satellite space relocation.	Abolish, unnecessary to have special provisions for these areas; apply basic parking flexibility requirements
15-300	Loading and Unloading Areas	Mandates off-street loading areas sized for building use; prohibits overlapping parking/loading areas; requires safe vehicle maneuvering.	- Suggest revising applicability provisions to allow a landowner to determine if off-street loading is or is not necessary – and if necessary, then the loading facilities shall comply with these requirements - Clarify if dedicated loading spaces are required, or if loading may take place outside hours of operation - Clarify that loading facilities must be configured so as to avoid loss of required parking spaces, and so that there are no interruptions in safe on-site circulation
15-301	No Parking Indicated Near Fire Hydrants	Prohibits parking within 15 feet of fire hydrants in paved vehicle areas; requires pavement marking.	Carry forward with other vehicular use area configuration standards
15-302	Limitation on the Total Lot Coverage Devoted to Surface Parking	Limits new developments to 110% of required parking spaces, based on permit-issuing authority's determination.	Suggest removal in favor of new minimum and maximum parking standards with administrative flexibility mechanisms incorporated
Grey rows at the end of each article identify additional suggested revisions or other potential changes that are not in the current LDO, but we suggest be considered as part of the new UDO. The Annotated Outline prepared in Task 4 will go into more detail on each of these additional suggested revisions. a. Add a purpose and intent section, add more detail on applicability and exemptions (including how change of use, redevelopment, and expansions are addressed) b. Add standards for stacking (queuing) spaces c. Add standards for use types that may use driveways for parking			
Article XIX. Screening and Trees			
Part I. Screening			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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15-304	Council Findings Concerning the Need for Screening Requirements	Identifies screening as essential for reducing noise, glare, and visual pollution while improving privacy and safeguarding public health.	Carry forward with additional information on purpose and intent
15-305	General Screening Standards	Requires screening to shield adjacent properties from negative external effects of developments.	Enhance as new section on applicability and exemptions with additional detail on how expansions and rezoning are impacted by the standards
15-306	Compliance with Screening Standards	Establishes a table-based presumption of screening requirements that can be adjusted for practical implementation.	- Relocate as the applicability provisions for perimeter buffers - Clarify buffer requirements when abutting vacant land, riparian buffers, floodplains, and other unbuildable areas
15-307	Description of Screens	Defines three types—opaque, semi-opaque, and broken—detailing height, materials, and effectiveness in obstructing visibility.	- Carry forward, but suggest use of term "intermittent" rather than "broken" - Revise into tabular format and supplement with additional detail on plant types, spacing, buffer width, grouping, and alternatives - Include images showing examples
15-308	Table of Screening Requirements	Lists requirements for various use classifications, identifying responsible parties for installation.	Suggest removing use-based buffer standards in favor of a zoning district-based approach where buffer type depends upon abutting zoning, not use (this makes it easier to address rezonings and use changes)
15-309	Flexibility in Administration Required	Allows permit issuers to modify screening regulations for efficiency and cost balance.	- Carry forward with other flexibility provisions - Continue to require an alternative planting plan - Add credits for retention of existing trees in required buffer areas, and clarify which sets of required standards may be credited by landscaping (e.g., passive open space set-aside)
15-310	Combination of Uses	Sets screening standards for developments combining multiple principal uses.	Revise to clarify how to address unified developments or instances where a single development spans different zoning districts
15-311	Landscape Plan	Requires landscaping plans for new developments or modifications, subject to review by the Appearance Commission.	Carry forward, but remove the Appearance Commission review
15-311.1	Screening of Flag Lots in the Historic District (HD)	Mandates semi-opaque screening for flag lots in designated areas.	Clarify why flag lots requiring buffering but other lots do not
15-312	Protective Buffer Along Major Roads	Requires undisturbed buffers for scenic preservation, with additional screening where necessary.	- Revise this section to establish a new subsection for Streetscape Buffers in the Landscaping and Screening section of new Chapter 7, Standards - Explore need for deeper buffers along some roadway types or specific roadway segments

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
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Part II. Shading and Tree Protection			
15-314	Council Findings and Declaration of Policy on Protecting Trees and Other Plants	Establishes trees as essential for air quality, climate regulation, erosion control, aesthetics, and public health.	- Carry forward and integrate with Purpose and Intent - Supplement with a new section on Applicability and Exemptions, including additions to existing development
15-315	Definitions	Provides terms for tree types, canopy, protection perimeters, and rare species.	- Carry forward in Terms Defined section of new Chapter 10, Word Usage - Add more clarity to the clear cutting definition - Remove range from definition of tree protection perimeter
15-316	Required Trees Along Dedicated Streets	Mandates tree planting or retention along newly created streets to promote shade and aesthetic appeal.	- Carry forward with other provisions related to streetscape buffers - Suggest the streetscape buffer standards be broadened to include allowances for street trees in designated areas
15-317	Retention and Protection of Specimen and Rare Trees	Requires preservation of significant trees unless impractical, with criteria for prioritization.	- Carry forward with several clarifications including how mitigation is accomplished, more detail about tree protection fencing, and how specimen and rare trees are credited towards required landscaping and open space set-aside - Replace clear cutting provisions with material from statutes regarding delay in approvals - Relocate parking lot reduction to planting flexibility provisions
15-318	Shade Trees in Parking Areas	Sets shading requirements for parking areas using deciduous trees.	- Suggest carrying forward but revising to apply shade tree requirements such that no parking space should be more than 30 feet from the trunk of a shade tree (including those planted as part of new parking lot landscaping) - Suggest inclusion of new requirements to limit the placement of parking lot lighting in islands with trees or within 10 feet of an existing or required tree - Suggest removing paving limitation as this prevents placement of trees in parking lot islands
15-319	Tree Canopy Coverage Standards	Establishes minimum coverage percentages for different land uses, with modifications for solar access or affordable housing.	Suggest the Town continue to require specimen/rare tree retention and parking lot shading; abolish tree canopy retention requirements in favor of incentives to retain trees and add reforestation provisions when needed to maintain a minimum percentage of tree canopy over time
15-320	Protection of Trees During Construction	Requires developers to protect retained trees through barriers and other preventive measures.	- Carry forward with more detail about tree protection fencing, and how long the protection devices must remain in place - Provide more detail about tree protection for trees well-removed from the development area - Suggest removal of wrapping trunks with boards – use more durable fencing instead - Supplement with more clarity about what happens if removal of a protected tree is required or happens by accident

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
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15-321	Performance Security May be Required	Allows the town to require security deposits to cover potential tree loss and replacements.	- Carry forward in the Performance Guarantee procedure in the Specific Applications section of new Chapter 2, Applications - Require performance guarantees to be filed in cases where mitigation is necessary - Review current standards for consistency with the Statutes
15-321.1	Regulation of Forestry Activities	Defines forestry activities and limits tree removal in some areas to prevent clear-cutting.	- Carry this material forward - Suggest the Town add a Tree Clearing Certificate procedure that is required for the removal of trees from a site prior to submittal of a development plan that requires some trees must be retained around the perimeter, and allows for a delay (5 years) if the applicant was aware of the requirement to obtain a Certificate before clearing - Clarify tree removal on bona fide farms and as part of agriculture are also exempted from local tree retention rules
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Article XX. Amendments			
15-320	Amendments in General	Establishes procedures for modifying zoning text, maps, and the comprehensive plan. Defines major and minor map amendments, University Lake Watershed restrictions, and compliance with state water protection rules.	Distinguish between amendments to the Official Zoning Map and amendments to the UDO text, each with its own separate procedure in new Chapter 2, Applications
15-321	Initiation of Amendments	Specifies how amendments can be initiated by local authorities or individuals. Requires petitions with detailed information, consent from all property owners for downzoning, and mandatory neighborhood meetings for zoning classification changes.	- Clarify that no 3rd party rezonings are permitted - Clarify that amendments that result in a downzoning require prior affected landowner consent - Suggest requiring neighborhood meetings only when the potential intensity of a site will increase as part of a rezoning application

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§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-322	Planning Board and Other Advisory Consideration of Proposed Amendments	Requires Town Council to refer amendments to the Planning Board and other advisory boards, ensuring consistency with adopted plans. Prohibits voting by advisory board members with financial or associational conflicts.	- Carry forward as part of text or map amendment application procedure - Remove requirement for applications to go before bodies other than Planning Board (if the Town must have multiple board's input, hold a joint meeting with Planning Board) - Clarify requirements for consistency statements from Planning Board - Clarify Planning Board consideration of an amendment is a public meeting, not a public hearing
15-323	Hearing Required: Notice	Requires public hearings for zoning amendments, with notices published, mailed, and posted. Establishes rules for notice timing, coverage area, and exceptions for large-scale rezoning.	- Relocate to Common Review Procedures section of new Chapter 2, Applications - Include in a new summary table of required notice - **Discuss**. Suggest ensuring the UDO only provides notice in accordance with Statutory requirements (though greater notice may be provided as a matter of policy on a case-by-case basis) - Carry forward provisions on notice content and constructive notice
15-324	Council Action on Amendments	Defines possible Council actions after public hearings, including voting, study referrals, or delays. Requires adoption of statements on plan consistency, reasonableness, and public interest when approving or rejecting amendments.	- Supplement with details on possible voting - Include decision-making criteria the Town Council may consider - Carry forward consistency statement and discussion of whether the amendment is reasonable and in the pubic interest (for both map and text amendments)
15-325	Ultimate Issue Before Council on Amendments	Emphasizes public health, safety, and welfare as the central decision criteria for zoning changes. Prohibits consideration of individual benefits or specific land use intentions for non-conditional zoning requests.	Cary forward with zoning map amendment procedure
15-326	Citizens Comments on Zoning Map and Text Amendments	Allows written public comments on proposed zoning amendments, requiring submission before the vote. Provides procedural rules for quasi-judicial proceedings and admissibility under evidence laws.	Carry forward in text and map amendment application procedures in Chapter 2, Applications
Article XXI. Neighborhood Preservation			
Part I. Neighborhood Preservation			
15-330	Neighborhood Preservation District Commission	The Appearance Commission is designated as the Neighborhood Preservation District Commission	Suggest abolition of this Commission. Their role is to review all applications (including Building Permits in some cases) in addition to the other reviews by Town staff and review authorities. This is needless repetition that can be addressed under the current provisions

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-331	Powers and Duties of the Neighborhood District Commission	Lists the duties and responsibilities of the Commission including recommendations to Council, prepare studies, and review applications.	Suggest deletion
15-332	Review Process for Certain Projects Within a Neighborhood Preservation District; Delay of Permit Issuance	The Commission shall review and provide recommendations on certain development applications in the neighborhood preservation district.	Suggest deletion
15-333	Commission Rules, Procedure and Guidelines	The Commission shall prepare and adopt rules of procedures and principal and guidelines for use when reviewing permit applications. Guidelines shall address items such as height and architectural details	Suggest deletion
15-334	Procedure for Designating a Neighborhood Preservation District	The Commission investigates and prepares a report. Council and the Commission hold a joint public hearing prior to the adoption or amendment of an ordinance to designate a neighborhood preservation district.	Suggest Planning Board be tasked with consideration of amendments to the neighborhood preservation overlay district (including designations of new neighborhoods)
Part II. Historic Preservation			
15-336	Historic District Commission	The appearance commission serves as the historic district commission, regulating preservation matters and issuing certificates of appropriateness.	Carry forward in order to allow the Town to pursue grant opportunities in National Register districts
15-337	Powers and Duties of Historic District Commission	Inventories historic sites, recommends district designations, conducts educational programs, advises property owners, and enforces preservation policies.	Suggest deletion
15-338	Procedure for Designating or Amending an Historic District	Requires commission investigations, advisory reviews, and approval from the Town Council and state cultural resources department.	Suggest deletion; not necessary, even in communities that do have local historic districts
15-339	Certificates of Appropriateness	Historic district commission must approve exterior alterations, demolitions, and new developments within districts to maintain architectural integrity.	Delete, not necessary

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
15-340	Historic District Commission Recommendation on Permit and Other Applications	Reviews land use, zoning, and planning applications within historic districts, issuing formal recommendations to governing authorities.	Delete, not necessary
Appendix A. Information Required with Applications			
A-1	In General	Lists presumptive requirements for applications, including flexibility in submission based on development complexity. Specifies administrative discretion in required information for simple projects like single-family homes and sign permits.	Delete, unnecessary
A-2	Written Applications	Outlines necessary written information in applications, including applicant details, property identification, zoning district, lot size, and development specifics such as floor area and dwelling unit counts.	Relocate to application completeness provisions in Common Review Procedures section of new Chapter 2, Applications
A-3	Development Site Plans	Requires site plans for all applications, visually depicting existing and proposed natural, manmade, and legal features	Address in summary table of required components for site plans, concept plans, and plats in new Chapter 11, Appendix
A-4	Graphic Materials Required for Plans	Specifies map and scale requirements, including location details, north arrow, legend, and proper visual distinction between existing and proposed features	Address in summary table of required components for site plans, concept plans, and plats in new Chapter 11, Appendix
A-5	Existing Natural, Man-Made and Legal Features	Mandates documentation of trees, water bodies, contour lines, streets, utility infrastructure, zoning districts, property boundaries, easements, and existing structures.	Address in summary table of required components for site plans, concept plans, and plats in new Chapter 11, Appendix
A-6	Proposed Changes in Existing Features or New Features	Requires site plans to illustrate modifications to existing features and proposed new development elements such as buildings, parking, signage, lighting, stormwater management, and landscaping.	Address in summary table of required components for site plans, concept plans, and plats in new Chapter 11, Appendix

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
A-7	Documents and Written Information in Additional to Plans	Lists supplemental documents such as legal proof of property interest, utility certifications, homeowners' association agreements, environmental impact reports, and phased development timelines.	Address in summary table of required components for site plans, concept plans, and plats in new Chapter 11, Appendix
A-8	Number of Copies of Plans and Documents	Requires applicants to submit sufficient copies of all documents for review and record-keeping.	Suggest this be addressed as part of application forms
Appendix B. Specifications on Driveway Entrances			
		Requires that all driveways opening onto Town roads conform to NCDOT Manual on Driveway Entrance regulations; urban regulations.	Carry forward in Access and Circulation section of new Chapter 8, Utilities and Infrastructure
Appendix C. Specifications for Street Design and Construction			
C-1	Design Speed. Sight Distance. Centerline Radius	Specifies minimum design speeds, sight distances, and centerline radii by street classification. Alternatives allowed using NCDOT standards if environmentally beneficial and approved.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-2	Cut and Fill Slopes	Street right-of-way cut and fill slopes must not exceed a maximum ratio of 2:1.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-3	Sight Distances at Intersections	Details minimum unobstructed views required at non-stop and stop-controlled intersections, with greater sight distances for intersections with state-maintained primary roads.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-4	Radius at Street Intersections	Street intersection corners must be rounded with minimum radii per diagrams; greater radii required where intersections are not at right angles.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-5	Clearing and Grubbing	Contractor responsible for clearing designated areas and disposing of all vegetation or debris by removal or approved on-site disposal.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-6	Grading and Compaction	Grading must meet engineer's specifications. Subgrade must be compacted to 100% AASHTO T99 and proof-rolled; unsuitable materials removed and replaced.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
C-7	Street Base	Requires an 8-inch compacted crushed stone base (Type ABC), placed in 4-inch layers and kept free of contaminants, per NCDOT standards.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-8	Street Surfaces	Specifies a 2-inch Type I-2 asphalt surface layer, installed per NCDOT standards for materials, handling, and placement.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-9	Pavement Section Variations	Allows pavement design adjustments by a qualified engineer based on soil tests; public works director may require stronger or allow lesser standards.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-10	Street Cross Sections	Streets and utility placements must conform to Standard Drawing Nos. 6 or 7.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-11	Curb and Gutter	Curb and gutter must meet N.C. Highway standards; constructed to 30-inch width with vertical face and proper formwork and expansion joints.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-12	Sidewalks	Concrete sidewalks must be 4 inches thick (6 inches at driveways), compacted to AASHTO T99; brick sidewalks require base, drainage, edge restraints, and specific installation techniques.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-13	Wheelchair Ramps	Wheelchair ramps are to be constructed per Standard Drawing No. 9 wherever required.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-14	Stormwater Runoff Control	Drainage facilities must meet NCDOT standards; certain culvert types disallowed; 12-inch minimum cover unless approved otherwise.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
C-15	Sedimentation Control	Contractor must promptly dress and seed all shoulders, swales, curbs, and banks using mixtures approved by the Orange County Erosion Control Officer.	Relocate to an outside Manual of Standards, Specifications, and Designs for infrastructure
Appendix D. Vehicle Accommodation Area Surfaces			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
D-1	Paved Surfaces	Provides regulations for paving vehicle accommodation areas with asphalt or concrete.	Carry forward with other vehicular use area surfacing standards in Parking and Loading section of new Chapter 7, Standards
D-2	Unpaved Surfaces	Allows Size 13 crushed stone to be used is the same manner as and in lieu of asphalt, concrete or other paving materials.	Carry forward with other vehicular use area surfacing standards n Parking and Loading section of new Chapter 7, Standards
Appendix E. Screening and Trees – Guide for Landscaping			
E-1	Guide for Protecting Existing Trees	Outlines methods for tree protection during construction, including fencing, limiting excavation and compaction, armoring, pruning damaged roots, and prohibiting paving within the dripline.	This material should be included in the Tree Protection portion of the Landscaping and Screening section of new Chapter 7, Standards
E-2	Standards for Street and Parking Lot Trees	Specifies desirable tree traits for street and parking use including hardiness, growth rate, branching, foliage density, low maintenance, and compatibility with planting strip size.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
E-3	Formula for Calculating Twenty Per Cent Shading of Paved Vehicle Accommodation Areas	Provides a ten-step formula to calculate how many shade trees are required to meet 35% shading requirements in parking lots, accounting for tree crown size and placement.	Delete; suggest a maximum spacing standard from shade trees in parking lots
E-4	Typical Parking Lot Planting Islands	Illustrates example planting islands in parking areas, including tree spacing, shading area adjustments for small trees, and relevant cross-references to planting lists.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
E-5	Guide for Planting Trees	Outlines best practices for tree planting including site selection, hole preparation, drainage considerations, backfill, mulching, staking, and post-planting care following ISA standards.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
E-6	Typical Opaque Screens	Depicts screen types with dense elements like evergreen shrubbery, stone walls, fences, and trees planted closely together, using references from planting lists E-10(a) and (b).	Relocate to perimeter buffers section or replace with new illustrations in the Landscaping and Screening section of new Chapter7, Standards

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
E-7	Typical Semi Opaque Screens	Describes screen designs using varied vegetation and physical barriers (e.g., rail fences, berms), referencing E-10(a), (c), and (d) for compatible plants.	Relocate to perimeter buffers section or replace with new illustrations in the Landscaping and Screening section of new Chapter7, Standards
E-8	Typical Broken Screens	Illustrates informal, visually permeable screen types using assorted shrubbery and small trees spaced apart; based on selections from planting list E-10(f).	Relocate to perimeter buffers section or replace with new illustrations in the Landscaping and Screening section of new Chapter7, Standards
E-9	Guide for Planting Shrubs	Recommends following tree planting guidelines with adaptations per species. Cites reference text for species-specific care; book available via Carrboro Planning Department.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
E-10	Lists of Recommended Trees and Shrubs	Provides categorized plant lists suitable for screening and shading, selected for Piedmont hardiness, low maintenance, and nursery availability. Encourages use of native or proven species.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
E-11	Small Trees for Partial Screening	Recommends 16 tree species under 30 feet in height for use in various screen types. Many are drought-tolerant, low maintenance, and attract wildlife.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
E-12	Large Trees for Evergreen Screening	Lists eight evergreen tree species appropriate for large-scale screening. Emphasizes rapid growth, moderate maintenance, and use near commercial or industrial developments.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
E-13	Large Trees for Shading	Includes 16 tree species ideal for shading parking lots and streets. Trees are selected for wide crowns, environmental resilience, and, in many cases, rapid growth.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
E-14	Small Shrubs for Evergreen Screening	Recommends low-growing shrubs under six feet suitable for semi-opaque screens. Includes evergreens and select vines; highlights tolerance to site conditions and maintenance needs.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
E-15	Large Shrubs for Evergreen Screening	Lists evergreen shrubs over six feet in height suitable for opaque screens. Describes growth habits, maintenance, sun/shade tolerance, and appropriateness for dense screening.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
E-16	Assorted Shrubs for Broken Screens	Suggests deciduous and evergreen shrubs for informal broken screens, offering visual variety. Not suitable for full screening. Emphasizes native adaptability and seasonal interest.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
E-17	List of Invasive Plant Species	Prohibits specific invasive plants for screening and shading compliance. Lists 28 plants, categorized by plant type (woody, herbaceous, aquatic). Cites external resources.	Carry forward in Planting Specifications portion of new Chapter 11, Appendix
Appendix F. Noise Management Data Sheet			
		Worksheet to record noise levels	Eliminate. This is a Town staff function
Appendix G. Method Uses in Calculating Point Values for Active Recreation			
		4 step method to determine value of active recreation facilities based on the square foot values	Suggest deleting point system approach to active open space set-aside and simply requiring an amount of land to be set aside and specify the range of features that may be credited toward active recreation features
Appendix H. Example of Section 15-92.1, Setback Exceptions			
		Visual diagram of setback exception outlined in Section 15-92.1	Relocate to setback exceptions portion of the Setback section of new Chapter 5, Measurement
Appendix I. Storm Drainage Design Manual			
		Manual for the design of swales, culverts, and other components of the storm drainage system	Relocate to outside the UDO
Appendix J. Noise Levels [dB(A)] for Common Indoor and Outdoor Sounds			
		Diagram outlining the noise levels in dB(A) for typical indoor and outdoor sounds.	Delete; non-regulatory
Appendix K. Design and Management Handbook for Preservation Areas in Lower Merion Township, Montgomery County, PA			

CARRBORO LAND USE ORDINANCE (LUO) ANALYSIS TABLE			
§	Title	Description	Implementation Ideas in New UDO
Yellow cells include topics for further discussion with Town staff and officials			
		A 1993 model document that provide design guidelines for Preservation Areas	Delete; not authorized for single-family detached, attached, duplex, triplex, and quadplex dwellings
Appendix L. Village Mixed Use and Affordable Housing Vernacular Standards			
		A 1999 guideline document that outlines the architectural vernacular for residential construction that gives Carrboro a unique sense of place.	Remove; the majority of these provisions are no longer permitted as requirements – they can be included as guidelines, but if guidelines, likely better to include outside UDO

END OF TABLE

The following table is an initial consideration of how base and overlay districts in Carrboro's current LDO might be translated under the new UDO. Base zoning districts are generally listed in order of intensity. Columns on the left side of the table denote current districts, and columns on the right side show how the districts might be structured under the new UDO. This table is based, in part, on the dimensional standards for the Town's current zoning districts.

CARRBORO UDO INITIAL ZONING DISTRICT TRANSLATION TABLE				
CURRENT ABBREV. & NAME		PROPOSED ABBREVIATION & NAME		COMMENTS
CONVENTIONAL BASE DISTRICTS				
C	Conservation	CON	Conservation	
Residential				
WR	Watershed Residential	**WTR**	Watershed Residential	This area should be flagged as subject to WSW-II-CA/PA rules in the Watershed Overlay
RR	Rural Residential	**RUR**	Rural Residential	
R-20	Residential -20	**SUR**	Suburban Residential	R-20 would experience a slight "upzoning" in terms of lot size
R-15	Residential -15			
HR-R	Historic Rogers Road Residential	**ROR**	Rogers Road Residential	Suggest dropping "historic" as that term has a different specialized meaning and there is already a historic district
R-10	Residential -10	**NBR**	Neighborhood Residential	The SIR districts have 100' max heights (R-10 = 35' height) Otherwise, these three districts are fairly comparable
R-S.I.R	Suitable for Intensive Residential			
R-S.I.R.2	Suitable for Intensive Residential -2			
R-7.5	Residential -7.5	**MXR**	Mixed Residential	
R-2	Residential -2	**UBR**	Urban Residential	
R-3	Residential -3	**CMR**	Compact Residential	
Commercial				
CT	Corporate Town	**OFF**	Office	These districts not used frequently
OR-MU	Office			
O	Office			These districts almost identical
O/A	Office/Assembly			
B-5	Watershed Commercial	**WTC**	Watershed Commercial	This area should be flagged as subject to WSW-II-CA/PA rules in the Watershed Overlay (looks like 10 lots have this district)
P-F	Public Facilities	**PUB**	Public Facilities	
HR-CC	Historic Rogers Road Community Commercial	**ROC**	Rogers Road Commercial	Suggest dropping "historic" as that term has a different specialized meaning and there is already a historic district

CARRBORO UDO INITIAL ZONING DISTRICT TRANSLATION TABLE

CURRENT ABBREV. & NAME		PROPOSED ABBREVIATION & NAME		COMMENTS
B-3	Neighborhood Business	**NBB**	Neighborhood Business	These districts almost identical and would get a small upzoning based on addition of B-2
B-3-T	Transition Area Business			
B-2	Fringe Commercial			
B-4	Outlying Concentrated Business	**CRB**	Crossroads Business	
B-1(g)	General Business	**GRB**	General Business	
B-1(c)	Town Center Business	**DTC**	Downtown Core	This is the beginning of an idea. There may be other "flavors" of downtown that are needed – Issue: if these districts are laid on the ground or just made available, also just in B-1(c) areas?
		DTE	Downtown Edge	
VMU	Village Mixed Use	Suggest delete or make legacy		A legacy district remains in the UDO but can not be enlarged or established anew
FLX	Site-Specific Flexible Zoning District	Suggest delete or make legacy		A legacy district remains in the UDO but can not be enlarged or established anew
Industrial				
WM-3	Watershed Light Industrial	**WTM**	Watershed Manufacturing	This area should be flagged as subject to WSW-II-CA/PA rules in the Watershed Overlay (looks like 4 lots have this district)
M-1	Light Manufacturing	**LTM**	Light Manufacturing	
M-2	General Manufacturing	**GRM**	General Manufacturing	
PID	Planned Industrial Development	Suggest rename to Conditional Manufacturing (CZM)		Existing master plans still control
Conditional Base Zoning Districts				
PUD	Planned Unit Development	Suggest make legacy and require any revisions to rezone to appropriate CZ district		There are over 60 of these districts mentioned in the LDO
R-20-CZ		Suggest make legacy, revert any expired approvals on still-vacant land to prior base district, and require any future revisions to CZ lands to rezone to Conditional Residential (CZR)		Suggest two types of Conditional Residential (CZR) District: A Limited category, which only permits deviations that exceed current standards or further limit development potential and an Unlimited category which permits an applicant to seek a reduction from current standards or an increase in development potential; subject to mitigation
R-15-CZ				
R-10-CZ				
R-7.5-CZ				
R-3-CZ				
R-2-CZ				
R-R-CZ				
R-S.I.R-CZ				
R-S.I.R-CZ				

CARRBORO UDO INITIAL ZONING DISTRICT TRANSLATION TABLE				
CURRENT ABBREV. & NAME		PROPOSED ABBREVIATION & NAME		COMMENTS
B-1(c)-CZ		Suggest make legacy and require any future revisions to CZ lands to rezone to Conditional Downtown (CZD)		Same two categories of conditional district as described in the Conditional Residential (CZR) rows above
B-1(g)-CZ		Suggest make legacy, revert any expired approvals on still-vacant land to prior base district, and require any future revisions to CZ lands to rezone to Conditional Business (CZB)		Same two categories of conditional district as described in the Conditional Residential (CZR) rows above
B-2-CZ				
B-3-CZ				
B-3-T-CZ				
B-4-CZ				
CT-CZ				
O-CZ				
O/A-CZ				
HR-CC-CZ				
M-1-CZ		Suggest make legacy, revert any expired approvals on still-vacant land to prior base district, and require any future revisions to CZ lands to rezone to Conditional Manufacturing (CZM)		Same two categories of conditional district as described in the Conditional Residential (CZR) rows above
M-2-CZ				
M-3-CZ				
N/A		Conditional Mixed (CZX) [new]		Same two categories of conditional district as described in the Conditional Residential (CZR) rows above
Overlay Zoning Districts				
RHDC	Residential High Density and Commercial Overlay	Delete		Suggest abolish and relocate standards to base district or development standards
HD	Historic District	**HDO**	Historic Overlay	Carry forward, but remains unmapped
NPD	(Downtown) Neighborhood Preservation District	**NPO**	Neighborhood Preservation Overlay	Carry forward with numbers (e.g., NPO1, NPO2, etc.), but remove single-family design controls
JLWP	Jordan Lake Watershed Protection District	**WPO**	Watershed Protection Overlay	Change name and apply overlay designations to ETJ on westside and area east of
EAT	Restaurant District Overlay	Delete		Suggest abolish and relocate standards to base district or development standards
??	Lloyd Broad Overlay			Can this district be made an NPO?

Carrboro, NC UDO

Current LUO Dimensional Standards Table (based on standards in LDO Article 12)

The following summary table is assembled based on various standards in LUO Article 12. The district listing is based upon Section 15-181, but also includes seven unlisted districts (in purple text) not included in Article 12.

Yellow cells show districts that lack dimensional standards (**perhaps Town staff can help us identify these standards?**)

Red numbers in brackets are table notes listed at the end of the table.

Suggest the new UDO be supplemented with additional detail on:

- Maximum lot coverage (or impervious surfaces)
- Minimum spacing between buildings
- Perimeter setbacks for unified developments
- How setbacks differ between principal and accessory structures
- Minimum open space set-aside percentage (by district)

Abbrv	Name	Min. Lot Area (sf) [1]	Min. Lot Area/ Unit (sf) [1] [2] [3]	Min. Lot Width (lf)	Min. Bldg. Setback from ROW (lf) [11]	Min. Side/ Rear Setback (lf) [12]	Max. Bldg. Height (ft) [16]
R-2	Residential -2	4,000 [4]	2,000	100	15	15	50
R-3	Residential -3	3,000	3,000	50	15	8	35
R-7.5	Residential -7.5	7,500	7,500; 5,625 [9]	75	25	10	35
R-10	Residential -10	10,000	10,000; 7,500 [9]	75	25	12	35
R-S.I.R	Suitable for Intensive Residential	10,000	10,000; 7,500 [9] [10]	75	25	10	100
R-S.I.R.2	Suitable for Intensive Residential -2	10,000	10,000 [10]	75	25	10	100
R-15	Residential -15	15,000	15,000; 11,250 [9]	85	35	20	35
R-20	Residential -20	20,000	20,000; 15,000 [9]	100	40	20 [13]	15

Carrboro, NC UDO

Current LUO Dimensional Standards Table (based on standards in LDO Article 12)

Abbrv	Name	Min. Lot Area (sf) [1]	Min. Lot Area/ Unit (sf) [1] [2] [3]	Min. Lot Width (lf)	Min. Bldg. Setback from ROW (lf) [11]	Min. Side/ Rear Setback (lf) [12]	Max. Bldg. Height (ft) [16]
RR	Rural Residential	43,560	43,560	100	40	20 [14]	35
WR	Watershed Residential	217,000 [5]		100	35	20	40
C	Conservation	No min.		None	25	20	35
B-1(c)	Town Center Business	No min.	No min.	None	None	None	3,4,5 stories [17] [18]
B-1(g)	General Business	No min.; 3,000 for res.	3,000	None	None	None?	3,4,5 stories [17]
B-2	Fringe Commercial	7,500	7,500	50	15	10	2 stories
B-3	Neighborhood Business	No min.; 7,500 for res.	7,500	75	15	15	28
B-3-T	Transition Area Business	No min.; 7,500 for res.	7,500	75	15	15	28
B-4	Outlying Concentrated Business	No min.; 3,000 for res.		None	30	10	50
B-5	Watershed Commercial	43,560		100	40	20	35
M-1	Light Manufacturing	No min.		100	None	None	3 stories
M-2	General Manufacturing	No min.		100	None	None	35
WM-3	Watershed Light Industrial	40,000		100	30	20	35
PID	Planned Industrial Development (15-137(2))						
CT	Corporate Town	40,000	7,500	100	None	None	3 stories
O	Office	7,500	7,500	75	15	15	35

Carrboro, NC UDO

Current LUO Dimensional Standards Table (based on standards in LDO Article 12)

Abbrv	Name	Min. Lot Area (sf) [1]	Min. Lot Area/ Unit (sf) [1] [2] [3]	Min. Lot Width (lf)	Min. Bldg. Setback from ROW (lf) [11]	Min. Side/ Rear Setback (lf) [12]	Max. Bldg. Height (ft) [16]
O/A	Office/Assembly	7,500	7,500	75	15	15	35
OR-MU	Office						
HR-CC	Historic Rogers Road Community Commercial	14,520	14,520	50	50	8; +2 [15]	40
HR-R	Historic Rogers Road Residential	14,520	14,520	100	50	20; 50 from district edge	35
P-F	Public Facilities						
PUD	Planned Unit Development (15-139) (over 60)						
VMU	Village Mixed Use						
FLX	Site-Specific Flexible Zoning District						
Conditional Districts							
R-20-CZ							
R-15-CZ							
R-10-CZ							
R-7.5-CZ							
R-3-CZ							
R-2-CZ		[6]					
R-R-CZ							
R-S.I.R-CZ							
R-S.I.R-CZ							
B-1(c)-CZ							
B-1(g)-CZ							
B-2-CZ							
B-3-CZ							

Carrboro, NC UDO

Current LUO Dimensional Standards Table (based on standards in LDO Article 12)

Abbrv	Name	Min. Lot Area (sf) [1]	Min. Lot Area/ Unit (sf) [1] [2] [3]	Min. Lot Width (lf)	Min. Bldg. Setback from ROW (lf) [11]	Min. Side/ Rear Setback (lf) [12]	Max. Bldg. Height (ft) [16]
B-3-T-CZ							
B-4-CZ							
CT-CZ							
O-CZ							
O/A-CZ							
M-1-CZ							
M-2-CZ							
M-3-CZ [7]							
HR-CC-CZ							
Overlay Districts							
RHDC	Residential High Density and Commercial Overlay						
HD	Historic District						
NPD	Neighborhood Preservation District						
JLWP	Jordan Lake Watershed Protection District (most of the Town is subject to Jordan Lake rules)	20,000 [8]					
EAT	Restaurant District Overlay						
	Lloyd Broad Overlay						

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NOTES:
[1] May be affected by presence in a cluster or AIS subdivision, or when located within an overlay district
[2] Density counts resulting in fractions are rounded downwards
[3] ADUs and 2-family conversions are only permitted on lots have 150% of the Min. Lot Area/Unit standard; conversion to triplex requires 200%; conversion to quadplex requires 250% (See 15-182(b))
[4] May be reduced to 2,000 sf in an architecturally integrated subdivision of 40,000 sf
[5] Up to 5 lots with a minimum area of 87,120 sf may be created from a lot of record existing prior to 5/15/90
[6] May be reduced to 1,500 sf per lot within an architecturally integrated subdivision of at least 20,000 sf in area
[7] There is no M-3 conventional base district – is this intended to say "WM-3" instead? (See 15-137(2))
[8] Max of 2 dwelling units per acre; up to 3 units per acre where there is no curb and gutter
[9] The smaller Min. Lot Area/Unit standard is allowed for 2-family conversions, triplex, and quadplex on lots of less than 1 acre established before 4/24/84 (date ?)
[10] Allows lot sizes per unit to drop as low as 3,000 sf (6,000 sf in R-SIR-2) if the applicant includes features identified in 15-182.19(b)
[11] Setbacks from street rights-of-way other than the primary frontage shall be 15 feet
[12] When a lot in a non-residential district abuts a residential district, the setback on the non-residential lot shall be the same as the abutting residential district
[13] Setback is 15 for lots of record platted before 11/14/88 and located outside the ETJ
[14] A 100-foot setback (with undisturbed vegetated buffer) is required for lots bounding land in Orange County designated Rural Buffer or Public/Private Open Space on the Joint Planning Area Land Use Plan
[15] Minimum lot line setback increases by two feet for each foot of building height about 35 feet
[16] Max. height limited to 2 stories for 'contributing buildings' on lots in the Town's national Register commercial district
[17] Max. height limited to 3 stories unless fronting a road with a ROW width of 50' or more , when the lot is more than 50' from a ROW (subject to additional caveats), or (may go up to 5 stories) for every 10 feet of setback from the road
[18] Buildings over 1,000 sf of floor area and additions to existing buildings that exceed 25% of the existing floor area have a minimum height of at least 2 stories

END OF TABLE

The Carrboro New Unified Development Ordinance Update (or "UDO") project is an effort to update the Town's development regulations, currently called the Land Use Ordinance (or "LUO"), to implement the 2022 *Carrboro Connects* Comprehensive Plan and bring the current LUO into better alignment with State planning law and best planning practice. The project has a special focus on increasing climate resiliency, promoting fairness for everyone, encouraging attainable housing, and ensuring the new UDO is clear and predictable.

Task 1, Project Initiation, of the UDO update effort includes a series of interviews with interested parties about their views on what is working or not working with the Town's current development regulations and review process, as well as discussion about what makes Carrboro great (and the areas where improvement is needed). This document summarizes the input collected through a series of nine interviews with the Town Council and Town-identified interested parties. Interviews were conducted by members of the consulting team with Town staff present and took place in-person and virtually over several days from mid-December 2024 to mid-January 2025. Great care was taken by Town staff to ensure a diverse blend of perspectives and points of view were included in the interviews.

This report summarizes the comments provided. It also identifies additional parties who interviewees thought the consulting team should speak with about the project. The information collected during the interviews in December and January is not attributed to any one individual. Thoughts and ideas are paraphrased, grouped by topic, and consolidated in cases where multiple people expressed the same or similar sentiments. The input is not prioritized or listed in any particular order.

Interviewees were encouraged to share their thoughts freely, but were asked the following five questions:

1. **What aspects of the Town's current regulations are problematic?**
2. **What parts of the Town's current application review process are in need of improvement?**
3. **What parts of the Town's current regulations or review process should <u>not</u> be changed?**
4. **What makes Carrboro great?**
5. **Who else in Carrboro should we speak with?**

The table on the following page identifies the 23 people interviewed. We note that meaningful and representative public engagement is a cornerstone of this new UDO project and the proposed work program includes numerous other opportunities for anyone to provide input and suggestions as the project progresses.

Interested Party Interviewees		
Name	Title (if applicable)	Affiliation
Sophie Suberman	Co-Executive Director	Grow Your World (youth development center)
Anissa McLendon		Alabama Ave. "Ambassador"
Brian Crawford		Blogger (civics & bike related topics)
Shelley Welsh	(+ partner Kevin)	Business Owner
Heidi Perov Perry		Bicycle Advocate
Ryan Byers		Formerly with OWASA
Patrick McDonough	City Beautiful21 blog	Urban Planner
Jeanne Ernhardt		Landowner in North Transition Area
Diane Robinson		
Linda Haak		
Laura Van Sant		
Jenny Hoffman		Builder
Maria, Olivia, & Denise	(+ 3 additional members virtually)	El Centro Hispano
Barbara Jessie Black	CEO	Community Works

In addition to interviews with interested parties listed above, the consulting team and Town staff also conducted interviews with the following Town Council Members:

- Mayor Barbara Foushee
- Mayor Pro Tempore Danny Nowell
- Randee Haven-O'Donnell
- Jason Merrill
- Eliazar Posada
- Cristóbal Palmer
- Catherine Fray

The following pages list the comments provided during the interested party interviews and Council member discussions. Comments are organized into ten major categories, which are listed below. These categories are not prioritized and are not listed in any particular order.

A. Density and housing
B. Desired forms of development
C. Downtown
D. The environment
E. Transportation
F. The development review process
G. Development standards
H. Project outcomes
I. What makes Carrboro great
J. Who else should we speak with?

The main idea or question of each comment below is shown in **bold** type.

A. DENSITY AND HOUSING

1. There is a desire to permit **denser and more infill development**. Would like to see more options for residential development beyond two-story single-family detached homes.
2. There was a question posed about what the Town is doing to ensure that **renting remains affordable and viable**. A comment was made that the Town does want UNC graduate students.
3. There is a desire to make sure that people can live in Carrboro. People who work in Carrboro must have the ability to live in the Town as well. That means the **Town needs to have a broad range of housing types and prices to support different incomes and differing vocations**. The area named "White Oak" behind the Town's fire station was held up as an example of the kind of diverse housing that is needed.
4. **Pre-approved housing designs** that could be approved administratively were suggested as a possible incentive for maintaining attainable housing. Is that a way to address design requirements despite limits applied by the State?
5. One interviewee commented that **not everyone wants higher density** – that there may be some locations where increased density is appropriate (like downtown), but perhaps there are some areas where increased density may not be appropriate.
6. One interviewee commented that the new UDO should **encourage more density despite the potential fear** about increased density from members of the public.
7. The Town **does not have "middle" housing**. This claim is supported by the example of Fair Oaks Phase 2 (of 3). This phase was supposed to be comprised of townhomes. The local community objects to the townhouses, and the Council decides that townhouses might not be appropriate. The "bohemian" look of small cottages and small homes is being lost as existing lots are being redeveloped with million-dollar homes.
8. One interviewee indicated the perception that many recently constructed dwellings are large and expensive single-family detached homes, and that **Town is not building affordable apartments or townhomes**.
9. People want to **age in place**, and that means more housing diversity is needed.
10. In the Carrboro of old it was easy to build large houses, but **the regulations make it hard or impossible to build numerous small houses on existing larger lots**.

11. The data indicates that multi-family building efforts in Carrboro have slowed. For example, the data show that Carrboro built more multi-family units in the five years from 1985 to 1990 then over the following 30 years. The **combination of development pressure and slow construction has contributed to increasing housing prices**. The lack of speed in the development review process is contributing the affordability crisis.
12. Land values and the development process are allowing **million-dollar homes to be built instead of multi-family or affordable housing**.
13. There was a suggestion to **use a # of bedrooms metric** rather than a density figure.
14. One interviewee mentioned that there is a challenge building affordable housing. The **Town needs more multi-family development**, and a two-year entitlement process is too long. Lot prices are high and that creates expensive homes. The Town needs to find a better balance between building up and building out. More "condo" zoning is needed, so development can get taller rather than occupying more land.
15. It is **hard for small builders to provide affordable housing** given the high land costs and lengthy entitlement process.
16. The Town should consider **more tiny homes on wheels options**.
17. Housing in Carrboro is important, but rent is too expensive, and the **costs of housing are driving members of the community out**.
18. New generations can't afford to build or buy a house and have to stay with their parents. **Affordable housing is a problem, especially for large families (6-7 people)** who need lager dwellings to accommodate their families.
19. We need to be **clearer about our use of terms** when it comes to affordable housing (versus subsidized housing).
20. What is the Town's strategy for density?
21. How is the Town going to accommodate **people living near where they work** in Carrboro given the limited land, and high costs? Many employees in downtown businesses live elsewhere because there are not enough options. Most downtown employees live with people other than their family.
22. One interviewee talked about the Carr Mill neighborhood, which was **rezoned to allow rentals and in so doing brought more students in which raised land values** and resulted in bigger homes that ended up taking affordable housing away from the Town.

B. DESIRED FORMS OF DEVELOPMENT

1. There is also a desire to maintain **human-scaled development** in Carrboro. There was a statement that the recent development like that seen on Fordham Boulevard in Chapel Hill is too much – not in keeping with ideas about human-scale.
2. Interviewees wonder about **how to balance** the need/desire for increased density / more attainable housing / walkability with the desire to maintain a human-scale development template.
3. There is a desire for **more infill development and more townhouses**.
4. There is a desire for **more dispersed neighborhood-serving commercial uses** akin to the existing development on Main Street. Interviewees discussed a desire for more commercial "nodes" or neighborhood-service commercial uses like a corner store or corner coffee shop.
5. There were questions wondering **what are the kinds of development that citizens of Carrboro love**, and what can the UDO project do to foster more forms of development that are consistent with what they love.
6. A statement was made about current **small-scale commercial uses** consisting largely of dollar stores and gas station/convenience stores – that these is a desire for something different in Carrboro. Something more like a "bodega," "tienda," "tabac," "kirana," a "mom and pop store," a deli, or other small-scale neighborhood commercial enterprise that caters more to nearby people arriving on foot or by bicycle rather than a broader customer market who arrives primary by automobile.
7. One interviewee indicated that Carrboro does not want to become another Chapel Hill, but would rather **remain a small town**, and that the LUO update process should keep that as a focus.
8. One interviewee stated that the **current LUO can sometimes be an obstacle** to what makes Carrboro "cool."
9. Establishment of new 6-plex or 11-plex residential developments (like on Poplar Street) should be easy. The **current rules prevent this kind of desirable development**.
10. The new UDO should **incentivize and encourage human-scaled multi-family development**. New development should maintain a "village scale." There are several well-loved 2-story townhouse developments in Carrboro, like: White Oak, Cedar Court, and Fidelity Court.
11. There was a suggestion that the new UDO should **make single-family detached development more difficult to do** instead of making it a default setting. Perhaps it should be more difficult to establish detached single-family homes on larger lots.
12. The Town has recently seen construction of 4,000 square foot homes, which is too large. The **Town does not need such large homes**, and there is a feeling that the Town is interfering with the conversion of existing single-family homes to multi-family.

13. There was a question about whether or not the LUO update project will **revisit the use table**, with some focus on what needs to be removed or added.
14. There was a question about whether or not the Town gives **incentives** for the kinds of uses or kinds of development it wants.
15. Carrboro needs to ensure that its **artists and musicians** have places to live and work.
16. There was a comment that there is a loss of and **failure to create new employment** for young people in Carrboro.
17. There was a statement that the **political will does exist** to make the changes being suggested by Carrboro Connects and these interviews.
18. The Town should be **encouraging small buildings**.
19. There are a **lack of community spaces for recreation**.
20. Everyone wants to come to Carrboro because it is small, but then after moving to the Town tries to **turn it into a big city**.
21. Building **more ADUs** would be helpful and the Town needs to find better ways to "fast track" good stuff for the community.
22. We need more places for **small and micro businesses** to take place.

C. DOWNTOWN

1. An interviewee commented that **building heights in downtown should increase**. There is a desire for a vibrant downtown with taller buildings and more density in a limited space. Further discussion pointed to perhaps 5-story buildings in downtown may be acceptable; 2-3 story rowhouses may be acceptable; 2-story mixed use (like Cliff's Market) may be acceptable.
2. One interviewee suggested that **downtown should be about infill and development to higher densities and with taller buildings** (+/- 5 stories). The neighborhoods around downtown should also be subject to more infill. More discussion is necessary about the "Northern Study Area."
3. There was a statement that downtown is not well kept, and it appears dirty or disheveled; that it is **not well-maintained**. There must be attractions, or reasons to visit downtown.
4. There is **not enough parking downtown**, and the lack of parking spaces keeps people away from downtown. In some cases the parking spaces are absorbed by people who drive downtown and then take the bus to elsewhere.

D. THE ENVIRONMENT

1. There is a question about whether or not there is such a thing as a **500-year-floodplain**, and if the Town can regulate development within it (local governments who participate in the National Flood Insurance Protection (NFIP) Program apply federal FEMA rules to development located within the 100-year floodplain – while FEMA does not apply provisions within the 500-year floodplain, there is nothing barring local governments from doing so of their own accord).
2. One interviewee indicated that **stormwater management is important** and we need it. Open space has to increase in order to facilitate storm water management.
3. There was an observation that moves to protect the existing community character of Carrboro could be a **barrier to reaching the goals for climate resiliency**.

E. TRANSPORTATION

1. There is a desire for **more people to be able to walk** to nearby retail and other daily-needs service providers (e.g., purchase of milk & eggs) without need of a car.
2. There is a desire to **maintain and enhance the pedestrian-oriented environment** in Carrboro.
3. Several interviewees mentioned a desire to explore **NACTO street standards** for inclusion in the updated LUO (National Association of City Transportation Officials) https://nacto.org/
   The association maintains several policy positions: Prioritizing pedestrians, cyclists, and public transit over private vehicles, encouraging walking, biking, and transit to reduce carbon emissions, transportation access should serve all (including historically underserved populations), advocating for vision zero principles to eliminate traffic fatalities, improving transit to reduce reliance on personal vehicles, promoting urban densities, and avoidance of auto-centric standards.
4. There is a desire for **slower street traffic and safer streets** for all people (pedestrians, bicyclists, and drivers). Interviewees wondered of the Town could use a framework like NACTO standards to show the NCDOT the kind of street configuration that is desired by the Town.
5. There is a desire for more opportunities for **transit**.
6. Public transportation in Carrboro has some challenges; there are **not enough bus stops**.

F. THE DEVELOPMENT REVIEW PROCESS

1. There is a desire for more affordable dwelling units in Carrboro that can be established with a **reduced reliance on discretionary review**. Interviewees questioned if there was a way to use incentives for affordable housing or pre-approved designs for affordable housing that could permit less discretionary review.
2. The community should **appeal to people's sense of need for affordable housing** rather than shaming those who may oppose or have questions about proposed development through phrases like "NIMBY" (not-in-my-backyard) or "Nimbyism." Interviewees noted that when attainable or affordable residential is proposed, we need to have efficient, effective, and representative participation by the public.
3. There was a comment that the Town may **not be that inclined to continue with conditional rezoning**, at least as a means of securing affordable/attainable residential development. Some folks would prefer to have codified standards rather than relying on negotiation.
4. It was noted that the current LUO has many kinds of mixed-use development types and provisions, but they are **seldom used**.
5. One interviewee commented that the **form-based zoning district** in Chapel Hill is a good example we should explore.
6. There is a **lack of clarity in the current LUO, and a lack of understanding** of the current review processes. The new UDO needs to "come up to the times." It is very important that Town residents understand the rules and the development process. The consulting team should focus on making the rules and process more clear with flowcharts and streamlining.
7. When new development comes in to an existing neighborhood, the **developers should strive for architectural compatibility with what exists** and they should reach out to neighbors so neighbors can be aware of what is proposed.
8. One interviewee indicated that the development and the development rules are not meeting the Town's needs. The **rules are increasing the costs of development and slowing the development of much needed homes and jobs** down. The LUO and development process empowers those who do not want to see growth. This situation means that the Town is shrinking. Carrboro has built few new homes over the recent past, and that is leading to more homelessness and other societal problems.
9. One interviewee indicated that **staffing resources are always a problem**. There was a suggestion that code enforcement is inconsistent, and that there is an uneven application of the rules to different people. The was a statement that the Town Attorney has too much power.
10. One interviewee said that the Town should **not be listening to the "nimbys"** [not in my back yard] who do not want a lot of higher density housing since Carrboro Connects calls for this.
11. One interviewee indicated that the current development review process includes **significant amounts of public comment and associated evaluation of comments from the audience** which

puts negative pressure on the Town Council. However, the Bolan Creek Greenway project was held up as an example of a successful project and positive Town action.

12. There was an observation that the current special use permit procedure for any residential use type with 5 or more units is a **disincentive to proposals for this kind of development** since it makes it political and unpredictable.
13. There was a suggestion that **removing minimum parking standards** will not result in a flood of new developments that do not include off-street parking since banks likely will not make loans for projects that do not include parking. At the same time, the lack of on-street parking is also a problem, and that the narrow streets and lake of bike lanes could also be part of a problem.
14. There is a need to explore change to how public hearings are conducted – there should be **reductions in the amount of public-provided testimony** and more opportunity for Council deliberation.
15. When asked about their experience with the development review process, one interviewee said the current development review process is a **brick wall due to neighborhood resistance**. The new UDO needs more predictability. There should be no guessing games and there is not enough opportunity to communicate.

G. DEVELOPMENT STANDARDS

1. One perspective raised indicated that **restrictions on uses or different development configurations are a disincentive to development generally** and could interfere with desired forms of development.
2. The LUO needs to be updated to **better address stormwater, economic sustainability, racial equity (fairness), and climate resiliency**.
3. There was a statement that the current regulations do not allow for or encourage desirable neighborhoods. The Town might wish to **consider no design review and fewer standards**, along with more encouragement for the re-use of existing buildings. Perhaps the removal of design standards would make it more possible for some of the housing units to be affordable.
4. The updated LUO should be: **clear, simple, make what we want easy to develop**, eliminate loopholes, and reduce obstacles. The LUO should identify and make clear its purposes.
5. There was a statement that the **Town does not manifest its values** for environmental protection or attainable housing through its current LUO and development review process like it does for its racial equity and other fairness aspects.

6. There was a comment that the new parking deck adjacent to the new library is too large and is an example of how the Town **is not being consistent with its statements about density and small-town scale**.
7. There was a suggestion that the **new rules should be streamlined** so that it is not so expensive to build in Carrboro.
8. There was a statement that it seems that **farmers can do whatever they want** with their land without any real regulations or without worrying about how it impacts other adjacent landowners. As an example, clearcutting may take place on farms even though such activity has negative impact on streams and downstream properties. There was concern mentioned about the possibility of the construction of an amphitheater at Maple View farms.
9. There were several comments about what the new UDO needs. Specifically, it should be "built from the ground up", it should **abolish all minimum parking standards**, it should follow **NACTO** (National Association of City Transportation Officials) street guidelines, the current LUO allows or even requires bike racks to be placed in "weird" places, and there is a general **lack of ADA access** and improvements.
10. Some of the major concerns for the Town are housing affordability, the lack of sidewalks, and transportation concerns.
11. It is **too expensive to develop in Carrboro**, especially for non-profits who provide employment, services, or housing.
12. Suggest **limits on teardowns**.

H. PROJECT OUTCOMES

1. New Land Use Maps are desired as part of the project (not sure, but perhaps what was meant was a **new Official *Zoning* Map**).
2. There is a request to ensure that the LUO update project include the provision of information and educational information to residents and interested parties in Town. The consulting team should **coordinate with the Downtown Area Planning effort** to make sure that project is helping people understand the difference between the two projects and that the "stage is being properly set" for the LUO project.
3. "Carrboro is a patchwork of neighborhoods." The **LUO update process should ensure equity and inclusion for these neighborhoods**.
4. Some interviewees commented that they **don't understand the reasons for use segregation** (residential and non-residential uses are kept apart from one another via zoning).

5. The new UDO needs to be revised to be **more closely aligned with the policy guidance** in Carrboro Connects.
6. Time and trees can combine with the development template to yield the "good stuff". It is possible that when initially constructed, some of Carrboro's neighborhoods did not have trees and seemed out of context with the rest of Town. However, over time, trees have grown; surrounding developments have taken place, and these early neighborhoods have become desirable. **It can take some time for our communities to "blossom."**
7. One interviewee indicated that the new UDO **should promote collaboration, creativity, youth involvement**, and should be "cutting edge."
8. There was a comment that cultural problems exist in Carrboro, and how can the Town help keep the "1st generation" families in the town? The Town needs to recognize the **wide variety of people who live in Town and the wide variety of ways they use land**. The Town should embrace diversity.
9. There is a **perception that it is difficult to build in Carrboro** (and that should be changed).
10. There was a comment that the **Town is not following equitable principles** – as an example, children of residents cannot afford to live in Carrboro.
11. There was a comment that some of the Town's on-line reference materials and commercial development pamphlets have misspellings, and this is a symptom of a larger problem – that the **Town staff is not maintaining its resources or keeping up with the times**.
12. One interviewee commented that the current UDO is broken and should be replaced, not repaired.
13. One interviewee reminded that the Town should be **looking at things from the community's point of view, not a developer's point of view**. There were suggestions for improving stormwater functionality, abolishing single-family detached only zoning (already done), encouraging small homes, open space lands only being set aside in marginal or environmentally-sensitive lands, we need more ways to accommodate natural development, recognize that the Town lacks adequate sidewalks, and that we don't need to guide parking so intensively.
14. One interviewee reminded us that we need to be sure we are **addressing equity**; the Town may not feel safe for everyone, and social justice needs to be maintained.

I. WHAT MAKES CARRBORO GREAT

1. **Attainable and flexible housing** options creates the possibility for mixed income communities, which is one of the things that is great about Carrboro. Another great thing about the community is that there are easy-to-reach amenities (Carrboro has a "15-minute downtown," or is sized and configured to allow almost anyone to reach almost any available amenity within 15 minutes from anywhere in the downtown).
2. One great thing about Carrboro is its **core of small homes that are somewhat close together** with amenities that are interspersed throughout the core. The core has a "ring" of apartments, which are in turn surrounded by single-family detached neighborhoods of larger homes.
3. What makes Carrboro great? My community. Knowing my neighbors. Interacting with my neighbors. **My relationships with my neighbors**.
4. What makes Carrboro great? It was great in the '80s and '90s, but not sure Carrboro is great at the moment. It feels somewhat stagnated, regressing, and the regulations are not enabling the community to be what people think it should be.
5. What is great about Carrboro? It is **dense and compact**, and it has the potential to be less auto-centric.
6. What is great about Carrboro? The **scale of Town is great**. There are many small and local shops (like Fitch lumber). There is the ability to get around many places by bicycle or bus. There is the chance of living a car-free or almost car-free lifestyle.
7. What is great about Carrboro? **That it still "feels" like a small town**. That it is a pro-environment community (even if maybe it isn't). There are many great events and great event venues (Farmer's Market, Art Center, Cat's Cradle, Weaver Street).
8. What is great about Carrboro? The **cultural and music scene**. The affordability of housing permits culture (like music) to remain in Carrboro. At the same time, Carrboro may be losing the things that made it "cool."
9. What is great about Carrboro? **The rural buffer**. However, the fact that it is hard to build houses in Town can put more pressure to develop land in the rural buffer. The lack of density makes it more likely to have urban sprawl.
10. What makes Carrboro great? **The sense of history** – like Carr-Mill, Fitch's. The co-op. There are lots of deer around Carrboro.
11. What's great about Carrboro? It isn't crowded, it doesn't have tall buildings. One interviewee noted that **perhaps what people like about the Town has to be removed in order to meet the Town's goals for the future**.
12. What is great about Carrboro? It is a small town, it was vibrant, it has community spirit and neighborhood integrity. **There are creative people and the community is inclusive**. It begs the question of how Carrboro can remain an inclusive community with such expensive land.

13. What's great about Carrboro? There is **diversity in the population**, downtown has a lot of local businesses. It feels "safe."
14. What's great about Carrboro? The mill and mill housing. **The human scale of development**. The eclectic nature of the buildings and public spaces. The NC architectural vernacular.
15. What's great about Carrboro? There is diversity in business, and its quirky. It is affordable (relatively speaking) and that help keeps it quirky. The people are open-minded and friendly. It is inclusive and safe. The Town is open and tries to work with people. At the same time, an interviewee notes that **perhaps it is the things that people love about Carrboro (its small size, quirkiness, quiet, and relative affordability make it so desirable), which in terms draws people to the Town which then negatively impacts the things people love about it**.
16. What's great about Carrboro? **The schools are good**. There are things for kids to do. There are festivals and music. It is walkable, and there is access to public transportation. There are opportunities for engaging with art.
17. What's great about Carrboro? It is a **quiet town that is easy to get around** and has a great Town Commons.

END OF SUMMARY

The Carrboro New Unified Development Ordinance project is an effort to rewrite the Town's Land Use Ordinance (or "LUO") to implement the 2022 *Carrboro Connects* Comprehensive Plan and bring the current LUO into better alignment with State planning law and best planning practice. Task 1, Project Initiation, of the effort includes a series of meetings and interviews with Town staff, elected officials, interested parties, and members of the development community. This document summarizes the results of the meeting with members of the development community that took place in the Carrboro Civic Club on 11.19.24. The purpose for the meeting was to inform the development community that the Town was initiating a process to update the LUO and to provide representatives with an opportunity to share their views on problems with the development regulations and the development review process generally.

Over 40 development community representatives were identified and invited to the meeting by Town staff. The table below identifies the 12 representatives in attendance at the meeting on November 19, 2024:

REPRESENTATIVE	VOCATION
Delores Bailey	Empowerment
Phil Post	Engineer
Miles Fitch	Fitch Lumber
Grace Horton	Landowner
Erik Chupp	Developer
Omar Zinn	Developer
Mark Moshier	Developer
Tom Tucker	Business Owner
Ken Reiter	Developer
Jim Spencer	Architect
Jack Haggerty	Architect
Chad Huffines	Engineer

In addition to the members of the development community, there were several members of the consulting team present in person and virtually, including Chad Meadows from CodeWright, Karen Mallo from CodeWright, Hunter Freeman from McAdams, David Laube from Noell, and several others. Town staff were NOT present at this discussion.

Several individuals came into the meeting late, and were unable to introduce themselves, so those names are not included here.

The consulting team made a brief presentation (slides attached at the end of this document) overviewing the consulting team, the project scope, the schedule, ideas about constituting a developer's roundtable to review draft work products, the testing portion of the project and an

open discussion on what portions of the development regulations and review process are or are not working.

The following pages provide a general summary of the comments and questions from the development community. Generally speaking, most of those in attendance expressed concern over the process and frustration with the development review process in Carrboro. The consensus among attendees is that current development review process in Carrboro is unpredictable, expensive, and too lengthy. There also seemed to be consensus that representatives from the development community can and should be involved in the regulatory update process.

The following pages include the comments provided during the meeting. Comments are not in any particular order and are not attributed to any individual attendee. For the sake of clarity comments are grouped into the following five topic areas:

A. Communication
B. Development Review Process
C. Development Standards
D. Residential Density
E. The UDO Update Process, Generally

The section below provides five key ideas about the input provided. The end of this report includes copies of the slides provided during the discussion as well as an example of a zoning report from Orange County (which was held up as a potential good example for the Town to emulate).

KEY IDEAS

1. There appears to be mistrust between the development community and Town staff. There is a feeling that there have been recent improvements, but concern lingers.
2. The development review process is viewed as overly complex, lengthy, and unnecessarily expensive. There is a strong desire for increased predictability in terms of review timeframes.
3. Attendees believe development standards are driving up the costs of development which makes housing more expensive.
4. The Town should look to removing obstacles from the development of preferred forms of development rather than incorporating incentives for preferred development forms.
5. The amount of time necessary for the UDO update is too lengthy.

A. COMMUNICATION (5 comments)

1. Some attendees expressed concerns that the consulting team would not receive full information about problems with the development process or concerns described by the development community from the Town staff.
2. Some attendees indicated that Town staff response to questions or submittals have been ambiguous or slow and there have been instances where no follow-up took place or took "lengthy" amounts of time after emails were sent to the Town. There is an underlying perception that there is a lack of accountability on the part of some Town staff members.
3. There is a perception that it can sometimes be difficult to get face-to-face access to Planning Department staff (perhaps in times past it was possible to gain direct access to the department – the ability for direct access in the past was inferred but not clarified).
4. Concern was expressed regarding a perception that applicants are not getting staff comments from individual departments or reviewers in a timely fashion because the Town is holding all comments until they can be consolidated into a comprehensive set. This means that complex portions of the review process or slow reviewers are delaying even the "easy" aspects to address.
5. Attendees mentioned a (potential) past practice where the Town had "Wednesday check-ins" with applicants – this was described as an open format opportunity for applicants to questions Town staff about comments or review status. (We note this kind of practice can help build trust with applicants, but also is costly in terms of staff resources and can be perceived as not transparent by the larger community).

B. DEVELOPMENT REVIEW PROCESS (12 comments)

1. Some attendees noted a recent survey of members of the development community from the Town about the development review process, but there were few details about this effort.
2. The Town needs to establish development review process that moves applications faster through the review process.
3. There were many questions about why the Town requires fully-engineered plans to be submitted during the review process. This practice requires an applicant to expend significant amounts of capital before an entitlement can be secured. This expenditure results in less-productive negotiations with applicants during the entitlement process because the applicant has already invested significant amounts of time and money into the

draft proposal – thus they are resistant to change. The process could be improved by allowing the submittal of less expensive conceptual plans and more feedback to applicants from Town leaders earlier in the process.

4. The development community needs to know the anticipated timeline for review, and avoidance of surprises is paramount. There is a general consensus that the Town seldom articulates the necessary timeframe for review, and when articulated, the review timeframe is seldom achieved.

5. One general statement is that it seems there is just too much "red tape;" that even development proposals that have clear support among the community take an excessively long time to be decided.

6. "We need to have more clarity about how long the development review process will take and how many reviews will likely be necessary."

7. Attendees expressed a desire for an expedited review process option and a willingness to pay higher application fees for expedited reviews.

8. There was a comment that some advisory boards have been given too much control over aspects of the development review process given their level of expertise.

9. Attendees expressed concern that the Town does not have an on-staff engineer and that the Town relies on a third party engineering firm. A follow-on comment indicated that the lack of a Town Engineer means that the engineer who deals with new development applications is likely thinking solely of the project in front of them rather than thinking about how a project might impact the larger context of existing infrastructure or potential long-term impacts on other parts of town like Downtown.

10. There was a comment that more "gutter spread" (the increasing deployment of roadside gutters) is bad. The reasoning appears to be that current rules result in more gutter spread, which will result in more maintenance costs for the Town over the long term.

11. There is a perception that development downtown requires a conditional zoning and then a special use permit and that this obstructs the desired redevelopment and infill in downtown.

12. A recent Orange County Zoning Report document (attached) was held up as an example of how Carrboro's regulations should be crafted. The assertion is that it should be very easy to understand the development potential and applicable rules for a lot or parcel in Carrboro similar to how that information can be accessed in Orange County.

C. RESIDENTIAL DENSITY (5 comments)

1. The density standards in the current LUO are antiquated and do not reflect market demand or land costs.
2. Some feel that affordable housing is absorbing density and causing more impervious surface (there seemed to be an inference that this was a significant opportunity cost for the Town from a budgetary standpoint).
3. A comment was made that the Town lacks sufficient density townwide.
4. There was a comment that upzoning is needed in the Town.
5. Teardowns and reconstruction of larger housing units are taking small lots out of the available pool of lots, and thus prohibiting assembly and the establishment of more efficient dense developments on larger parcels.

D. DEVELOPMENT STANDARDS (15 comments)

1. There was a general consensus that building design standards can be difficult to comply with and expensive, but if having these standards in place allows for a more predicable review process, it may be worth it.
2. Many commented that the development review process in Carrboro is already difficult, and that the Town should not add any additional hurdles.
3. There was a statement that changes to the Town's development rules over time have made housing more expensive.
4. The departure of prior legal counsel has sometimes made judgement calls on the exact meaning or intent of the LUO more difficult. In many instances Town staff takes a conservative position and is hesitant to make judgement calls (while time was insufficient to dig deeper, perception of staff's unwillingness to make a judgement call may warrant more investigation).
5. A comment was made regarding a "presumption clause" in the current LUO that is used to permit or justify something that is not directly expressed under the regulations (unclear if this is a beneficial aspect of the current code or a problem to be addressed).
6. There was a comment that the Town's requirement for a "hex study" for developments incorporating drainage areas of 25 or more acres are unreasonable (we assume this is a reference to a hydraulic exchange area standard, but this was not clarified).

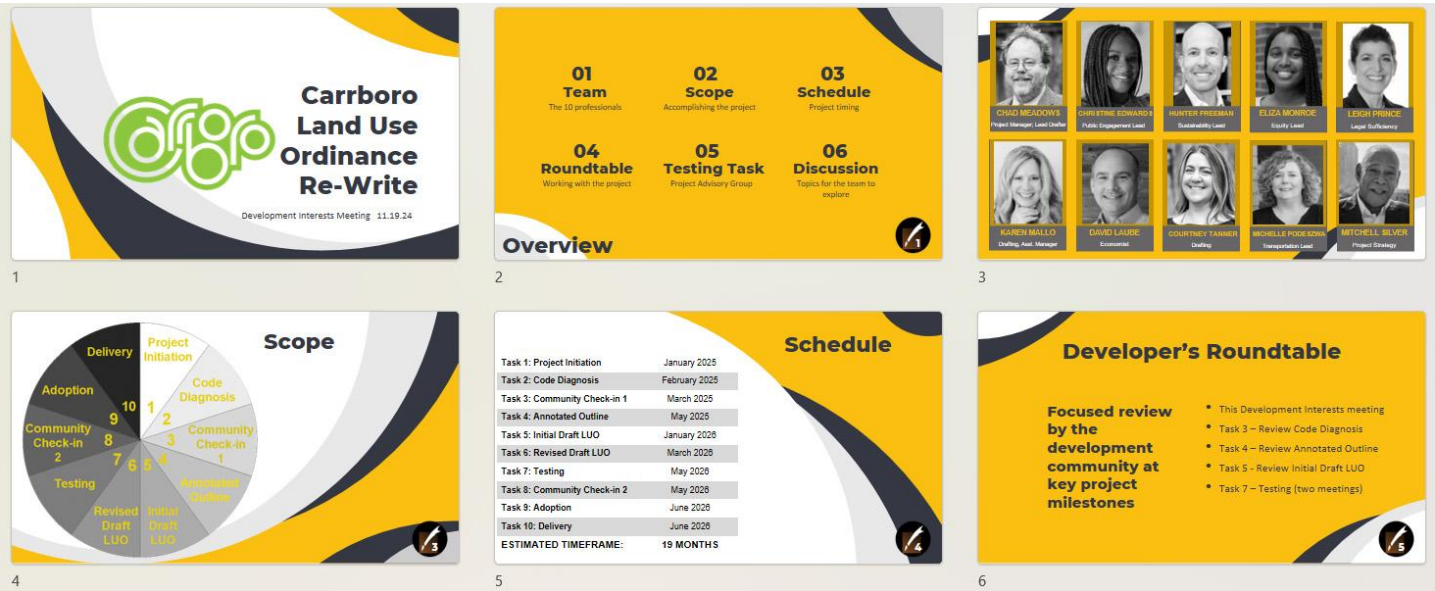
7. Attendees expressed concern over the Town's street standards, which are perceived to be third-party engineering standards that are essentially NCDOT standard (it is unclear if the consensus opinion was or was not that NCDOT standards are appropriate).
8. There was a comment that the Town's impervious surface review is triggered at 5,000 square feet of new impervious surface coverage, which was felt to be unreasonable.
9. There is a perception or an example of a proposed development that was required to provide both drought-resistant landscaping material and grey-water irrigation (this may have been held up as a potential example of "overkill" in the current standards).
10. Some attendees commented that the "convoluted" stream buffer rules and the 40% open space requirements are creating problems for the desired development of dense and affordable housing.
11. A comment was made that the Town's stormwater systems in Downtown are under-designed and inefficient (it was not clear what can or should be done about this).
12. The size-limited provisions for housing in the current LUO are a problem, and more home options are needed instead.
13. One comment was that the Town should not be using incentives to bring desired development features; rather, the Town should be removing obstacles for desired forms of development.
14. There is a perception that the Town employs a philosophy that new development should be made to fix problems created by prior development (whether intentionally or inadvertently), and that this philosophy is wrong, and makes new development more expensive than it needs to be.
15. A comment was made that many of the calls for greater climate resiliency are loudest from residents in existing neighborhoods that have under-designed infrastructure (and that by inference, had these neighborhoods been served by adequate infrastructure, calls for climate resilience would be less-pronounced).

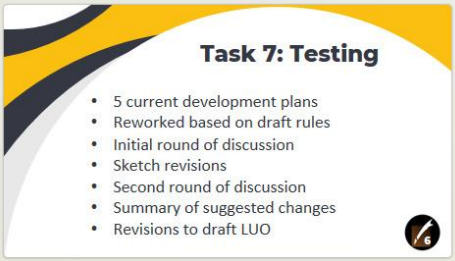
E. UDO UPDATE PROJECT, GENERALLY (5 comments)

1. Many attendees questioned why the new UDO process is planned to take so long – the consensus is that the process should take 7 months or less.

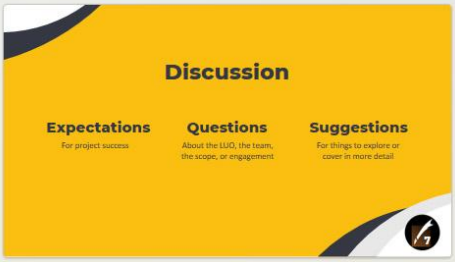
2. There were many questions regarding how testing sites will be selected, and a desire to ensure the testing effort is as realistic as possible.
3. The testing process may help demonstrate the costs of developing in Carrboro and the uncaptured development potential that must be "left on the table" by developers.
4. When testing (Task 7) be sure to select a site with a riparian buffer to better understand those standards. There were also suggestions for testing to help everyone better understand the timing and steps associated with demolishing an existing structure and then replacing it with a new one.
5. There was a suggestion that the testing phase also test the development review process.

SLIDE PRESENTATION




Task 7: Testing
5 current development plans
Reworked based on draft rules
Initial round of discussion
Sketch revisions
Second round of discussion
Summary of suggested changes
Revisions to draft LUO

7


Discussion
Expectations
For project success
Questions
About the LUO, the team, the scope, or engagement
Suggestions
For things to explore or cover in more detail

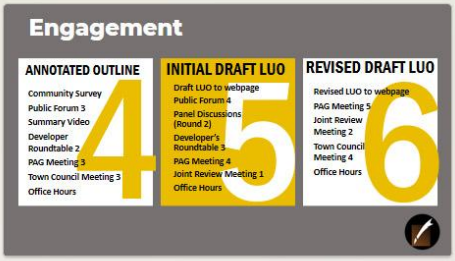
8

Thanks!
pmcguire@carboronc.gov
919.918.7335
chad@codewrightplanners.com
Next steps:
Town Council Meeting 1
Interviews – likely in December
Public Forum 1 – likely in January
Contact Town staff if you would like to join the Developer's Roundtable

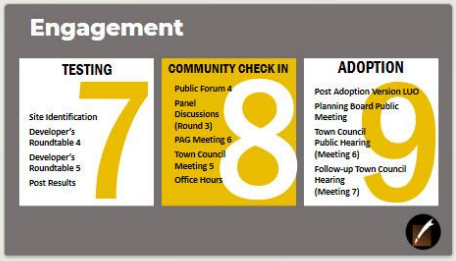
9

Engagement
PROJECT INITIATION
1
Staff Meetings
PAG Meeting 1
Development Interests
Town Council Meeting 1
Interviews
Social Pinpoint
Public Forum 1
CODE DIAGNOSIS
2
Drafting & Posting
Town Council Work Session (meeting 2)
COMMUNITY CHECK IN
3
Public Forum 2 (Zoning basics)
Developer's Roundtable 1
Housing, Climate Change, Environmental Justice Panels
PAG Meeting 2
Town Council Meeting 3
Office Hours

10


Engagement
ANNOTATED OUTLINE
4
Community Survey
Public Forum 3
Summary Video
Developer Roundtable 2
PAG Meeting 3
Town Council Meeting 3
Office Hours
INITIAL DRAFT LUO
5
Draft LUO to webpage
Public Forum 4
Panel Discussions (Round 2)
Developer's Roundtable 3
PAG Meeting 4
Joint Review Meeting 1
Office Hours
REVISED DRAFT LUO
6
Revised LUO to webpage
PAG Meeting 5
Joint Review Meeting 2
Town Council Meeting 4
Office Hours

11


Engagement
TESTING
7
Site Identification
Developer's Roundtable 4
Developer's Roundtable 5
Post Results
COMMUNITY CHECK IN
8
Public Forum 4
Panel Discussions (Round 3)
PAG Meeting 6
Town Council Meeting 5
Office Hours
ADOPTION
9
Post Adoption Version LUO
Planning Board Public Meeting
Town Council Public Hearing (Meeting 6)
Follow-up Town Council Hearing (Meeting 7)

12

EXAMPLE OF ORANGE COUNTY ZONING REPORT (provided by development community representatives)

Zoning Report

Parcel Data:

Parcel Identification Number (PIN): 9867-09-0006
Size: 178.71 acres
Date Created: 4/29/22

Relevant Documents from Register of Deeds:

Plat Book/Page: PB 110/ PG 187, and PB 124/ PG 101
Enforced by County: N/A
Enforced by Others: Restrictive Covenants (RB 6768/ PG 1031)

Zoning Information:

Base Zoning District: Agricultural Residential (AR)
Min Lot Size: 40,000 sq. ft.
Min Lot Width: 150 ft.
Max Density: 1 dwelling unit per 2 acres in Upper Eno Critical and Little River Protected Watersheds, 1 dwelling unit per 40,000 sq. ft. in Upper Eno Protected Watershed
Overlay Zoning District(s): Portions are in Upper Eno Critical, Upper Eno Protected, and Little River Protected Watersheds. Special Flood Hazard Area (100 Year Floodzone) and 500 Year Floodplain
Max Impervious Surface: 6 % (467,076 sq. ft.) in Upper Eno Critical and Little River Protected Watersheds, and 12% (934,152 sq. ft.) in Upper Eno Protected Watershed
Max Building Height: 25'
Building Setbacks: Front 40', Side 20', Rear 20'

Stream, Water Body, and Floodplain Buffers:

Streams/Water Bodies: 80 ft. (Slope= 9%)
Floodplain: 80 ft. (Slope= 7.5%)

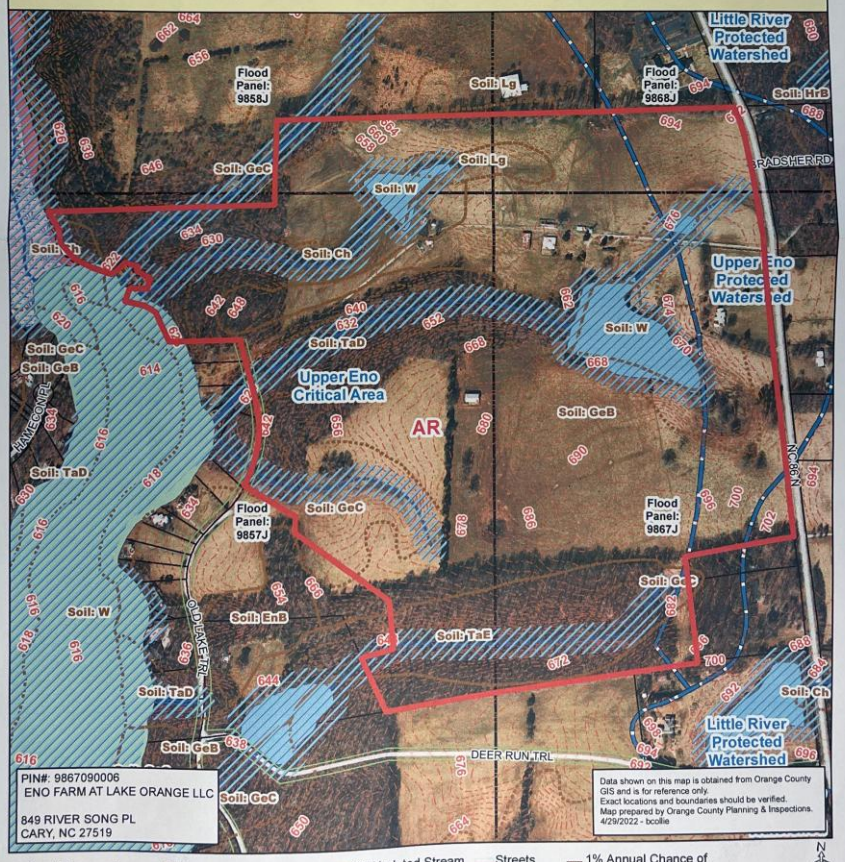
Land Disturbance Permitting Requirements:

Erosion Control: Permit needed when disturbing over 10,000 sq. ft. (waiver required) in Upper Eno Critical and Protected Watersheds, 20,000 sq. ft. in Little River Protected Watershed

Stormwater Management: Permit needed when disturbing over 21,780 sq. ft. residential;
12,000 sq. ft. nonresidential

Disclaimer:
This document was prepared using best available data. GIS imagery may be slightly skewed and is not as accurate as a professional land survey.

Date: 4/29/2022 by bcollie



END OF SUMMARY