



Carrboro New Unified Development Ordinance

Development Community Interest Meeting Summary February, 2025

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.





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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





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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)





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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 predictable 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).





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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.





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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



1



2



3



4



5

Task	Estimated Timeframe
Task 1: Project Initiation	January 2025
Task 2: Code Diagnosis	February 2025
Task 3: Community Check-in 1	March 2025
Task 4: Annotated Outline	May 2025
Task 5: Initial Draft LUO	January 2026
Task 6: Revised Draft LUO	March 2026
Task 7: Testing	May 2026
Task 8: Community Check-in 2	May 2026
Task 9: Adoption	June 2026
Task 10: Delivery	June 2026
ESTIMATED TIMEFRAME:	19 MONTHS



6





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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

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

Thanks!

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919.918.7335
chad@codeandnightplanners.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

Engagement

PROJECT INITIATION	CODE DIAGNOSIS	COMMUNITY CHECK IN
1 Staff Meetings PAG Meeting 1 Development Interests Town Council Meeting 1 Interviews Social Pinpoint Public Forum 1	2 Drafting & Pooling Town Council Work session (meeting 2)	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

Engagement

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

Engagement

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



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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



PIN#: 9867090006
ENO FARM AT LAKE ORANGE LLC
849 RIVER SONG PL
CARY, NC 27519

Data shown on this map is obtained from Orange County GIS and is for reference only. Exact locations and boundaries should be verified. Map prepared by Orange County Planning & Inspections. 4/29/2022 - bcollie

- Road Easement
- Water Body Buffer 80ft
- Floodplain Buffer 80ft
- Stream Buffer 80ft
- Soils
- Planning, PLANADMIN...
- USGS Stream
- Soils Survey Stream
- OC Updated Stream
- NWI Wetlands
- 2' Contours (NCDOT)
- Streets
- Zoning
- FIRM
- 1% Annual Chance of Flooding
- Regulatory Floodway
- Watershed

1 inch = 525 feet
0 130 260 Feet

