



# Agenda

## Board of Commissioners Work Session

7:00 PM October 28, 2024

Board Meeting Room, Town Hall Annex, 105 E. Corbin St.

This meeting will be live streamed on the [Town of Hillsborough YouTube channel](#)

1. **Opening of the work session**
2. **Agenda changes and approval**
3. **Presentations**
  - A. Completion of 2024 Government 101
  - B. Arts and Economic Prosperity sixth annual study findings
4. **Appointments**
  - A. Historic District Commission – Re-appointment of Will Senner for a term expiring Oct. 31, 2027
5. **Items for decision - consent agenda**
  - A. Miscellaneous budget amendments and transfers
  - B. Proclamation – Operation Green Light for Veterans
  - C. East Village at Meadowlands (Auman Village) Request for Development Approval Extension
6. **In-depth discussion and topics**
  - A. Update from Commissioner Matt Hughes
  - B. Unified Development Ordinance text amendment to Section 5.2.8, *Dwelling, Accessory* (applicant-initiated)
  - C. US 70 Bypass Safety Concerns
7. **Committee updates and reports**
8. **Adjournment**

Interpreter services or special sound equipment for compliance with the Americans with Disabilities Act is available on request. If you are disabled and need assistance with reasonable accommodations, call the Town Clerk's Office at 919-296-9443 a minimum of one business day in advance of the meeting.

101 E. Orange St., PO Box 429, Hillsborough, NC 27278  
919-732-1270 | [www.hillsboroughnc.gov](http://www.hillsboroughnc.gov) | @HillsboroughGov



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date:	Oct. 28, 2024
Department:	Administrative Services/Communications
Agenda Section:	Presentations
Public hearing:	No
Date of public hearing:	N/A

#### PRESENTER/INFORMATION CONTACT

Senior Communications Specialist Cheryl Sadgrove

#### ITEM TO BE CONSIDERED

**Subject:** Completion of 2024 Government 101

##### Attachments:

1. 2024 Participants List
2. 2024 Course Schedule

##### Summary:

This presentation recognizes the 24 community members who participated in the town's Government 101 program this fall. Participants attended seven weekly sessions, mostly on Thursday evenings. Participants also gathered on a Saturday morning to tour the utilities facilities. About 25 staff members participated in the sessions, along with the mayor and town commissioners, town attorney, Orange Rural Fire Department employees, and appointed board members.

Hillsborough t-shirts were given at the last session. Certificates of participation will be presented this evening to those who attended at least five of the seven sessions.



HILLSBOROUGH  
UNIVERSITY  
GOVERNMENT 101

## 2024 Participants List

Tom Anderson  
Anne Barrington  
Melanie Bartee  
Connie Crimmins  
Steven Crimmins  
Julia Fernandez  
Mike Garbutt  
Kristy Green  
Ross Green  
Brenda Guarda  
Jerry Hilgenberg  
Kathryn Juarez  
Ryan Lawrence  
Daniel McClellan  
Jan McKelvey  
Chloe Pankratz  
Tara Pressley  
Earl Price  
Quintella Pruitt  
Michael Reeves  
Karl Sakas  
Fred Stewart  
Jack Templeton  
John Young



HILLSBOROUGH  
UNIVERSITY  
GOVERNMENT 101

## 2024 Course Schedule

Session	Date	Time	Location
Foundation of Town Government	Sept. 12	6 to 8:30 p.m.	Whitted Human Services Building
Stormwater and Environmental Services, Public Works and Fleet Maintenance	Sept. 19	6 to 7:30 p.m.	Public Works Yard
Planning and Economic Development	Sept. 26	6:30 to 8:30 p.m.	Town Hall Annex
Fire and Police	Oct. 3	6:30 to 8:30 p.m.	Fire Station
Public Space and Sustainability	Oct. 10	6:30 to 8:30 p.m.	Town Hall Annex
Utilities Tour	Oct. 19	8 a.m. to noon	Adron F. Thompson Water/Sewer Facility*
Budget and Financial Services	Oct. 24	6:30 to 8:30 p.m.	Town Hall Annex
Recognition and Certificates	Oct. 28	7 p.m.	Town Hall Annex

\*Bus tour starts and ends at this location.

### Adron F. Thompson Water/Sewer Facility

719 Dimmocks Mill Road, Hillsborough

### Fire Station (Orange Rural Fire Station 4, located in Waterstone community)

352 College Park Road, Hillsborough

(Parking available at The Little School, 301 College Park Road, and Durham Tech, 525 College Park Road)

### Public Works Yard (behind Adron F. Thompson Water/Sewer Facility)

719 Dimmocks Mill Road, Hillsborough

### Town Hall Annex — Board Meeting Room

105 E. Corbin St., Hillsborough

### Whitted Human Services Building

300 W. Tryon St., Hillsborough



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: Oct. 28, 2024  
Department: Planning and Economic Development  
Agenda Section: Presentations  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Katie Murray, OC Arts Commission Director  
Shannan Campbell, Planning and Economic Development Manager

#### ITEM TO BE CONSIDERED

**Subject:** Arts and Economic Prosperity sixth annual study findings

**Attachments:**

Presentation slides

**Summary:**

Americans for the Arts conducts the Arts and Economic Prosperity Survey to determine the impact of the nonprofit arts sector on local communities. The survey takes place nationwide in all 50 states and utilizes the IMPLAN (impact analysis for planning) economic modeling tool to determine the impact of nonprofit arts agencies and the audiences they attract.

The Arts and Economic Prosperity Survey 6 (AEP6) occurred throughout 2023. The Orange County Arts Commission, along with the towns of Hillsborough, Carrboro, and Chapel Hill gathered spending data from 103 arts agencies and gathered 1,200 audience surveys from attendees at arts events throughout Orange County. Staff's presentation on the report findings will review arts agencies and audiences spending in the communities, how the data differs in each town, and how Orange County and Hillsborough compares to other similar communities across the country. It will also touch on creative jobs and the impact of the COVID-19 pandemic on the creative sector.

**Financial impacts:**

The Town of Hillsborough paid \$1,500 to Americans for the Arts to be a partner in the study and another \$1,665 for a joint survey coordinator to assist the towns and county collect more survey data.

**Staff recommendation and comments:**

N/A

**Action requested:**

N/A

# THE STATE OF THE ARTS OF ORANGE COUNTY

**ARTS & ECONOMIC PROSPERITY 6**

(Almost all) photos by Steve Murray @ncsteve



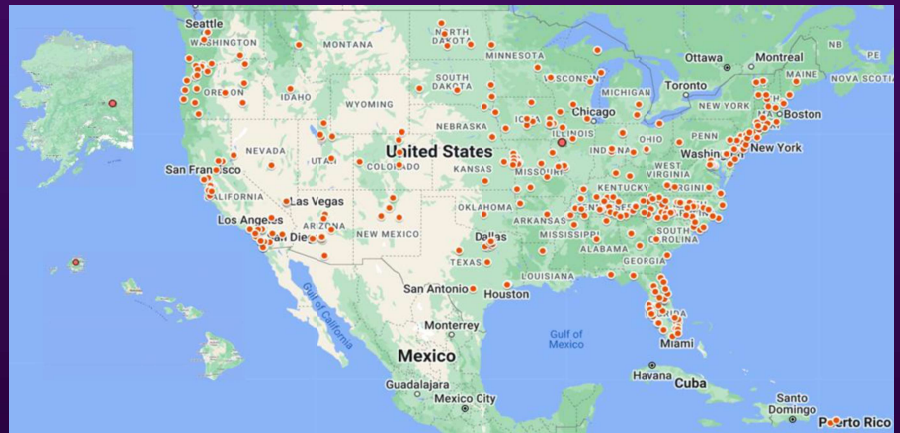
Americans for the Arts



Americans for the Arts

**ARTS & ECONOMIC PROSPERITY 6**

- ➔ 373 study regions
- ➔ All 50 states + Puerto Rico
- ➔ Local partners: Orange County, towns of Chapel Hill, Carrboro, Hillsborough





## AEP6 STUDY PARTNERS



## **ARTS &** **IMPLAN Economic Modeling Tool** ECONOMIC PROSPERITY 6 (Impact Analysis for Planning)

- Widely used, leading economic impact data and analytical software
- Began in 1972
- Utilizes Input-Output Analysis economic modeling technique based on the work of Nobel Prize winner Wassily Leontief
- Examines buy-sell relationships
- Follows the ripple of additional economic activity throughout the economy



## STUDY PARTNERS:



ORANGE COUNTY  
ARTS COMMISSION



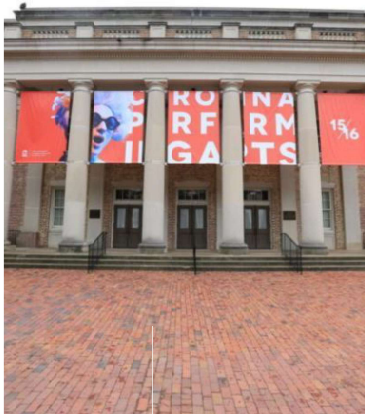
## HOW IT WORKS:

Surveys were collected in 2023  
for fiscal year 2022

### TWO SETS OF DATA:

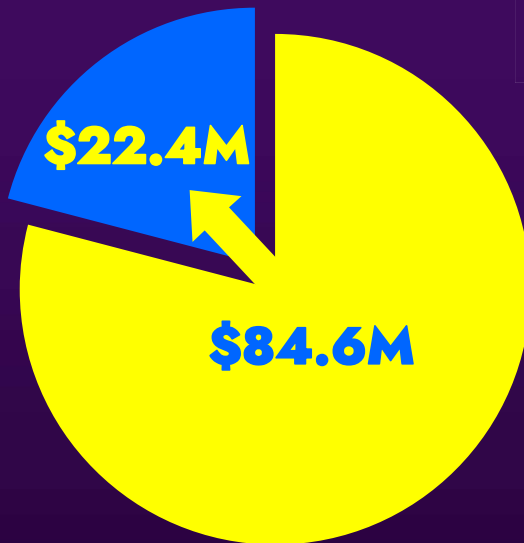
- 1 103 NONPROFIT Organization Surveys (64% participation rate)
- 2 1,096 Audience Surveys





# TOTAL ANNUAL SPENDING

## \$107M

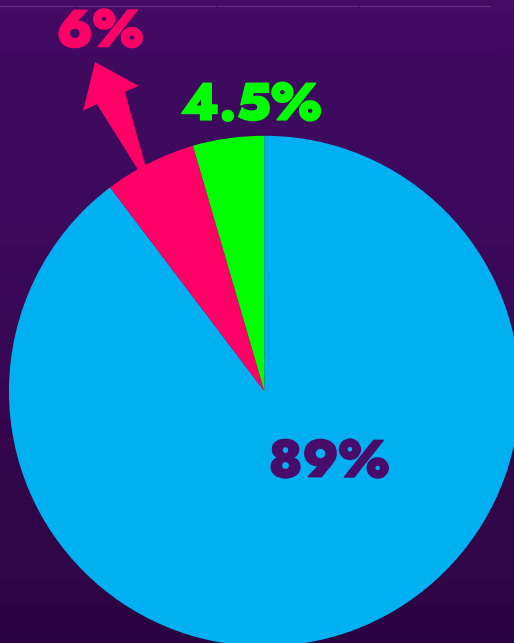


- Organizational Spending: \$84.6M

- Audience Spending: \$22.4M

# ARTS & CULTURE NONPROFIT SPENDING

## \$84.6M



- Chapel Hill: \$75.7M

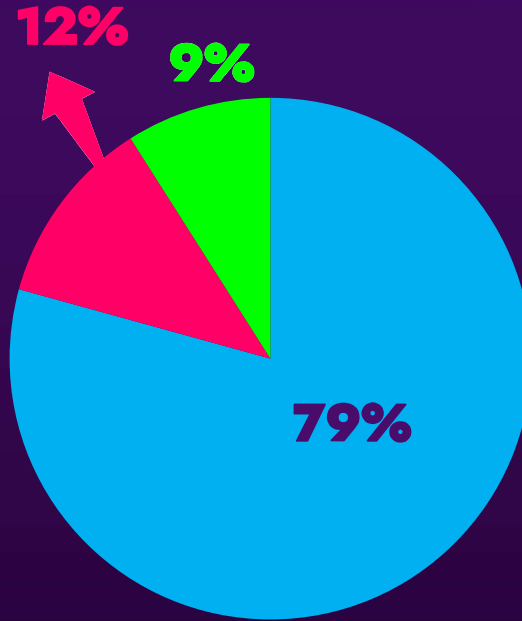
- Hillsborough: \$4.9M

- Carrboro: \$3.8M



# ARTS AUDIENCE SPENDING

**\$22.3M**



■ Chapel Hill: \$17.6M

■ Hillsborough: \$2.6M

■ Carrboro: \$2M

# ARTS AUDIENCE SPENDING

## \$24.65 AVERAGE PER PERSON

(excluding cost of admission)

**\$19.61**  
per person



Orange Co. Residents

**\$32.60**  
per person



Non-residents

**\$38.46**  
per person

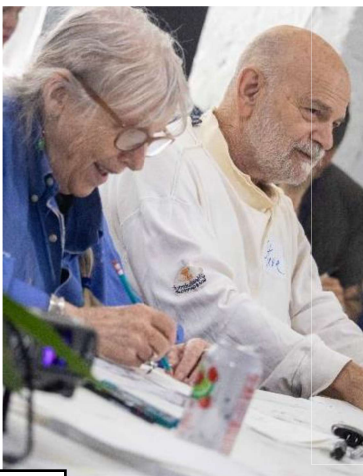
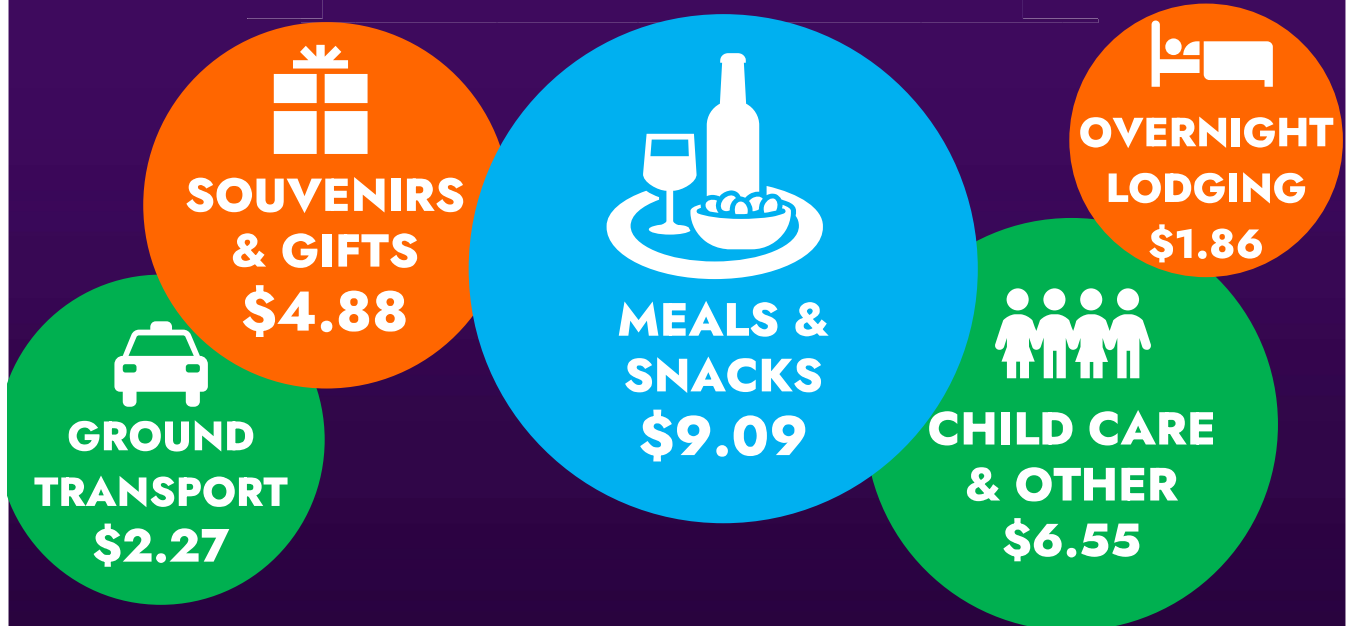


National Average

# ARTS AUDIENCE SPENDING

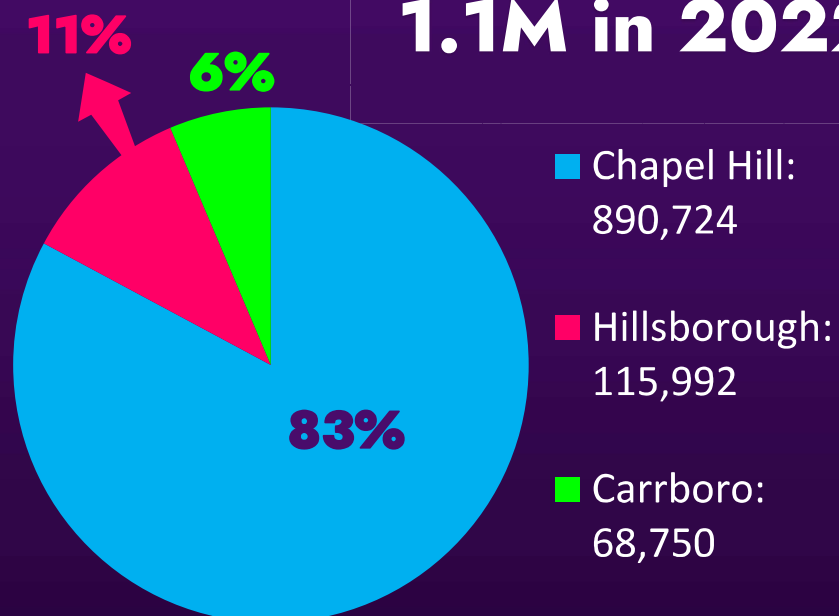
## AREAS OF SPENDING

(BIPOC orgs similar to all orgs)



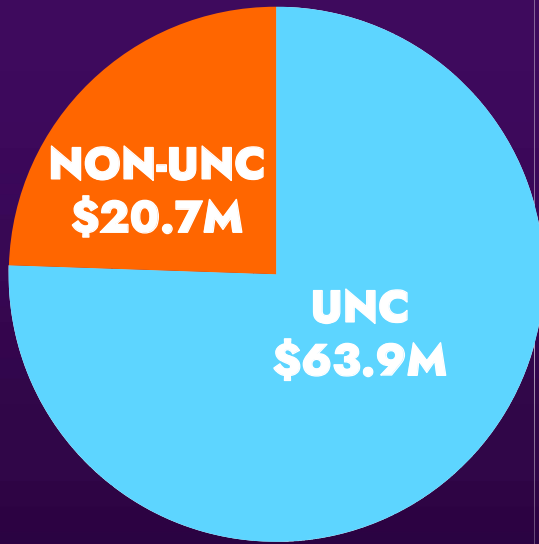
## ANNUAL ARTS ATTENDEES

1.1M in 2022

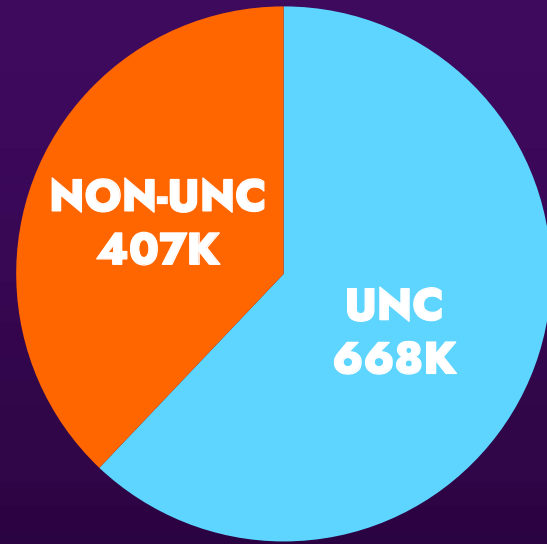


# THE UNC FACTOR

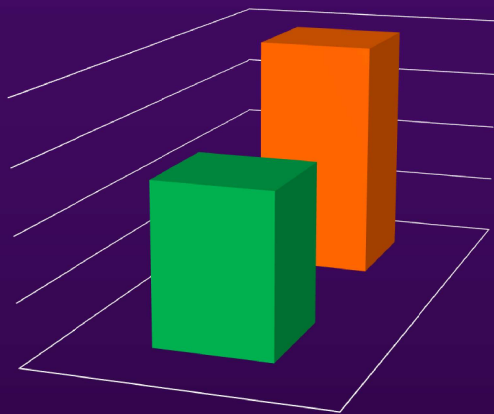
## ORGANIZATIONAL EXPENDITURES



## AUDIENCE ATTENDANCE



# ARTS VS. SPORTS PATRON SPENDING



■ Sports\*   ■ Arts

**2022**

Arts Patrons

**\$78.4B**

**2023**

Sports Patrons

**\$52.2B**

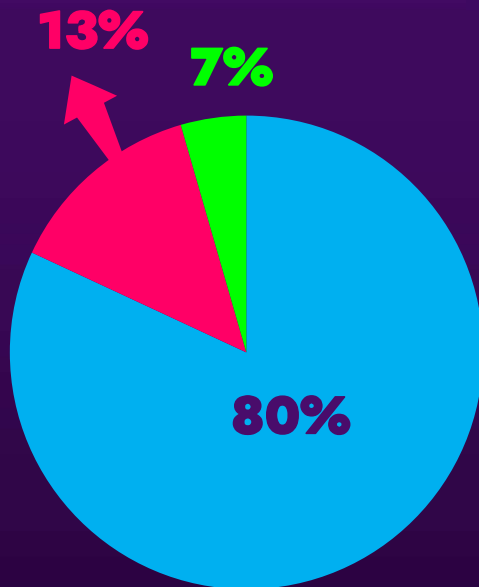
**ARTS PATRONS  
50% HIGHER SPENDING**

\*Source: Sports Tourism Research Institute *State of the Industry Report, 2023*



# LOCAL, STATE, & FEDERAL TAX REVENUE

## \$15.8M



■ Chapel Hill: \$12.7M

■ Hillsborough: \$2.1M

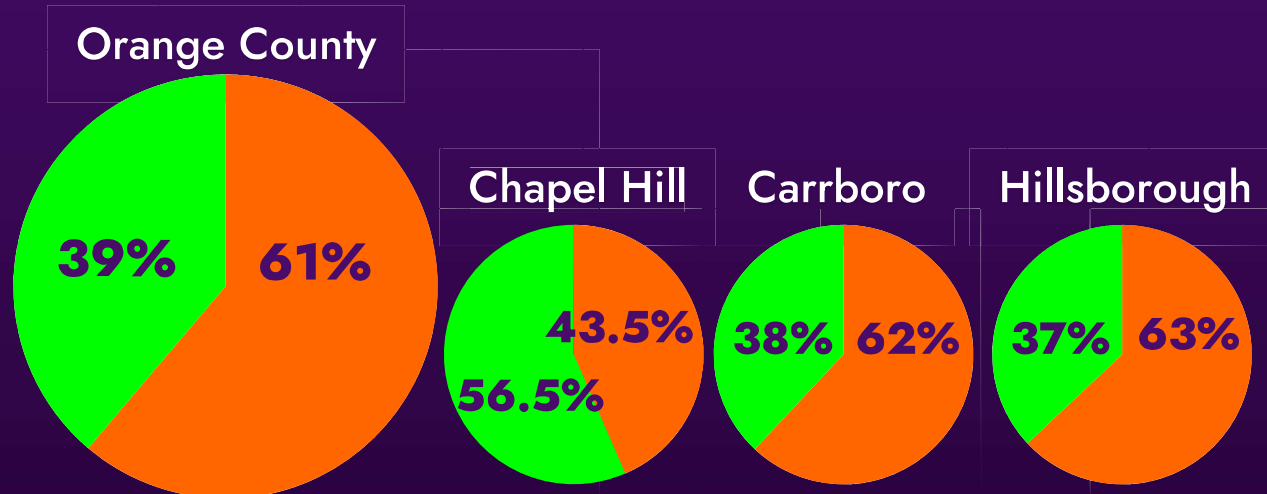
■ Carrboro: \$70k

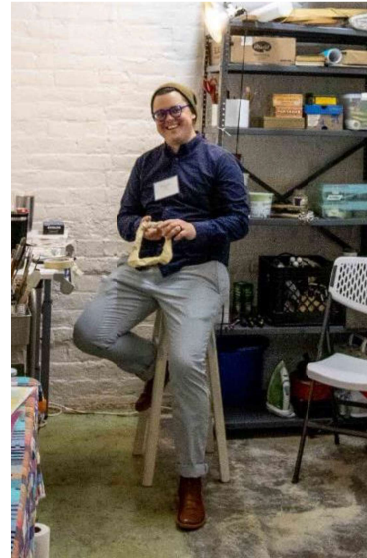
# ARTS & TOURISM

## AUDIENCES:

### NON-RESIDENTS vs.

### ORANGE COUNTY RESIDENTS





# ARTS & EMPLOYMENT

## ORANGE COUNTY:

**\$71.2M**  
Resident  
Household  
Income

**2,192**  
Fulltime  
Equivalent  
Jobs

# ARTS & EMPLOYMENT

## A PERFORMANCE AT MEMORIAL HALL...



### ARTS JOBS

Performers  
CPA Staff  
Ushers  
Box office staff

Sound Techs  
Lighting Techs  
Set builders

### NON-ARTS JOBS

Restaurant servers  
Parking attendants  
Babysitters  
Traffic control officers  
Transportation providers

# ARTS & EMPLOYMENT

---

## WHAT DEFINES AN ARTIST?

Actors	Editors	Painters
Animators	Fabricators	Photographers
Architects	Fashion designers	Poets
Art directors	Film and video editors	Producers
Arts educators	Floral designers	Sculptors
Audio/video technicians	Graphic Designers	Set designers
Choreographers	Landscape Designers	Singers
Composers	Lighting Technicians	Sound technicians
Costumers	Interior designers	Videographers
Crafters	Illustrators	Woodworkers
Curators	Jewelers	Writers
Dancers	Metal workers	
Designers	Muralists	
Directors	Musicians	

( just to name a few... )

# ARTS & EMPLOYMENT

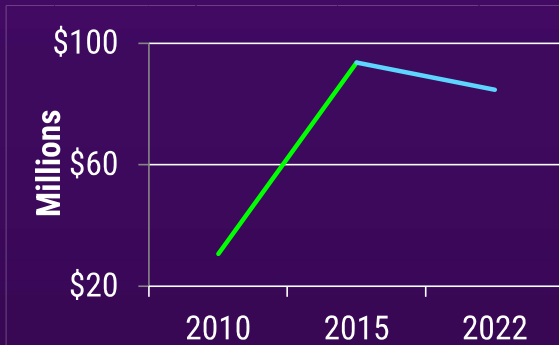
---

## WHAT IS THE CREATIVE ECONOMY?

Arts/Humanities Councils	Cultural Awareness	Printing and Publishing
Arts Advocacy Agencies	Dance	Professional Arts
Arts Centers	Fairs and Festivals	Associations
Arts Education	Film and Video	Radio
Arts Foundations	Folk Arts	Singing/Choral Groups
Artist Management	Historical Organizations	Symphony Orchestras
Arts Research Institutes	Historical Societies	Technical Assistance
Arts Schools	Libraries	Television
Arts Services	Media/Communications	Theatre
Bands and Ensembles	Movie Theaters	Visual Arts
Botanical Gardens/ Arboreta	Museums	Zoos and Aquariums
Community Events	Music	
	Opera	

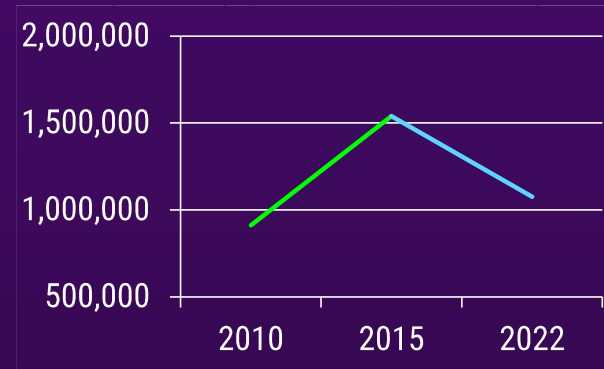
# AEPIV vs. AEP5 vs. AEP6

## ORGANIZATIONAL EXPENDITURES



2010 – 2015:  
**206% INCREASE**  
2015 – 2022:  
**10% DECREASE**

## ATTENDEES



2010 – 2015:  
**69% INCREASE**  
2015 – 2022:  
**30% DECREASE**

# THE IMPACT OF COVID-19

## TOP 3 STEEPEST DECLINING INDUSTRIES, 2020\*

- Performing arts presenters
- Oil drilling/exploration
- Air transportation

\*U.S. Bureau of Economic Analysis

## 2020 JOB LOSSES\*\*

**5 TIMES WORSE** than the average of nonprofit industry.

**63%** of artists experienced unemployment

**95%** of artists lost creative income

\*\*Johns Hopkins University

## AUDIENCE RETURN RATE

**2/3 - 3/4** pre-pandemic numbers, as of 2023



# HOW DO WE COMPARE?

## HILLSBOROUGH

Participating regions with population less than 15k

NAME	POPULATION	ORG. SPENDING	AUDIENCE SPENDING	TOTAL IMPACT
Falls Church, VA	14,617	\$6.9M	\$10.3M	\$17.2M
Sedona, AZ	10,339	\$5.8M	\$7.6M	\$13.4M
Hillsborough, NC	7,115	\$4.9M	\$2.6M	\$7.6M
Florence, OR	10,060	\$2.2M	\$4.9M	\$7.2M
Jamestown, ND	14,930	\$1.9M	\$4.2M	\$6.1M
Harney County, OR	7,267	\$346k	\$3.4M	\$3.7M
Tyrrell County, NC	4,095	\$1.9M	\$977k	\$2.9M
Yankton, SD	14,573	\$167k	\$1.8M	\$2M
Monmouth, OR	10,282	\$164k	\$210k	\$375k

# HOW DO WE COMPARE?

## CARRBORO

Top 11 of 20 regions, population 15-25k

NAME	POPULATION	ORG. SPENDING	AUDIENCE SPENDING	TOTAL IMPACT
Laguna Beach, CA	22,991	\$48.9M	\$39.3M	\$88.2M
Coronado, CA	21,390	\$13.8M	\$25.3M	\$39.1M
Paducah, KY	24,865	\$21.3M	\$14.8M	\$36.1M
Pendleton, OR	16,733	\$7.7M	\$6.9M	\$14.6M
Waterville, ME	16,558	\$9.6M	\$3.8M	\$13.5M
Coralville, IA	21,103	\$2.5M	\$7.6M	\$10.1M
Rutland County, VT	15,398	\$3.9M	\$5.3M	\$9.2M
Elkton, MD	15,653	\$4M	\$4.3M	\$8.3M
Brookings, SD	24,108	\$2.7M	\$4.8M	\$7.5M
Eastern Oregon	16,259	\$4.4M	\$2.5M	\$7M
Carrboro, NC	21,230	\$3.8M	\$2M	\$5.8M

# HOW DO WE COMPARE?

## CHAPEL HILL

Top 10 of 34 regions, population 50-70k

NAME	POPULATION	ORG. SPENDING	AUDIENCE SPENDING	TOTAL IMPACT
Chapel Hill, NC	60,998	\$75.7M	\$17.6M	\$93.3M
Portland, ME	66,125	\$58.2M	\$27.7M	\$85.9M
Dubuque, IA	59,667	\$40.5M	\$29.8M	\$70.4M
Walton County, FL	74,071	\$8.6M	\$48.6M	\$57.2M
Ocala, FL	60,786	\$15.9M	\$37.3M	\$53.2M
Santa Cruz, CA	64,608	\$30M	\$8M	\$38M
Kaua'i, HI	73,298	\$6.9M	\$30.8M	\$37.8M
Walnut Creek, CA	69,825	\$20.5M	\$15.5M	\$36M
rand Junction, CO	63,597	\$15.2m	\$13.2M	\$28.4M
Encinitas, CA	62,904	\$12.5M	\$15.4M	\$27.9M

# HOW DO WE COMPARE?

## ORANGE COUNTY

Top 12 of 61 regions, population 100-200k

NAME	POPULATION	ORG. SPENDING	AUDIENCE SPENDING	TOTAL IMPACT
Kansas City, MO	153,014	\$394M	\$116M	\$510,560,436
Fort Lauderdale, FL	181,818	\$103M	\$186M	\$289M
West Palm Beach, FL	111,955	\$117M	\$97.5M	\$214M
Providence, RI	179,883	\$89M	\$118M	\$207M
New Haven, CT	130,331	\$118M	\$25M	\$143M
Sioux Falls, SD	192,517	\$26M	\$100M	\$126M
Clearwater, FL	115,159	\$52M	\$74M	\$126M
Eugene, OR	172,622	\$90M	\$34M	\$124M
Savannah, GA	145,403	\$35M	\$85M	\$120.5M
Boulder, CO	105,673	\$53.5M	\$62M	\$115M
Alexandria, VA	159,428	\$56M	\$56M	\$111.5M
Orange County, NC	148,476	\$85M	\$22M	\$107M

# HOW DO WE COMPARE?

## ORANGE COUNTY

Top 10 participating counties in North Carolina

NAME	POPULATION	ORG. SPENDING	AUDIENCE SPENDING	TOTAL IMPACT
Wake County	1,129,410	\$192M	\$351M	\$543M
Mecklenburg County	1,110,356	\$217M	\$235M	\$453M
Guilford County	537,174	\$106M	\$133M	\$240M
Durham County	321,488	\$148M	\$843M	\$233M
Forsyth County	382,295	\$101M	\$948M	\$196M
<b>Orange County</b>	<b>148,476</b>	<b>\$85M</b>	<b>\$22M</b>	<b>\$107M</b>
New Hanover County	234,473	\$19M	\$56M	\$75.5M
Cumberland County	335,509	\$44M	\$28M	\$72M
Catawba County	159,551	\$12M	\$41.5M	\$53.5M
Buncombe County	261,191	\$25M	\$26M	\$51M



# PART 2: Current Challenges of our Arts Community

# CHALLENGES OF THE ARTS COMMUNITY

What does a healthy creative economy look like?



# CHALLENGES OF THE ARTS COMMUNITY

## SPACE TO CREATE (PUBLIC)

✓ Lots of options

## (ARTISTS)

✗ Limited options

- Home studios
- Eno Arts Mill
- ArtsCenter

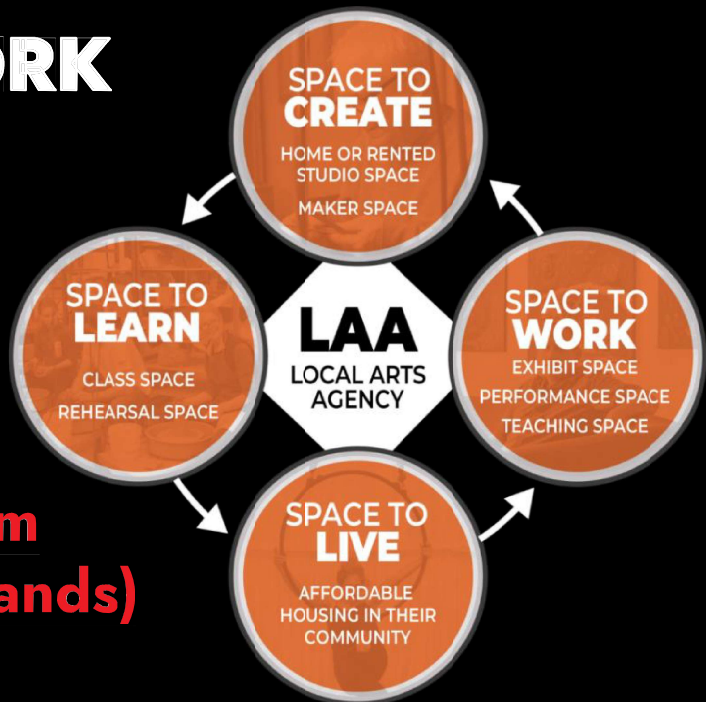


# CHALLENGES OF THE ARTS COMMUNITY

## SPACE TO WORK (ARTISTS)

Varies by town, generally:

- ✗ Spaces to show/sell work
- ✗ Spaces to perform (other than live bands)
- ✗ Space to teach



# CHALLENGES OF THE ARTS COMMUNITY

## SPACE TO LIVE (ARTISTS)

- ✗ Creatives are moving out of Orange County due to cost of living



# CHALLENGES OF THE ARTS COMMUNITY

## SPACE TO LEARN (PUBLIC)

✓ Lots of options

## (ARTISTS)

✗ Limited options

- Eno Arts Mill
- ArtsCenter
- Churches



# SUPPORTING THE ARTS

---

## SUPPORT & RETAIN OUR CREATIVES

- Pay a living wage
- Involve in community planning (affordable housing, placemaking, sustainability, etc.)
- Support the agencies employing artists



# SUPPORTING THE ARTS

---

## SUPPORT & PRESERVE OUR ARTS AGENCIES

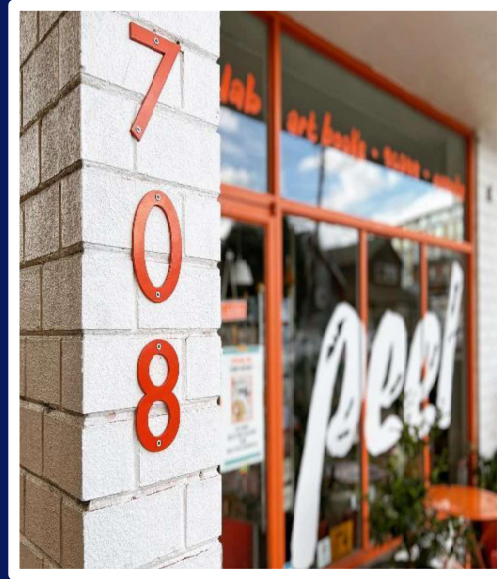
- Private support is decreasing nationally
- **Public support is more important now than ever**
- Increased support for arts agencies = increased local spending



# SUPPORTING THE ARTS

## SUPPORT INITIATIVES THAT ENHANCE OUR COMMUNITY

- Creative spaces
- Artist-led initiatives
- Events & festivals
- Creative small businesses



**RAFFLE FOR THE ARTS**



2024 Jeep® Wrangler 4-Door Sport S  
8-Speed Automatic Transmission  
Sky One-Touch® Power-Top



Tickets \$50 | Drawing Friday, December 20  
A maximum of 2,500 tickets sold  
Sales support arts programming throughout Orange County



**#DuckingForTheArts**  
[ArtsOrange.org/Jeep](https://ArtsOrange.org/Jeep)







ORANGE COUNTY  
ARTS COMMISSION  
ORANGE COUNTY  
ARTS ALLIANCE

## LEARN MORE!

- Visit [www.artsorange.org](http://www.artsorange.org)
- @OCNCarts on Facebook, LinkedIn, Instagram



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: Oct. 28, 2024  
Department: Planning and Economic Development  
Agenda Section: Appointments  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Joseph Hoffheimer, Planner

#### ITEM TO BE CONSIDERED

**Subject:** Historic District Commission – Re-appointment of Will Senner for a term expiring Oct. 31, 2027

**Attachments:**

Original Volunteer Application

**Summary:**

Will Senner has requested re-appointment to the Historic District Commission. Senner’s demonstrated leadership, enthusiasm, institutional knowledge, application of professional construction and design expertise, and valuable input and interaction with the commission have made him a great board member and chair.

**Financial impacts:**

Occasional board training opportunities (minimal expense).

**Staff comments and recommendation:**

Staff recommend re-appointing Will Senner to the Historic District Commission.

**Action requested:**

Re-appoint Will Senner to the Historic District Commission for a three-year term expiring Oct. 31, 2027.



## Advisory Board Application

If you are a Town of Hillsborough resident and willing to volunteer your time and expertise to your community, please complete this form. Volunteers for the Parks and Recreation Board must be at least 13 years old, and volunteers for all other boards must be at least 18 years old.

**Name:**

Will Senner

**Home address:**

103 E Queen St

**Home phone number:**

9192911425

**Email address:**

will.senner@gmail.com

**Place of employment:**

Skanska

**Job title:**

Vice President - Preconstruction

**Birth date:**

Sept. 16, 1983

**Gender:**

Male

**Ethnic origin:**

White

**Boards you would be willing to serve on:**

First choice — Historic District Commission

**Reasons for wanting to serve:**

Interest in preserving the character of the historic district while supporting progress towards the town's 2030 vision.

**Have you served or are you currently serving on a town board? If so, which ones and when?**

No

**Relevant work, volunteer or educational experience:**

Undergraduate degree in civil engineering. 16 years of professional experience in commercial construction. 8 years of volunteer work with USGBC, including chairing local board of directors.

**How are you connected to Hillsborough (live, work, play, shop, own property)?**

Resident in historic district

**Have you reviewed the Vision 2030 plan, and what are your thoughts about it?**

Have reviewed it loosely but am willing to review in further detail if appointed. That said, I am very much aligned with the goals and priorities as outlined.

**Have you reviewed other town documents (budget, strategy map, small area plans), and what are your thoughts about them?**

Similar to above - have reviewed these documents loosely but would review them in further detail (particularly the new historic district guidelines and any other documents recommended by staff) if appointed.

**What challenges do you see the town facing that could be addressed by the board or boards on which you wish to serve?**

Preserving the unique character of the district while maintaining thoughtful progress in other priority areas such as sustainability, diversity, connectivity, etc.

**How you heard about this opportunity:**

Other

**Agreement:**

✓ I have been advised that I am committing to attend the volunteer board's regular meetings. Attendance at the regular meetings shall be considered a prerequisite for maintaining membership on the board. The Board of Commissioners may declare a vacancy on the board because of non-attendance.



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: Oct. 28, 2024  
Department: Administration  
Agenda Section: Consent  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Emily Bradford, Budget Director

#### ITEM TO BE CONSIDERED

**Subject:** Miscellaneous budget amendments and transfers

**Attachments:**

Budget Changes Report

**Summary:**

To adjust budget revenues and expenditures, where needed, due to changes that have occurred since budget adoption.

**Financial impacts:**

As indicated by each amendment.

**Staff recommendation and comments:**

To approve the attached list of budget amendments and transfers.

**Action requested:**

Consider approving budget amendments and transfers.

FY 2024-2025

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 10/28/2024 TO 10/28/2024

	<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
GF	10-00-9990-5300-000 CONTINGENCY						
Contingency	Adj per FY24 PO roll forwards	45662	10/28/2024	EBRADFORI	450,000.00	30,713.35	386,596.35
Gov. Body	10-10-4100-5500-970 SERVICE CHARGE - W&S FUND						
	Adj per FY24 PO roll forwards	45649	10/28/2024	EBRADFORI	-146,370.00	-1,233.00	-147,603.00
Gov. Body	10-10-4100-5500-980 SERVICE CHARGE - STORMWATER FUND						
	Adj per FY24 PO roll forwards	45650	10/28/2024	EBRADFORI	-5,849.00	-55.00	-5,904.00
Admin.	10-10-4200-5500-970 SERVICE CHARGE - W&S FUND						
	Adj per FY24 PO roll forwards	45651	10/28/2024	EBRADFORI	-459,439.00	-3,727.00	-463,166.00
Admin.	10-10-4200-5500-980 SERVICE CHARGE - STORMWATER FUND						
	Adj per FY24 PO roll forwards	45652	10/28/2024	EBRADFORI	-18,377.00	-150.00	-18,527.00
Comms	10-10-4600-5500-970 COST ALLOCATION - W&S FUND						
	Adj per FY24 PO roll forwards	45653	10/28/2024	EBRADFORI	-192,361.00	-2,132.00	-194,493.00
Comms	10-10-4600-5500-980 COST ALLOCATION - STORMWATER FUND						
	Adj per FY24 PO roll forwards	45654	10/28/2024	EBRADFORI	-7,694.00	-86.00	-7,780.00
Facilities Mgmt.	10-10-5000-5500-970 SERVICE CHARGE - W&S FUND						
	Adj per FY24 PO roll forwards	45655	10/28/2024	EBRADFORI	-194,563.00	-10,613.00	-205,176.00
Facilities Mgmt.	10-10-5000-5500-980 SERVICE CHARGE - STORMWATER FUND						
	Adj per FY24 PO roll forwards	45656	10/28/2024	EBRADFORI	-114,969.00	-6,271.00	-121,240.00
IT	10-10-6610-5500-970 SERVICE CHARGE - W&S FUND						
	Adj per FY24 PO roll forwards	45659	10/28/2024	EBRADFORI	-614,530.00	-34,251.00	-648,781.00
IT	10-10-6610-5500-980 SERVICE CHARGE - STORMWATER FUND						
	Adj per FY24 PO roll forwards	45660	10/28/2024	EBRADFORI	-24,581.00	-1,370.00	-25,951.00
Police	10-20-5100-5300-310 GASOLINE						
	To cover Southern Software invoice.	45641	10/28/2024	JFernandez	77,380.00	-25.00	77,355.00
Police	10-20-5100-5300-424 C.S./SANCT.DIGITAL-S. SOFTWARE						
	To cover Southern Software invoice.	45642	10/28/2024	JFernandez	1,274.00	25.00	1,299.00
Fleet Maint.	10-30-5550-5500-970 SERVICE CHARGE - W&S FUND						
	Adj per FY24 PO roll forwards	45657	10/28/2024	EBRADFORI	-243,475.00	-5,175.00	-248,650.00
Fleet Maint.	10-30-5550-5500-980 SERVICE CHARGE - STORMWATER FUND						
	Adj per FY24 PO roll forwards	45658	10/28/2024	EBRADFORI	-5,367.00	-74.00	-5,441.00
Special Approp.	10-60-6900-5350-621 SERVICE CHARGE - UTILITIES ADMIN						
	Adj per FY24 PO roll forwards	45661	10/28/2024	EBRADFORI	150,000.00	34,423.65	184,423.65
WSF Transfers Out	30-71-5972-5972-002 TRANSFER TO WATER SDF RESERVE FUND						
	To budget Water SDFs	45645	10/28/2024	EBRADFORI	0.00	23,995.00	23,995.00
WSF Transfers Out	30-71-5972-5972-003 TRANSFER TO SEWER SDF RESERVE FUND						
	To budget Sewer SDFs	45646	10/28/2024	EBRADFORI	0.00	22,162.00	22,162.00
WSF Revenues	30-80-3500-3523-002 WATER SYSTEM DEVELOPMENT FEES						
	To budget Water SDFs	45643	10/28/2024	EBRADFORI	0.00	23,995.00	23,995.00
WSF Revenues	30-80-3500-3525-002 SEWER SYSTEM DEVELOPMENT FEES						
	To budget Sewer SDFs	45644	10/28/2024	EBRADFORI	0.00	22,162.00	22,162.00
Admin. of Enterprise	30-80-7200-5300-041 ATTORNEY FEES						
	To cover attorney fees	45682	10/28/2024	EBRADFORI	17,000.00	30,000.00	47,000.00
Admin. of Enterprise	30-80-7200-5350-610 SERVICE CHARGE - GOVERNING BODY						
	JFernandez		10/21/2024	7:55:53PM			
	f1142r03						

Section 5, Item A.

FY 2024-2025

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 10/28/2024 TO 10/28/2024

REFERENCE	CHANGE NUMBER	DATE	USER	ORIGINAL BUDGET	BUDGET CHANGE	AMENDED BUDGET	
Adj per FY24 PO roll forwards	45663	10/28/2024	EBRADFORI	146,370.00	1,233.00	147,603.00	
Admin. 30-80-7200-5350-611 SERVICE CHARGE - ADMINISTRATION of Enterprise	Adj per FY24 PO roll forwards	45664	10/28/2024	EBRADFORI	459,440.00	3,726.00	463,166.00
Admin. 30-80-7200-5350-613 SERVICE CHARGE - FLEET MAINTENANCE of Enterprise	Adj per FY24 PO roll forwards	45666	10/28/2024	EBRADFORI	243,476.00	5,174.00	248,650.00
Admin. 30-80-7200-5350-614 SERVICE CHARGE - FACILITY MGMT of Enterprise	Adj per FY24 PO roll forwards	45669	10/28/2024	EBRADFORI	194,564.00	10,612.00	205,176.00
Admin. 30-80-7200-5350-616 SERVICE CHARGE - INFORMATION TECH of Enterprise	Adj per FY24 PO roll forwards	45667	10/28/2024	EBRADFORI	614,531.00	34,250.00	648,781.00
Admin. 30-80-7200-5350-623 SERVICE CHARGE - COMMUNICATIONS of Enterprise	Adj per FY24 PO roll forwards	45665	10/28/2024	EBRADFORI	192,361.00	2,132.00	194,493.00
Utilities Admin. 30-80-7220-5500-990 SERVICE CHARGE - GENERAL FUND	Adj per FY24 PO roll forwards	45668	10/28/2024	EBRADFORI	-150,000.00	-34,423.65	-184,423.65
WTP 30-80-8120-5300-330 SUPPLIES - DEPARTMENTAL	To cover software support renewal for SC	45684	10/28/2024	JFernandez	5,000.00	-1,630.00	3,370.00
WTP 30-80-8120-5300-458 DATA PROCESSING SERVICES	To cover software support renewal for SC	45685	10/28/2024	JFernandez	1,000.00	1,630.00	2,630.00
WW Collect. 30-80-8200-5300-080 TRAINING/CONF./CONV.	To cover NASSCO recertification.	45640	10/28/2024	JFernandez	5,000.00	1,500.00	6,500.00
WW Collect. 30-80-8200-5300-416 C.S./ROOT CONTROL SERVICE	To cover NASSCO recertification.	45639	10/28/2024	JFernandez	17,000.00	-1,500.00	15,500.00
WSF Contingency 30-80-9990-5300-000 CONTINGENCY	Adj per FY24 PO roll forwards	45670	10/28/2024	EBRADFORI	400,000.00	-22,703.35	219,810.65
	To cover attorney fees	45683	10/28/2024	EBRADFORI	400,000.00	-30,000.00	189,810.65
SW Contingency 35-30-5900-5300-000 CONTINGENCY	Adj per FY24 PO roll forwards	45677	10/28/2024	EBRADFORI	25,000.00	-8,000.00	17,000.00
Storm-Water 35-30-5900-5350-610 SERVICE CHARGE - GOVERNING BODY	Adj per FY24 PO roll forwards	45671	10/28/2024	EBRADFORI	5,850.00	54.00	5,904.00
Storm-Water 35-30-5900-5350-611 SERVICE CHARGE - ADMINISTRATION	Adj per FY24 PO roll forwards	45672	10/28/2024	EBRADFORI	18,378.00	149.00	18,527.00
Storm-Water 35-30-5900-5350-613 SERVICE CHARGE - FLEET MAINTENANCE	Adj per FY24 PO roll forwards	45675	10/28/2024	EBRADFORI	5,368.00	73.00	5,441.00
Storm-Water 35-30-5900-5350-614 SERVICE CHARGE - FACILITY MGMT	Adj per FY24 PO roll forwards	45674	10/28/2024	EBRADFORI	114,970.00	6,270.00	121,240.00
Storm-Water 35-30-5900-5350-616 SERVICE CHARGE - INFORMATION TECH	Adj per FY24 PO roll forwards	45676	10/28/2024	EBRADFORI	24,582.00	1,369.00	25,951.00
Storm-Water 35-30-5900-5350-623 SERVICE CHARGE - COMMUNICATIONS	Adj per FY24 PO roll forwards	45673	10/28/2024	EBRADFORI	7,695.00	85.00	7,780.00
Restr. Revenue 72-00-5100-3301-052 RESTRICTED REV-ABC BOARD GRANT	Allocate FY25 Q2 ABC Board payment.	45647	10/28/2024	JFernandez	27,157.85	3,500.00	34,157.85
Restr. Revenue 72-00-5100-3301-057 RESTRICTED REV-BULLETPROOF VEST PAR	Est budget for grant funds	45680	10/28/2024	EBRADFORI	0.00	1,875.41	1,875.41
Restr. Revenue 72-20-5100-5300-052 ABC BOARD EXPENDITURES							
	JFernandez	10/21/2024	7:55:53PM				
	f1142r03						

FY 2024-2025

TOWN OF HILLSBOROUGH  
BUDGET CHANGES REPORT

DATES: 10/28/2024 TO 10/28/2024

<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>USER</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
Allocate FY25 Q2 ABC Board payment.	45648	10/28/2024	JFernandez	27,157.85	3,500.00	34,157.85
Restr. 72-20-5100-5300-368 BULLETPROOF VEST PARTNERSHIP EXPEND						
Revenue Est budget for grant funds	45681	10/28/2024	EBRADFORI	0.00	1,875.41	1,875.41
					<u>103,064.82</u>	





## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: Oct. 28, 2024  
Department: Governing Body  
Agenda Section: Consent  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Mayor Mark Bell

#### ITEM TO BE CONSIDERED

**Subject:** Proclamation – Operation Green Light for Veterans

**Attachments:**

Proclamation

**Summary:**

Operation Green Light for Veterans is a nationwide initiative to support veterans and raise awareness about the challenges many veterans face in accessing benefits and services. By lighting buildings green from Nov. 4 through Nov. 11, 2024, local governments and community members will let veterans know that they are seen, appreciated and supported.

**Financial impacts:**

N/A

**Staff recommendation and comments:**

N/A

**Action requested:**

To approve a proclamation in support of Operation Green Light for Veterans.



# PROCLAMATION

## Supporting Operation Green Light for Veterans

**WHEREAS**, the people of Hillsborough respect, admire, and appreciate the individuals who selflessly have served the United States of America in the armed forces by placing themselves in challenging or perilous situations; and

**WHEREAS**, the contributions and sacrifices of those individuals who served in the armed forces have been vital in maintaining the freedoms and ways of life that we enjoy in our local communities; and

**WHEREAS**, Operation Green Light is a nationwide initiative to support veterans and raise awareness about the challenges many veterans face in accessing benefits and services; and

**WHEREAS**, approximately 70 percent of veterans experiencing homelessness also experience substance use disorders and 50 percent live with mental illnesses such as post-traumatic stress disorder; and

**WHEREAS**, studies indicate that 44 to 72 percent of service members experience high levels of stress during transition from military to civilian life and that active service members transitioning from military service are at a high risk for suicide during their first year after military service; and

**WHEREAS**, veterans continue to serve our communities in the American Legion, Veterans of Foreign Wars, religious groups, community organizations, and civil service and as county veteran service officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability, and compensation benefits each year; and

**WHEREAS**, Town of Hillsborough veterans include Mayor Mark Bell ( U.S. Naval Reserve), Police Officer 1<sup>st</sup> Class Curry Hall (U.S. Army), Meter Reader Supervisor Tyrone Hodge (U.S. Army), and Police Officer 1<sup>st</sup> Class Matthew Lorenson (U.S. Marine Corps); and

**WHEREAS**, the Town of Hillsborough seeks to join other communities through Operation Green Light for Veterans to shine a light on the plight of veterans across the country who are having a hard time connecting with benefits after serving their country;

**NOW, THEREFORE**, I, Mark Bell, mayor of the Town of Hillsborough, do hereby proclaim the week of Nov. 4-11, 2024, which includes Veterans Day on Nov. 11, to be a time to honor the service and sacrifice of individuals in uniform transitioning from active service;

**FURTHERMORE**, in observance of Operation Green Light for Veterans, the Hillsborough Board of Commissioners encourages community members to show their support for veterans by displaying a green light in a window of their place of business or residence from Nov. 4 through Nov. 11.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused this seal of the Town of Hillsborough to be affixed this 28<sup>th</sup> day of October in the year 2024.

---

Mark Bell, Mayor  
Town of Hillsborough



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date: Oct. 28, 2024  
Department: Planning and Economic Development  
Agenda Section: Consent  
Public hearing: No  
Date of public hearing: N/A

#### PRESENTER/INFORMATION CONTACT

Shannan Campbell, Planning and Economic Development Manager

#### ITEM TO BE CONSIDERED

**Subject:** East Village at Meadowlands (Auman Village) Request for Development Approval Extension

##### Attachments:

1. 2024 Applicant request letter
2. 2022 SUP extension letter granted
3. Original Special Use Permit document

##### Summary:

In late 2020 the town board approved the Special Use Permit for the East Village at Meadowlands, a 76-unit townhome community to be constructed by Habitat for Humanity of Orange County. The Special Use Permit vested the development for a period of two years from the date of approval putting its initial expiration date at Dec. 22, 2022. In late 2022, Habitat representatives contacted town staff and let them know that they were still intending to build the project but due to COVID and project cost escalations, they needed more time. The town board approved an extension for another two years, putting the new project expiration date at Dec. 14, 2024. Habitat has been working on construction drawing approval and may still make that deadline but is requesting another six-month extension just in case, for a new expiration date of **June 14, 2025**.

##### Financial impacts:

N/A

##### Staff recommendation and comments:

Staff recommends issuing an additional six-month extension because the applicant has made good faith progress in moving the project forward, however staff does not support any additional extensions. The project will have been approved for almost five years upon its next expiration deadline and many regulations have changed since the project was originally approved, which is why projects are often only give that initial two years to start construction.

##### Action requested:

N/A



We build strength, stability, self-reliance *and* shelter.

October 4, 2024

Shannan Campbell  
Planning and Economic Development Manager  
Town of Hillsborough  
PO Box 429  
Hillsborough, NC 27278

Dear Shannan,

On December 14, 2020, the Hillsborough Board of Commissioners granted Habitat for Humanity of Orange County a Special Use Permit for the East Village at Meadowlands project, which will provide 75 families with the opportunity to own an affordable townhome in Hillsborough. In June of 2022, we requested a 2 year extension of the SUP as we started our Weavers Grove Project in Chapel Hill. **At this time, we would like to request a six month extension to the Special Use Permit.** This would extend the Vested Rights for the property and the time allowed for approval of a Zoning Compliance Permit until June 14, 2025.

Habitat has applied for a ZCP for East Village, and that plan set is currently going through an extensive review. We are committed to a well-designed project that is as close to its final state upon approval as it can be. Because of this, the approval process has been slower than expected and we are concerned that final approval may extend past the current December 14<sup>th</sup>, 2024 deadline. We neither expect or desire to take the full six months to conclude the ZCP approval and start work on the site. Habitat has applied for and been approved for a 2-million-dollar infrastructure loan through the Habitat for Humanity of North Carolina Affiliate Support Organization, so we are ready to start this work as soon as we receive approvals. We are eager to get back to work in Hillsborough, and hope that the approval delays do not affect the home construction we have on our schedule for 2026. We would rather take a little more time at this moment to make sure that we have a site plan that fits both the Town of Hillsborough’s requirements as well as works for the community we are trying to build for our future homebuyers.

Please consider this letter a formal request to the Town of Hillsborough for a six-month extension to the Special Use Permit for East Village at Meadowlands. Please let me know if you require additional information, or have any questions. Thank you for your consideration of this request.

In Partnership,

Richard Turlington  
Vice President of Construction



TOWN OF  
HILLSBOROUGH

September 21, 2022

Richard Turlington  
c/o Habitat for Humanity Orange County  
85 Viacom Center Drive, Suite L110  
Chapel Hill, NC 27514

Mr. Turlington,

The Hillsborough Town Board voted to approve the Special Use Permit two-year extension request for the East Village at Meadowlands project (SUP#2020-01; BK 6706 PG 1679-1684) by a unanimous vote on September 12<sup>th</sup>, 2022. The Permit will now expire on **December 14, 2024** if a Zoning Compliance Permit has not been issued for the project. Please see the original recorded Special Use Permit document for other conditions and stipulations with regard to the permit.

If you have any questions or concerns, please contact me.

Thanks,

Shannan Campbell, AICP, CZO  
Planning and Economic Development Manager  
Town of Hillsborough  
919.296.9477 | 919.491.9639

cc. Tom King, Senior Planner (inter-office)

Development Archive File- Development Reviews- Special Use Permits (electronic)

9  
m

1/1

Doc No: 30041112  
Recorded: 02/19/2021 03:51:18 PM  
Fee Amt: \$26.00 Page 1 of 6  
Excise Tax: \$0.00  
Orange County North Carolina  
Mark Chilton, Register of Deeds  
BK 6706 PG 1679 - 1684 (6)

*Melissa Kump*

Prepared by: Tom King, AICP, CZO, Senior Planner, Town of Hillsborough Planning Department  
Return to: Habitat for Humanity, Orange County, N.C., Inc. c/o Jennifer Player, President and CEO – 88 Vilcom Center Drive, Suite L110, Chapel Hill, NC 27514

**TOWN OF HILLSBOROUGH**  
**ORANGE COUNTY** **NORTH CAROLINA**  
**SPECIAL USE PERMIT #2020-01**

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned property owner, Habitat for Humanity, Orange County, N.C., Inc., acknowledges the receipt of this Special Use Permit for the use and development of the property hereinafter described; and that the same was granted by the Town of Hillsborough on December 14, 2020, the terms of which are as follows:

**NAME OF PROJECT:** East Village at Meadowlands  
**NAME OF PROPERTY OWNER:** Habitat for Humanity, Orange County, N.C., Inc., a North Carolina Corporation - 88 Vilcom Center Drive, Suite L110, Chapel Hill, NC 27514  
**TYPE OF SPECIAL USE:** Dwelling: Attached (20+ Units)

**DESCRIPTION OF PREMISES**

**PROPERTY ADDRESS:** 1317 US-70A East, Hillsborough, NC 27278

**PARCEL IDENTIFICATION NUMBERS:** 9874-81-6134, 9874-81-8049 and 9874-80-9603 *JRC*

**DESCRIPTION OF PROPERTY:** All the 10.895 acres on the plat and survey by Summit Design and Engineering Services entitled “Final Plat for Contiguous Annexation Plat of Future Development of East Village at Meadowlands for Highway 70A, LLC” recorded in Plat Book 122, Page 189 of the Orange County Registry.

**ZONING OF PROPERTY:** RSU (Residential Special Use)

**DESCRIPTION OF DEVELOPMENT:** Seventy-six-unit townhome development with related off-street parking and site amenities

## SPECIAL TERMS AND CONDITIONS

Having heard all the evidence and argument presented at the public hearing held on October 19, 2020, the Board finds that the application is complete, that the application complies with all the applicable requirements of the Town of Hillsborough Unified Development Ordinance for the development proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to any and all applicable provisions of the Town of Hillsborough Unified Development Ordinance and the following waivers and approval conditions:

### Waivers Granted from Section 6 (Development Standards) of the Unified Development Ordinance

1. Subsection 6.10 (Landscaping (Parking Lot)), Paragraph 6.10.3 (Landscaping Requirements), Sub-paragraph 6.10.3.4: "All planting medians or islands in parking lots shall be at least 10 feet X 10 feet measured from back of curb to back of curb (or pavement edge if the island is not curbed for stormwater purposes). When an island contains one or more shade trees, the island must have at least 300 square feet of unpaved space per shade tree."

Waiver Granted: The plans are approved with 11 of the 13 parking lot planting islands containing shade trees being less than 300 square feet of unpaved space.

2. Subsection 6.11 (Lighting), Paragraph 6.11.3 (Lighting Requirements): "Lighting plans shall include a layout of proposed fixture locations (including wall mounted lights, ground mounted lights, and illuminated signs), foot candle data that demonstrate conforming intensities and uniformities; and a description of the equipment (catalog cuts), glare control devices, lamps, mounting heights and means, hours of operation, and maintenance methods proposed. Illumination intensities (lighting contours) may be shown on an independent plan or integrated with other required plans."

Waiver Granted: The plans are approved without required information relative to building, wall-mounted and entrance monument sign lighting.

3. Subsection 6.17 (Sidewalks and Walkways), Paragraph 6.17.3 (General Provisions), Sub-paragraph 6.17.3.2 (New Public Streets): "Sidewalks will be provided along both sides of all proposed and existing public streets within development."

Waiver Granted: The plans are approved with no sidewalk provided along the west side of Hartland Circle beginning at the US 70-A East entrance and extending south to the parking pull-off area for the mail kiosk to the north of Lot #76.

4. Subsection 6.21 (Streets), Paragraph 6.21.3 (Design Standards - Public Streets), Sub-paragraph 6.21.3.1: "New public streets in the city limits must meet the Town of Hillsborough's *Standard Specifications for Street Construction* and Acceptance Procedures in the *Checklist and Approval Requirements for Utility Projects*."

Waiver Granted: The plans are approved:

- a. with all streets in the project having 50 instead of 60-foot wide public rights-of-way (see Waiver #5 below); and
- b. without having six-foot wide planting, maintenance and utility strips, and sidewalk along both sides of the streets (see Waiver #3 above).

5. Subsection 6.21 (Streets), Paragraph 6.21.3 (Design Standards - Public Streets), Sub-paragraph 6.21.3.3: “Minimum right of way widths by public street type:
- i. Arterial Streets shall provide 100 feet of public right of way
  - ii. Collector Streets shall provide 70 feet of public right of way
  - iii. Local Streets shall provide 60 feet of public right of way
  - iv. Cul de sacs shall provide 50 feet of public right of way”

Waiver Granted: The plans are approved with Hartland Circle (considered a “Local Street”) is approved with a 50-foot, instead of 60-foot, wide right-of-way.

### Approval Conditions

#### Conditions Related to the Development

1. Approved Plans and Application Materials: The application materials including, but not limited to, the site plan, building elevations and narrative presented at the October 19, 2020 public hearing, plus the revised site plan sheets discussed at the November 19, 2020 Planning Board meeting, are those approved with this Permit.
2. Waivers from Unified Development Ordinance Provisions Granted: The five waivers requested in the application are granted.
3. Recreation Requirements: The construction drawings submitted for the project will comply to the Ordinance requirements related to recreation requirements for attached dwellings in terms of both points and age appropriate options. The applicant may meet these requirements with a combination of land, improvements and fees in-lieu.

#### Conditions Related to Additional Permits and Approvals

4. Certificate of Adequate Public Schools: A CAPS (Certificate of Adequate Public Schools) issued by the Orange County School System Superintendent must be provided to the Town prior to the approval of a final plat for the development or each phase within the development.

### Additional Stipulations

The following additional stipulations shall apply to this Permit:

Permit Recordation Requirement: Pursuant to Section 3 (Administrative Procedures), Subsection 3.8 (Special Use Permit), Paragraph 3.8.16 (Formalizing the Outcome) of the Unified Development Ordinance, this Permit shall be recorded in the Orange County Register of Deeds Office within 10 days of its receipt. The Permit will not be effective, and no further permits or approvals for the development issued, until the Permit has been recorded. In addition, nothing authorized by this Permit may be done until the property owner properly executes and returns to the Town a copy of the recorded Permit with the recording information attached thereto by the Orange County Register of Deeds.

Vested Right Established: A two-year vested right pursuant to G.S. 160A-385.1 and Section 1 (General Provisions), Subsection 1.8 (Vested Rights), Paragraph 1.8.4 (Duration and Termination of Statutory Vested Rights), Sub-paragraph 1.8.4.1 of the Unified Development Ordinance is established as of the date hereof. Under the Statute and Ordinance provisions, unless terminated at an earlier date, the Permit is vested until **December 14, 2022**. Requests for an extension of this Permit’s vested rights beyond the stated expiration date must be made to the Town in writing before the vested right expiration date is reached.



Permit Expiration: As provided in Section 3, Subsection 3.8, Paragraph 3.8.26 (Expiration) of the Unified Development Ordinance, this Permit shall expire 24-months from its date of approval if a Zoning Compliance Permit has not been issued for the project. Thus, the Permit will expire on **December 14, 2022** if a Zoning Compliance Permit has not been issued for the project. The Board may consider re-application for the permit on a property on which a previous permit has expired provided that all the standards which are set forth in the Unified Development Ordinance are met, or if a request for an extension is made in writing before the expiration of the standard 24 months.

Changes and Modifications: As provided in Section 3, Subsection 3.8, Paragraphs 3.8.20 (Deviations) through 3.8.24 (Action Required on Proposed Modifications) of the Unified Development Ordinance, minor changes to this Permit may be approved by the Planning Director so long as they are in harmony with the action of the Town Board of Commissioners, and provided such changes are not determined to be modifications as defined in the Unified Development Ordinance. Modifications will require approval from the Town Board of Commissioners. Prior to commencement of any change in the approved plans, the Planning Director shall be consulted to determine whether the proposed change is considered a minor change or a modification.

Revocation: Pursuant to Section 3, Subsection 3.8, Paragraph 3.8.25 (Revocation) of the Unified Development Ordinance, the Town Board of Commissioners may revoke this Permit after a finding of the existence of any one of the following conditions:

- (a) That any governmental license or permit required for the activity authorized by the Permit have not been obtained or have been terminated; or
- (b) That any of the applicable requirements of the Unified Development Ordinance or any conditions attached to the Permit, or subsequent modification thereof, have been violated.

The Board may consider re-application for the permit on a property on which a previous permit has been revoked, provided that all the standards which are set forth in the Unified Development Ordinance are met.

Continued Validity: The continued validity and effectiveness of this Permit is expressly conditioned on the continued compliance with the plans and conditions listed above.

Non-severability: If any part of this Permit, or any of the conditions affixed hereto shall be held invalid or void, then this Permit shall be void in its entirety, and of no effect.

Permit Runs with the Land: The terms herein contained are binding on the present owners and their successors in title and interest, and shall henceforth be appurtenant to, and shall run with the title to said real property unless the conditions herein are otherwise vacated or changed by governmental action, the expiration of this Permit (including any approved extensions to its expiration date), the expiration of the Permit's vested right status (including any approved extensions), or vacated or modified by action of a Court of competent jurisdiction.

\*\*\*\*\*

IN WITNESS WHEREOF, the Town has caused this Permit to be issued in its name, and the undersigned, being all the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

TOWN OF HILLSBOROUGH

Attest:



Sarah Kimrey  
Sarah Kimrey  
Interim Town Clerk/Human Resources Technician

By Margaret A. Hauth  
Margaret A. Hauth, AICP  
Assistant Town Manager/Planning Director

ACCEPTED BY:

I, the undersigned property owner of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owner does further acknowledge that no work may be done pursuant to this Permit except in accordance with all its conditions and requirements, that failure to comply with the approved terms and conditions stated herein will result in forfeiture of this Permit, and that these restrictions shall be binding on them and their successors in interest.

Habitat for Humanity, Orange County, N.C., a North Carolina Corporation

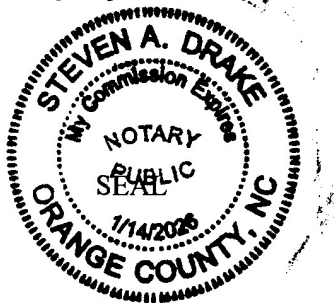
By

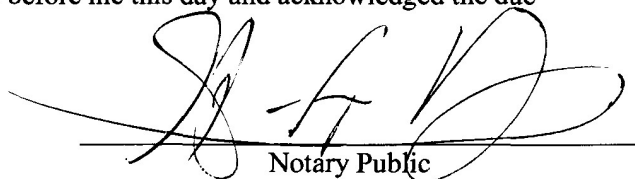
Jennifer Player  
Jennifer Player, President and CEO  
Property Owner

NORTH CAROLINA

ORANGE COUNTY

I, STEVEN A. DRAKE, a Notary Public, certify that Jennifer Player, President and CEO of Habitat for Humanity, Orange County, N.C., Inc., personally came before me this day and acknowledged the due execution of the foregoing instrument.



  
Notary Public

My commission expires: 1/14, 20 26.

**(Not valid until fully executed and recorded)**



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date:	Oct. 28, 2024
Department:	Planning and Economic Development
Agenda Section:	Regular
Public hearing:	Yes
Date of public hearing:	Aug. 15, 2024

#### PRESENTER/INFORMATION CONTACT

Shannan Campbell, Planning & Economic Development Manager  
Molly Boyle, Planner II

#### ITEM TO BE CONSIDERED

**Subject:** Unified Development Ordinance text amendment to Section 5.2.8, *Dwelling, Accessory* (applicant-initiated)

##### Attachments:

1. Submitted application, including applicant's proposed amendment and justification
2. Staff analysis
3. Staff draft of text amendment
4. Minutes from previous meetings discussing attached ADUs on private streets
5. Map of single-family parcels on private streets in town's planning jurisdiction
6. Examples of private streets in town's planning jurisdiction
7. Consistency statement
8. Ordinance

##### Background:

###### Joint public hearing

The joint public hearing for this proposal was held on August 15, 2024. Minutes from the hearing are available online: <https://mccmeetings.blob.core.usgovcloudapi.net/hillsbronc-pubu/MEET-Minutes-b7f52dc9d9ca462cb8c47b47ee1b1534.pdf>.

###### Planning Board recommendation

At its regular meeting on Sept. 19, 2024, the Planning Board unanimously recommended approval of Planning staff's draft of the text amendment (6-0). The Planning Board felt staff's revisions were necessary to help address emergency access and utility concerns associated with allowing accessory dwelling units on private streets.

###### Tabled to Work Session on Oct. 28, 2024

This item was on the Board of Commissioners' agenda for Oct. 14, 2024. The applicant was unable to attend the meeting that evening, and the Commissioners voted to table the item to its work session on Oct. 28, 2024 (vote 4-0).

##### Proposal:

The applicant is proposing to amend the Unified Development Ordinance Section 5.2.8, *Dwelling, Accessory* to allow freestanding accessory dwelling units on private streets. The applicant's proposed amendment and justification are enclosed with the application materials.

**Comprehensive Sustainability Plan goals:**

- Land Use & Development Goal 1: Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity.
  - Strategy: Ensure that land use and development regulations are aligned with preferred future land use and growth patterns.
- Town Government and Public Services Goal 2: Adopt local laws, regulations, and policies that help to achieve sustainable and equitable outcomes.
  - Strategy: Develop and adopt policies that help accomplish town goals.

**Financial impacts:**

None.

**Staff comments and recommendation:**

See the enclosed Staff Analysis for comments from Planning and Utilities.

Staff does not support the proposed text amendment as written. Staff has many concerns about increasing residential density on private streets as outlined in the Staff Analysis. If the boards wish to allow freestanding accessory dwelling units on private streets, staff recommends including the following limitations:

- A platted, deeded public utility easement shall be required and existing utility lines shall be upsized, if deemed necessary by the Utilities Department; and
- The private street providing access to the accessory dwelling unit must conform to Unified Development Ordinance Section 6.21.4, *Design Standards – Private Streets*.

Note this would necessitate additional amendments to Section 6.21.4. For example, subsection 6.21.4.5.b prohibits “any other residential use or nonresidential use that would tend to generate more traffic than that customarily generated by four single-family residences” on private streets. This language would need to be revised.

Staff has enclosed a draft version of the text amendment inclusive of staff’s suggested edits.

**Action requested:**

Make a recommendation on the proposed text amendment.



TOWN OF  
**HILLSBOROUGH**

**GENERAL APPLICATION**  
**Amendment to Future Land Use Map, Unified**  
**Development Ordinance or Official Zoning**  
**Map**

Planning and Economic Development Division  
101 E. Orange St., PO Box 429, Hillsborough, NC 27278  
919-296-9477 | Fax: 919-644-2390  
www.hillsboroughnc.gov

This application is for amendments to the Comprehensive Sustainability Plan, Unified Development Ordinance, and/or Official Zoning Map. Incomplete applications will not be accepted or processed.

OFFICIAL USE ONLY		
Case Number:	Fee: \$	Receipt No.:
FLUM Designation:	Zoning District:	Overlay Zone:

Amendment Type:  Future Land Use Map     Unified Development Ordinance Text  
 Zoning Map – General Use or Overlay District     Zoning Map – Planned Development District

PROPERTY LOCATION AND DESCRIPTION	
N/A	
Property Address or Location:	
PIN(s):	Size of Property (Acres/Sq. Ft.):
Current Use of Property:	
Current Zoning Classification(s):	
Proposed Zoning Classification(s):	

CERTIFICATION AND SIGNATURES	
<b>Applications will not be accepted without signature of legal property owner or official agent.</b>	
I certify that the information presented by me in this application and all accompanying documents are true and accurate to the best of my knowledge, information, and belief; and I acknowledge that the processing of this application may require additional town, county and/or state permits, approvals, and associated fees.	
Applicant Name: <i>Natalie Dolgireff and Armand Bath</i>	Legal Property Owner Name:
Mailing Address: <i>170 Daphine Drive</i>	Mailing Address:
City, State, ZIP Code: <i>Hillsborough, NC 27278</i>	City, State, ZIP Code:
Telephone: [REDACTED]	Telephone:
Email: [REDACTED]	Email:
Signature: <i>Natalie Dolgireff &amp; Armand Bath</i>	Signature:
Date: <i>6/19/24</i>	Date:

**Reasons Supporting Change to  
Town of Hillsborough Ordinance 5.2.8 Dwelling, Accessory  
to Allow Freestanding Accessory Dwelling Units (ADUs) on Private Streets**

**Proposed Amendment to Unified Development Ordinance Text  
Town of Hillsborough**

Section 5.2.8 of the Unified Development Ordinance (last amended Oct. 9, 2023) is hereby amended as follows:

Accessory dwelling units (ADUs) built as free-standing outbuildings from a single-family dwelling, shall be allowed on lots accessible by private street/road. The prior requirement that accessory dwelling units on private street/road be connected to the main dwelling, is rescinded. Accessory dwelling units built on lots accessible by private street shall be subject to the same requirements and restrictions as for accessory dwelling units on lots accessed by public street.

**Reasons Supporting Change to  
Town of Hillsborough Ordinance 5.2.8 Dwelling, Accessory  
to Allow Freestanding Accessory Dwelling Units (ADUs) on Private Streets**

We, Natalie Dolgireff and Armand Roth, Town of Hillsborough residents and property owners, respectfully request that the Town of Hillsborough amend its Ordinance 5.2.8 to allow freestanding ADUs on lots accessed by private streets/roads. The Town's stricter requirements that ADUs developed on lots accessed via private street, be attached to the primary dwelling, remain unsupported by the Town's own data during the past 5 years, which shows no ADUs have been built on private streets/roads.

The following six (6) reasons support this amendment:

- (1) **No ADUs built on lots accessible by private roads in the past 5 years since the Ordinance was amended to allow them**, per research provided by Planning and Economic Development Manager Shannan Campbell.
- (2) **Hypothetical issues** about the potential burdens of increased numbers of ADUs on private streets (further described below based on information provided by Planning and Economic Development Manager Shannan Campbell) are **unsupported by the Town's own 5-year experience** to date since no such ADUs have been built.
  - 2.1) Hypothetical issue that ADUs pose increased burdens for **maintenance of private gravel roads** is unrelated to if an ADU is detached. Any such cost would be the responsibility of private owners and Homeowners' Associations (HOAs) to bear, not the Town from public funds.
  - 2.2) Hypothetical issue about **potential delayed emergency access response time** on private gravel roads is unrelated to whether ADUs are freestanding or attached.
  - 2.3) Hypothetical issue that an **increased number of trash and recycling cans associated with ADUs could cause crowding on an adjacent public street** if that is where such trash is collected, is unrelated to whether ADUs are freestanding or not [in our own case, all cans in our HOA are picked up in front of our houses on the HOA's private gravel street].
  - 2.4) Hypothetical issues that detached ADUs cause **significantly decreased water pressure and increased sewage flows** necessitating increased numbers of meters and sewer lines are unrelated to whether ADUs are freestanding. Instead, the Town's own intermittent, anecdotal experience most likely correlates to overall increased building of single-family dwellings since no ADUs have been built on lots accessible via private street. (Any hypothetical costs for ADUs on private roads would also be borne by their owners.)
3. The Town's unique higher requirement that ADUs built on private roads can only be attached to the primary dwelling results in **unequal financial burdens** on homeowners of lots on private roads.



**Reasons Supporting Change to  
Town of Hillsborough Ordinance 5.2.8 Dwelling, Accessory  
to Allow Freestanding Accessory Dwelling Units (ADUs) on Private Streets**

**Conclusion**

Applying the same Town requirements for the types of ADUs allowed to be built on lots accessible via private and public streets promotes greater equality amongst all residential property owners and provides a fairer, more level playing field. It's also consistent with the recent study by the American Association of Retired Persons (AARP) recommending that communities further liberalize their restrictions as much as possible to promote greater building of ADUs and minimize ADU-only specific requirements (study available at <https://www.aarp.org/content/dam/aarp/livable-communities/housing/2022/ABCs%20of%20ADUs-web-singles-082222.pdf>).

# Memorandum

**To:** Board of Commissioners  
**From:** Molly Boyle, Planner II  
**Cc:** Shannan Campbell, Planning & Economic Development Manager  
**Date:** October 28, 2024  
**Subject:** Staff analysis for UDO text amendment to Section 5.2.8, *Dwelling, Accessory* (applicant-initiated)



## Background

On April 18, 2024, a joint public hearing was held for a staff-initiated UDO text amendment on accessory dwelling units (ADUs). The main goal of the text amendment was to increase the maximum size of ADUs.

A resident, Natalie Dolgireff, spoke at the hearing. She and her husband live on the private portion of Daphine Drive (originally platted as Daphine Court). She asked that the amendment be revised to allow freestanding (*i.e.*, detached) ADUs on private streets so they could build a freestanding ADU; currently, the UDO allows freestanding ADUs only on lots with direct access to a public street.

On June 10, 2024, the Board of Commissioners adopted the text amendment as originally proposed by staff (*i.e.*, Ms. Dolgireff's request was not included). When making its recommendation in May 2024, the Planning Board asked staff to investigate the feasibility of allowing freestanding ADUs on private streets and to report back to the board. Before the Planning Board met again, the applicant submitted their own request to amend the UDO

## Proposal Summary

The applicant is proposing to amend UDO Section 5.2.8, *Dwelling, Accessory* to allow freestanding (*i.e.*, detached) ADUs on private streets. The applicant lives on the private portion of Daphine Drive (originally platted as Daphine Court) and would like to build a freestanding ADU. Currently, the UDO allows attached ADUs on private streets but not detached ones. The applicant's proposed amendment and justification are enclosed with the application materials.

## Planning Analysis

### Daphine Drive

The applicant lives on the private portion of Daphine Drive, which consists of the following:

- a 60' private right-of-way;
- a new gravel travel-way approximately 20' wide, which was laid within the past three years; and
- a new gravel cul-de-sac approximately 95' in diameter, also laid within the past three years.

The lots on the private right-of-way for Daphine Drive were created decades ago. The street serving the lots was historically gravel and deteriorated over time after homes were removed from the lots. Around 2019, a developer bought the lots and, after consultation with town staff and the Fire Marshal, installed new utility lines and improved the street to the standard described above.

### Private Street Standards

Not all private streets in town are built to the same standard as Daphine Drive.

UDO Section 6.21.4, *Design Standards – Private Streets* and the town’s Street Manual contain standards for new private streets. Private streets that provide primary access to no more than four lots and/or dwelling units may be constructed with a right-of-way as narrow as 18’ in width. The travel-way in these situations may be gravel and 12’ wide. There are no design standards for private streets that serve only one or two lots. Some existing private streets pre-date these standards and are considered nonconforming, meaning they do not meet, and are not required to meet, current private street design standards.

Allowing freestanding ADUs on all private streets raises concerns about emergency access, such as:

- Can the private street support the width and weight of a fire apparatus and other emergency vehicles?
- Does the private street have a turn-around, such as a cul-de-sac or t-turn, that can accommodate these emergency vehicles?

It raises the same questions for other types of service vehicles, such as school buses and garbage trucks. Bus stops and trash receptacles may have to be brought to the closest public street intersection as well, which may be a significant distance.

#### ADU Regulations: Attached vs. Detached

On June 14, 2021, pursuant to a citizen-initiated text amendment application, the Board of Commissioners amended the UDO to allow attached ADUs on private streets (vote 3-2). In the UDO, an attached ADU is referred to as “within a principal single-family dwelling.” Minutes from the subject hearing, Planning Board meeting, and Commissioners meeting are attached.

Street access standards should be made the same for both attached and detached ADUs, either through the text amendment process or during the UDO rewrite. However, because of the variability in private streets in town, access standards should be established in the interest of public health, safety, and welfare.

#### **Utilities Analysis**

Per the Utilities Department, many of the private streets in town have undersized, outdated utilities without properly platted and recorded public utility easements. The Utilities Department does not support additional development on streets that do not meet the town’s current standards for sizing and access for maintenance.

If freestanding ADUs are to be allowed on a private street, then Utilities staff suggests that the private street be required to have a platted, deeded public utility easement and that the existing utility lines must be upsized, if needed, prior to development.

#### **Staff Recommendation**

Staff does not support the proposed text amendment as written because of the issues outlined above. If the boards wish to allow all types of ADUs on private streets, staff recommends including the following limitations:

- A platted, deeded public utility easement shall be required and existing utility lines shall be upsized, if deemed necessary by the Utilities Department; and
- The private street providing access to the ADU must conform to UDO Section 6.21.4, *Design Standards – Private Streets*.

Note this will necessitate additional amendments to Section 6.21.4. For example, subsection 6.21.4.5.b prohibits “any other residential use or nonresidential use that would tend to generate more traffic than that customarily generated by four (4) single-family residences” on private streets. This language would need to be revised.

## 5.2 USE-SPECIFIC STANDARDS

### 5.2.8 DWELLING, ACCESSORY

The following sections are provided to create opportunities for a diversity of housing stock within town. A dwelling unit must contain sleeping, cooking, and bathroom facilities. Guest quarters or suites that do not contain all three types of facilities are not dwelling units and are not reviewed in this section.

#### 5.2.8.1 Accessory dwelling units in freestanding structures

New or existing accessory buildings may be used as dwelling units in addition to the principal dwelling unit in the R-10, R-15, and R-20 districts, subject to the following conditions:

- 5.2.8.1.a The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.
- 5.2.8.1.b The lot has direct access to a public street or a private street that conforms with the requirements for private streets in UDO Section 6.21.4, Design Standards – Private Streets and the Town of Hillsborough Street Manual.
- 5.2.8.1.c One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.
- 5.2.8.1.d The structure containing the accessory dwelling must meet the applicable primary building setbacks established in Table 6.3.1, *Dimensional Requirements – residential* OR Section 7.5.3, *Non-conforming lot setback requirements*. The existing, primary dwelling may be non-conforming in regard to building setbacks required in the zoning district. The setback provision in Section 9.1.5.2.c of this ordinance is available for an accessory building containing a dwelling unit.
- 5.2.8.1.e An accessory dwelling unit in a freestanding structure shall be located to the side or rear of the primary dwelling and behind the primary dwelling's front façade.
- 5.2.8.1.f All structures containing dwellings are connected to municipal water and sewer service.
- 5.2.8.1.g The accessory dwelling unit shall not exceed fifty (50) percent of the gross floor area of the principal dwelling unit or 1,000 square feet in gross floor area, whichever is greater. In no case shall the accessory dwelling unit exceed the gross floor area and/or height of the principal dwelling unit.
- 5.2.8.1.h The accessory unit is constructed to the state building code for one- and two-family dwellings (i.e., is not a manufactured home).
- 5.2.8.1.i There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.
- 5.2.8.1.j The application materials indicate storage locations for solid waste and recycling containers for both dwellings consistent with Town Code requirements.
- 5.2.8.1.k A platted, deeded public utility easement shall be required and existing

utility lines shall be upsized if deemed necessary by the Utilities Department.

**5.2.8.1.kl** Units that existed on August 12, 1996 that do not meet one or more provisions of this section may continue as legal non-conforming uses.

**5.2.8.2 Accessory dwelling units within a principal single-family dwelling**

Accessory dwelling units may be located within a principal single-family dwelling in any zoning district, subject to the following conditions:

**5.2.8.2.a** The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.

**5.2.8.2.b** The lot has direct access to a public street or a private street that conforms with the requirements for private streets in UDO Section 6.21.4, *Design Standards – Private Streets* and the *Town of Hillsborough Street Manual*.

**5.2.8.2.bc** One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.

**5.2.8.2.ed** Both dwellings are connected to municipal water and sewer service.

**5.2.8.2.de** The accessory dwelling unit shall not exceed fifty (50) percent of the gross floor area of the principal dwelling unit or 1,000 square feet in gross floor area, whichever is greater. In no case shall the accessory dwelling unit exceed the gross floor area of the principal dwelling unit.

**5.2.8.2.ef** The accessory dwelling unit must have its own exterior access. Any interior access to the principal dwelling must be lockable from both dwellings.

**5.2.8.2.fg** There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.

**5.2.8.2.gh** The application materials indicated storage locations for solid waste and recycling containers for both dwellings consistent with Town Code requirements.

**5.2.8.2.i** A platted, deeded public utility easement shall be required and existing utility lines shall be upsized if deemed necessary by the Utilities Department.

**5.2.8.2.hj** Units that existed on August 12, 1996 that do not meet one or more provisions of this section may continue as legal non-conforming uses.

## 6.21 STREETS

### 6.21.4 DESIGN STANDARDS - PRIVATE STREETS

- 6.21.4.1** Any private street within a non-residential or multi-family development must meet the design standards for town public streets.
- 6.21.4.2** Any private street within a minor residential subdivision must be designed in compliance with the North Carolina Fire Prevention Code, which generally requires a twenty-foot wide improved travel way. Associated drainage facilities must be located in the right of way. Underground utilities may be located within the street right of way or in a separate utility easement. Factors such as the length and alignment of the street and the use of sprinklers in individual buildings may impact the travel way or right of way required by the North Carolina Fire Prevention Code.
- 6.21.4.3** A private street within a minor residential subdivision may be required to provide a right of way of fifty (50) feet if the land and lots are arranged to allow the potential conversion of the street to a public street. If the lot arrangement, surrounding development pattern, zoning, and existing town plans indicate conversion is unlikely, the permit issuing authority may allow a private street to reduce the right of way width to no less than 18 feet.
- 6.21.4.4** Lots for single-family detached dwellings may be created with access to a private street provided that:
- 6.21.4.4.a** No more than four (4) lots may have their sole access to the private street.
  - 6.21.4.4.b** A new private street shall not be an extension of any existing public or private street.
  - 6.21.4.4.c** A new private street shall not be aligned with an existing public street in such a way as may interfere with any planned extension of the public street.
- 6.21.4.5** The intent of this subsection is primarily to allow the creation of not more than four (4) lots with frontage on a private street for single-family development. Therefore, the Town may not approve any project served by a private street authorized by this subsection in which one (1) or more of the lots thereby created is intended for:
- 6.21.4.5.a** Two-family or multi-family residential use, or
  - 6.21.4.5.b** Any other residential use or nonresidential use that would tend to generate more traffic than that customarily generated by four (4) single-family residences with one accessory dwelling unit each.
- 6.21.4.6** To ensure that the intent of this subsection is not subverted, the Town may, among other possible options, require that the approved plans show the types and locations of buildings on each lot or that the lots in a residential development served by a private street be smaller than the permissible size of lots on which two-family or multi-family developments could be located, or that restrictive covenants limiting the use of the subdivided property in accordance with this section be recorded before final plat approval.
- 6.21.4.7** No final plat that shows lots served by private streets may be recorded unless the final plat contains the following notation:  
"Further subdivision of any lot shown on this plat as served by a private street maybe prohibited by the Town of Hillsborough *Unified Development Ordinance*."

**6.21.4.8** The recorded plat of any development that includes a private street shall clearly state that such street is a private street and must be accompanied by a private street maintenance agreement that is also recorded.

# Minutes

## Remote Joint Public Hearing

### Planning Board and Board of Commissioners

7 p.m. April 15, 2021

Virtual meeting via YouTubeLive

[Town of Hillsborough YouTube channel](#)

#### Present

Town board: Mayor Jenn Weaver and commissioners Mark Bell, Kathleen Ferguson, Matt Hughes and Evelyn Lloyd  
Planning Board: Chair Chris Johnston, Vice Chair Jenn Sykes, Christopher Austin, Frank Casadonte, Oliver Child-Lanning, Lisa Frazier, Alyse Polly, Jeff Scott, Scott Taylor and Toby Vandemark  
Absent: Board of Commissioners: Robb English  
Early exit: Kathleen Ferguson (8:02 p.m.)  
Staff: Planning Director Margaret Hauth and Town Attorney Brady Herman

#### 1. Call to order and confirmation of quorum

Mayor Jenn Weaver called the meeting to order at 7:09 p.m. Planning Director Margaret Hauth called the roll and confirmed the presence of a quorum, noting that Commissioner Matt Hughes had not yet arrived. Weaver turned the meeting over to Planning Board Chair Chris Johnston.

#### 2. Agenda changes and approval

There were no changes. The agenda stood as presented.

Hughes arrived at 7:11 p.m.

Motion: Commissioner Kathleen Ferguson moved to approve the agenda as presented. Planning Board Vice Chair Jenn Sykes seconded.

Hauth called the roll for voting.

Vote: 13-0. Ayes: Commissioners Mark Bell, Ferguson, Hughes and Evelyn Lloyd; Planning Board members Christopher Austin, Frank Casadonte, Lisa Frazier, Johnston, Alyse Polly, Hooper Schultz, Jeff Scott, Sykes and Scott Taylor. Nays: None.

#### 3. Open the public hearing

Johnston introduced the public hearing. The hearing was opened without a vote.

#### 4. Text amendments to the Unified Development Ordinance

- A. Section 5.2.9.2 to remove requirement for public road access for accessory dwellings within a principal residential structure and Section 6.3.1 to decrease setbacks from 50 feet to 30 feet in the Agricultural Residential district.



Johnston introduced Item 4A, noting that citizen Samantha Johnson has requested the text amendment. Johnson arrived at 7:13 p.m.

Hauth summarized Johnson's application, saying the request comprises two parts.

Hauth summarized the request's first part: The applicant requests that the ordinance allow accessory dwelling units to be developed on parcels that only have access from a private road. Hauth said Johnson has acquired property with access from a private road and wants to construct an accessory dwelling attached to the existing house. Hauth summarized the current text of the ordinance, which states an accessory dwelling unit may be located within a single-family dwelling if the lot has direct access to a public street. Hauth noted that the same limitation exists for accessory dwellings in separate buildings and that the limitation on access has been in place for more than 30 years. She also noted that for the past few years the town has been loosening restrictions on accessory dwellings based on requests.

Hauth summarized the request's second part: The applicant requests a reduction in setbacks in Agricultural-Residential zoning districts to improve flexibility. Hauth said the minimum setbacks in Agricultural-Residential districts are 50 feet on the side, rear and front, which is wider than in other residential districts. She said about 21% of the town's jurisdiction is zoned Agricultural-Residential, but added that most properties in that district are large landholdings unlikely to change their development patterns without rezoning. She said the most likely area to be impacted is about 150 acres zoned Agricultural-Residential inside the town limits. She said a setback reduction would align the Agricultural-Residential setbacks more closely to setbacks in the Residential-40 district, a district that is very similar. Hauth noted these changes would apply across the Agricultural-Residential district, adding there is no way to grant a reduction to just the applicant's property.

Regarding the request's first part, Johnson explained that she had acquired property on a gravel road and wants to build an accessory unit so that her father can live with her and her family. Regarding the request's second part, Johnson said that although most residential areas require a minimum 30-foot setback, her property happens to be zoned Agricultural-Residential although there is no agricultural on the property or surrounding properties. She said requesting the ordinance changes seemed easier than requesting a rezoning, which also would affect her neighbors.

Regarding the request's first part, Ferguson noted that Hauth had suggested amending the ordinance by removing the requirement that the lot be on a public road. Ferguson asked amending the ordinance to require a lot have access via a public road *or* a private road also would be a viable solution. Hauth said she would prefer removing the requirement altogether, because specifying both road types would imply there is some third alternative for access. Hauth asked Town Attorney Brady Herman if he had an opinion. Herman said either alternative would work.

Sykes asked Hauth if there is a way to address the fact that some private roads in town are in poor condition. She noted a previous Board of Adjustment meeting regarding development along a private road that resulted in traffic and safety issues. Hauth said a few of the town's private roads existed before the town developed private road standards. Hauth noted that most of the town's private roads are new and must meet current development standards. Hauth added that private roads are a private issue, with residents on those roads responsible for maintaining ingress and egress; she said it is difficult for the town to insert itself very much into such a situation.

Weaver noted a similar setback request several months ago regarding a different zoning district. She asked if it is possible or makes sense to have a broader conversation about setbacks. Hauth also recalled the conversation to which Weaver referred and said it had been specific to the setbacks for unattached accessory

dwelling units. Hauth said rezoning would not have solved that person's issue, but staff had provided possible next steps to that person – similar to those steps pursued by Johnson tonight – which that person had not chosen to pursue. Hauth said a broader conversation about setbacks is possible, though perhaps not at a public hearing.

Hughes said he is not in favor of eliminating the requirement for public road access for accessory dwelling units. He noted that postal carriers, school busses and emergency vehicles might not be able to fit down private roads. He said he does not think it is in the town's best interest to remove the requirement that accessory dwelling units have guaranteed access to those three basic services. He said he is not opposed to reducing the setbacks from 50 feet to 30 feet in Agricultural-Residential districts.

Johnson acknowledged that her requests would change the requirements across the town's Agricultural-Residential districts, but she noted houses already have been developed along her specific road.

Hughes said he could understand that this solution could be feasible in Johnson's specific situation, but he noted that the boards are enacting town-wide policies.

Regarding the setback reduction request, Polly said she understood the applicant is requesting setbacks be reduced to 30 feet on all sides for Agricultural-Residential districts. She said she understood the boards are considering bringing Agricultural-Residential setbacks in line with Residential-40 setbacks, and she noted that Residential-40 setbacks are 30 feet in the side and rear but 40 feet in the front. Polly asked for clarity around which numbers are correct. Hauth said the applicant is not necessarily trying to align her setbacks with those in Residential-40, but that Hauth had simply noted the two are very similar. Hauth said the applicant's particular interest is in the side and rear setbacks rather than the front, but she said it seemed cleaner and easier to request 30 feet on all sides because the Agricultural-Residential district currently requires the same distance on all sides. Johnson confirmed Hauth is correct.

Casadonte asked if it is possible to grant the applicant a variance rather than change the requirements for the entire Agricultural-Residential district. Hauth explained that the applicant does not qualify for a variance. Hauth briefly outlined the state law's requirements for variances. Hauth said staff would have proposed an easier solution to the applicant's requests if an easier solution existed. When asked, Hauth confirmed that the requested changes would apply to all Agricultural-Residential districts in town. When asked, Hauth confirmed no other tools exist to grant the applicant's requests. Hauth confirmed the two parts of the applicant's request could be considered separately.

Johnston asked if the applicant could apply for rezoning, noting that also is a substantial request. Hauth agreed and added that such a rezoning request would be inconsistent with the town's Future Land Use Plan.

Scott noted that larger emergency vehicles are not always able to access dwellings on private roads. He asked if anything in the town's code would be at odds with the requested amendment. Hauth said if the text amendment is approved it is possible an accessory dwelling could trigger an issue under the fire code regarding turnaround clearance. Hauth said such a technical violation is conceivable, but she is not sure it would be captured in the permitting process, noting that the fire marshal does not look at residential development. She noted the fire code is not user-friendly and is difficult to integrate into traditional planning and zoning situations.

Casadonte asked whether the fire marshal would already have taken the road into account in the applicant's particular case, as the road is developed already. Hauth said that is not necessarily the case, as the applicant's road is one of the town's older private roads. Hauth noted the applicant's road is in excellent condition and

has been maintained very well, but it has more than the four houses that the town currently allows on new private roads, possibly making the road problematic for the fire code. Hauth added the applicant's house is very close to the entrance to the public road, which may be a mitigating factor. Haugh said she could see how a circumstance could develop on an old or new private road where an additional accessory dwelling unit could exceed the fire code's limit on number or spacing of dwellings. When asked, Hauth confirmed that the applicant's road had been grandfathered in and, were it a new private road today, would not be allowed to have as many houses on it as currently exist there.

Hughes asked why sufficient turnaround space on a private road could be overlooked regarding fire code but not trash pickup. Hauth said trash pickup trucks do not go down private roads. When asked, Hauth said that new private roads are required to have road maintenance agreements, which often are accomplished via homeowners' associations. She added private road residents are welcome to bring their trash bins to the public road for pickup. Hughes said he sees the request as a potentially significant policy change regarding accessory dwelling units and private roads, and he is concerned that such a change be equitable. When asked, Hauth said the town does not have a way to ensure all private roads stay well-maintained, adding that in such situations it is the residents' responsibility to self-police and ensure they are safe and well protected, although the town does due diligence by requiring the road maintenance agreement. She said private road construction standards include minimum travel width and gravel depth but are not nearly as elaborate as the standards for public paved roads. Sykes noted that newer townhouse developments are very different from some older private developments. Hughes noted that private roads might meet standards when first constructed but could fall into disrepair; he expressed concern that the town would still be required to provide emergency services to out-of-repair roads, which might damage town equipment. He wondered if private roads could be held to maintenance standards in perpetuity. He noted that some subdivisions have begun requesting more services, even though when built their developers understood the roads would be maintained privately. Hauth said she believes Hughes to be speaking more about townhome neighborhoods, which will always have a homeowners' association and are required to build their private roads to state Department of Transportation standards. Hauth said she does not think the town has any recourse if a neighborhood is not maintaining its private roads. Hughes noted townhome neighborhoods often have private trash services.

Johnston clarified that the discussion at hand deals not with fixing the town's existing issues regarding services and access for dwellings on private roads, but instead with whether to allow more density on those private roads via accessible dwelling units.

Hughes asked whether Town Attorney Bob Hornik had been consulted about the two requested changes. Hauth noted that Herman is substituting for Hornik at tonight's meeting. Herman said the boards are discussing the relevant issues, particularly as the requested changes would impact all properties in the Agricultural-Residential districts. Herman said he did not have any relevant case law on hand but offered to further research specific questions.

Johnson noted that the residents of the private road are not requesting new services, as they already receive certain services. Johnston said he thinks Hughes' concern is that allowing additional dwellings could create additional pressure on town resources. Hughes clarified he also is concerned about equitable school bus and trash pickup access.

**Motion:** Sykes moved to close the public hearing for Item 4A. Ferguson seconded.

Hauth called the roll for voting.

**Vote:** 13-0. Ayes: Commissioners Bell, Ferguson, Hughes and Lloyd; Planning Board members Austin, Casadonte, Frazier, Johnston, Polly, Schultz, Scott, Sykes and Taylor. Nays: None.

Hauth noted the text amendments would be discussed at the May 2021 Planning Board meeting.

B. Section 7.5 to no longer require the combination of undeveloped contiguous non-conforming lots

Johnston introduced Item 4B and requested that he be recused from this item.

**Motion:** Sykes moved to allow Johnston to recuse himself from public hearing Item 4B. Hughes seconded.

Hauth called the roll for voting.

**Vote:** 12-0. Ayes: Commissioners Bell, Ferguson, Hughes and Lloyd; Planning Board members Austin, Casadonte, Frazier, Polly, Schultz, Scott, Sykes and Taylor. Nays: None.

Hauth summarized Item 4B. She explained Section 7.5 of the Unified Development Ordinance requires adjacent non-conforming lots owned by the same property owner to be recombined into conforming lots before the properties can be developed. She said the town has a policy of reducing non-conformities. She gave a brief history of the requirement and noted the recombination requirement is common in zoning ordinances. Hauth said Hillsborough also has accommodated nonconforming lots in the ordinance for many years but still maintains the recombination requirement. She outlined several of the current accommodations.

Hauth outlined the requested text amendment, noting that it limited the recombination requirement to lots narrower than 40 feet, rather than all nonconforming lots. She said the impact of the change would be limited to roughly two dozen lots throughout town. Hauth said requirements for water and sewer connections would still apply, which would limit the possibility of undevelopable lots being created. She noted that the amendment would consolidate exceptions in the ordinance, streamlining the requirements and exceptions. Hauth added that the reduced setback provisions will be discussed in the next quarterly hearing to address a recent Board of Adjustment interpretation.

Hauth introduced Richard Turlington of Habitat for Humanity of Orange County, which has requested the text amendment. Turlington said Habitat owns five non-conforming lots on Homemont Street that they hope to recombine into four lots of equal size, noting that the resulting four lots would not be large enough to meet that location's zoning requirements.

Hughes asked Hauth what unintended consequences might result from such a change to the ordinance. He expressed concern about enacting town-wide change. He expressed concern that commercial developers could use the amended ordinance as a bypass. Hauth said the areas where there are many lots that the change would apply to all are outside town limits and lack utility connections, thus limiting their developability. Hughes asked whether a legislative change is warranted, as it would affect only two dozen lots. He wondered if there is another mechanism that could solve the applicant's issue. Hauth said she is not aware of another tool that the applicant could use. She added the amendment would further goals she believes the boards support, such as encouraging development in the existing town core on smaller lot sizes and encouraging diversity of lot sizes. Hauth noted many localities do not have a recombination ordinance.

Ferguson left at 8:02 p.m.

## Minutes

### Planning Board

Remote regular meeting

7 p.m. May 20, 2021

Virtual meeting via YouTubeLive

[Town of Hillsborough YouTube channel](#)

Present: Chair Chris Johnston, Vice Chair Jenn Sykes, Christopher Austin, Frank Casadonte, Lisa Frazier, Alyse Polly, and Scott Taylor

Absent: Hooper Schultz and Jeff Scott

Staff: Planning Director Margaret Hauth and Town Attorney Bob Hornik

#### 1. Call to order and confirmation of quorum

Chair Chris Johnston called the meeting to order at 7:03 p.m. Planning Director Margaret Hauth called the roll and confirmed the presence of a quorum.

#### 2. Agenda changes and approval

The agenda was accepted as presented. Later in the meeting, a conversation with prospective board members was added as Item 6C.

#### 3. Minutes review and approval

Minutes from the regular meeting on March 18, 2021, and from the joint public hearing on April 15, 2021.

Motion: Vice Chair Jenn Sykes moved to approve the minutes as presented. Member Scott Taylor seconded.

Hauth called the roll for voting.

Vote: 6-0. Ayes: Members Chris Austin, Lisa Frazier, Johnston, Alyse Polly, Sykes and Taylor. Nays: None.

#### 4. Recommendations to town board of public hearing items

##### A. Unified Development Ordinance: Amendments to Section 5.2.9.2 and Section 6.3.1 – Allow accessory dwelling units on private roads and Agricultural Residential setback reduction

Applicant Samantha Johnson and her husband Matthew Johnson arrived.

Johnston introduced Item 4A. Hauth summarized the proposed text amendment, noting the proposed change comprises two parts: first, to allow accessory dwelling units on private roads, and second, to reduce the width of setbacks in the Agricultural Residential zoning district. Hauth noted that both changes would apply town-wide and said no other options exist to meet the applicant's interests. Regarding allowing accessory dwelling units on private roads, Hauth noted the ordinance has long required accessory dwelling units to be on public

roads, but she noted the board consistently has been loosening regulations on accessory dwelling units to encourage more development. Regarding reducing setbacks in Agricultural Residential zoning districts, Hauth noted the applicant's property is located in a small section of town zoned Agricultural Residential where water and sewer service is available, and so the proposed change could result in more intense development in that location. She noted that Agricultural Residential districts currently require 50-foot setbacks on all sides, which she characterized as significant. She added that this request pertains to land within the city limits, noting the town has very limited zoning authority on any parcel in the extraterritorial jurisdiction in active agricultural use.

Regarding reducing the setbacks, Sykes said that instead of reducing the setbacks from 50 feet on each side to the proposed 30 feet on each side, she prefers matching Agricultural Residential setbacks to those in Residential-40 districts, which would require 30-foot side and rear setbacks and 40-foot front setbacks. She said it would seem strange to allow smaller setbacks in Agricultural Residential districts than in Residential-40 districts, as Agricultural Residential districts are designed for larger lots than the more dense Residential-40 districts.

Regarding allowing accessory dwelling units on private roads, Sykes expressed concern that some of the town's private roads are not in good shape and may not be able to support the higher traffic that could come with allowing accessory dwelling units on such roads. Johnston noted that the change would apply across town, not just to the applicant's property.

Hauth noted there is a difference between roads in disrepair and whether or not services are provided to dwellings on a private road. She said it is in the nature of private roads that school buses and mail delivery generally do not go serve them, especially when they are unpaved. She noted that the board's decision would have no impact on whether those services are provided on private roads.

Johnston said the conflict is between board members' desire to encourage increased density and hesitancy about allowing increased density on roads that do not receive public services.

Sykes noted that inadequate private roads naturally could limit the amount of development along those roads, citing a private road in some disrepair off of Nash Street that has limited what the property owner can develop there.

When asked, Hauth confirmed the applicant's property is located on Burnside Drive. Matthew Johnson said the property is within 300 yards of the corner of South Cameron Avenue, a public road.

Samantha Johnson acknowledged the board must consider the proposed amendment's impact on the entire town. She wondered if it is too late to add language allowing the board to consider applications on a case-by-case basis, based on the condition of the private road in question. Matthew Johnson wondered if language could be added to consider a property's distance from a public road.

Austin recalled Town Commissioner Matt Hughes' points from the April 15 public hearing that having mail and school bus services are parts of the cornerstones of democracy. Austin said he would argue it is important to let people live the way they prefer and have the choices to do that. Austin said he agreed with Hughes' point that it is important to create equitable situations across town. Austin noted that this application would allow a Johnson family member to age in place; he said it is important to promote aging in place as part of equity, especially as demographics shift to include more elderly citizens. Austin said he does not agree with disapproving of where people can provide dwellings based on the board's discomfort with the amount of government services they receive.

Matthew Johnson said that the property's mailbox is on South Cameron Avenue, a public road. Samantha Johnson added that they receive trash pickup and school bus services via South Cameron Avenue.

Austin acknowledged that the amendment would affect properties town-wide.

Member Frank Casadonte arrived at 7:15 p.m.

When asked whether case-by-case language is allowed, Hauth said that the board could require that a private road be constructed to certain standards when someone asks to build an accessory dwelling unit on a private road. She noted the town would not be able to inspect that road in an ongoing manner after it is constructed. Regarding the Johnson's particular case, Hauth noted that Burnside Drive is unusual in that it is a private road predating zoning, it is one of the town's best-constructed private roads and the town does provide trash service there due to tradition.

Town Attorney Bob Hornik confirmed that case-by-case language is not possible in this situation. He agreed with Hauth that a text amendment could require a private road to be constructed. He said the amendment also could require a property to be a certain distance from a public road in order to build an accessory dwelling unit. Hauth said a fixed distance requirement would be easier for staff to enforce than a requirement about the road's quality.

Taylor asked what the downsides might be of allowing accessory dwelling units on private roads.

Hauth said allowing accessory dwelling units on private roads could create future private property disputes, which the town could neither intervene in nor solve. She said that if homeowners at the end of a private road were to build accessory dwelling units and create more traffic and wear on the road than their neighbors, the private road agreement might not address which neighbor has to pay to maintain the road. Hauth added that would be the case in any private road situation where one family has more cars and people than their neighbors. Hauth said resolving such private property issues is not the town's job, though the town does try to write ordinances that encourage neighbors to be happy with one another.

When asked, Hauth clarified that Public Space Manager Stephanie Trueblood has proposed reducing front setbacks for commercial developments. Hauth said the town also has seen a shift in the setbacks that new neighborhoods propose under special use permits, noting that the Forest Ridge, Collins Ridge and Fiori Hill subdivisions all have significantly smaller setbacks than the town's traditional zoning districts. Hauth said the special use permit process offers developers more setback flexibility than building on a large tract of residentially zoned land. Hauth said staff has concerns about the long-term maintenance of private roads in townhome neighborhoods, noting that staff is unable to help resolve private disputes that may arise from such roads not being maintained.

Polly said she agreed with Sykes that the setbacks in Agricultural Residential districts should mirror those in Residential-40 districts, with a minimum width of 30 feet in the sides and rear and 40 feet in the front. Polly also noted that the town boards have been discussing ways to encourage smart development, infill development and more dense neighborhoods; she said allowing accessory dwelling units on private roads could help meet those goals. Sykes agreed but noted that some of the town's private roads are very old and increased traffic on them could put cars at risk. Sykes said she would want to include a requirement addressing road quality, such as requiring the lot in question to be within a certain distance of a public road.

Hornik asked Hawth how much Agricultural Residential land within town limits would be suitable for infill projects, as most Agricultural Residential districts are on the outskirts of town and would not see infill development.

Hawth confirmed about 150 acres are zoned Agricultural Residential within town limits and also have water and sewer access, which is required for accessory dwelling units. She said most of that land is on Burnside Drive, where the applicants live. Hawth said overall the town has about 800 acres zoned Agricultural Residential, but she said much of that would never be developed for various logistical reasons.

Hawth said reducing the setbacks in Agricultural Residential districts does not concern her, as she does not think it would not open the town to any risks or pose any challenges to staff.

When asked, Hornik confirmed the board could make separate recommendations regarding reducing the setbacks and allowing accessory dwelling units on private roads.

Motion: Sykes moved to recommend approval of the text amendment changing the minimum setbacks in Agricultural Residential zoning districts to 30 feet on the sides, 30 feet in the rear and 40 feet in the front. Austin seconded.

Hawth called the roll for voting.

Vote: 7-0. Ayes: Austin, Casadonte, Frazier, Johnston, Polly, Sykes and Taylor. Nays: None.

Polly said she is leaning toward allowing accessory dwelling units on private roads. She said she hears Sykes' point about the existence of older private roads in town. Polly wondered how many private roads in town would be affected, aside from Burnside Drive.

Hawth said the proposed change only would allow accessory dwelling units within a principal dwelling on a private road. She said freestanding accessory dwelling units still would not be allowed on a private road, noting that most people want to build freestanding accessory dwelling units. Hawth said accessory dwelling units also must have water and sewer services, which increases the likelihood that they will be built within town limits rather than on some of the older private roads in the extraterritorial jurisdiction.

Hawth said that if the board wants to include a requirement that the lot be a certain distance from a public road, the distance would need to be 300 feet from the lot's driveway in order to capture what the current applicant is requesting. Hawth said most of the town's private roads are not much longer than 300 feet, excluding townhome neighborhoods. She said including that requirement would include more private roads than it excludes and she is not sure including the distance requirement would be worthwhile. Hawth recommended the board decide either to leave the requirement in or take it out, noting that any problems created would be for residents of the private road to resolve, not the government.

When asked, Hawth confirmed there are no code restrictions for private roads. Hawth said new private roads meet a basic standard, but she said that would not be easy to verify or enforce after a road is in place. Regarding emergency services, Hawth said ambulance drivers have the right to choose whether they can drive down a private road or not. She noted that the town's private roads are in better shape than many county private roads, some of which force ambulance drivers to choose between damaging their vehicles and not providing service.



Johnston noted that allowing more accessory dwellings on private roads would create more density in areas where the town has less regulatory control. He noted the board wants people to be able to do what they want on their property, but he said the town still has responsibilities to citizens.

Sykes said the situation currently before the board is one of aging in place, but she noted that residents of other private roads might want to rent out their accessory dwelling units. She said economic pressures could take care of potential problems, noting that no one would want to rent an accessory dwelling unit if the road to it would damage their car. She said she would prefer a more elegant solution to bring private roads up to code, but she acknowledged that most of the town’s private roads are in subdivisions and townhome communities and so already are up to code.

When asked, Hawth said the majority of the town’s private roads are new and are no longer than 400 feet. She said of the roughly two dozen private roads outside townhome neighborhoods, less than a third are older. Hawth confirmed there are only a small handful of older private roads in town.

**Motion:** Austin moved to recommend approval of the text amendment removing the requirement for public road access for accessory dwelling units within a principal structure. Sykes seconded.

Hawth called the roll for voting.

**Vote:** 6-1. Ayes: Austin, Casadonte, Frazier, Polly, Sykes and Taylor. Nays: Johnston.

Hawth said the town board would receive the planning board’s recommendations at the June 14 Board of Commissioners meeting, noting that would be the final action on the items.

Samantha and Matthew Johnson left at 7:46 p.m.

~~B. Unified Development Ordinance: Amendments to Section 7.5 – Limit requirement to combine undeveloped contiguous non-conforming lots~~

~~Johnston asked to recuse himself from Item 4A because his wife works for the applicant requesting the amendment, Habitat for Humanity of Orange County.~~

~~Motion: Sykes moved to allow Johnston to recuse himself from Item 4B. Taylor seconded.~~

~~Hawth called the roll for voting.~~

~~Vote: 6-0. Ayes: Austin, Casadonte, Frazier, Polly, Sykes and Taylor. Nays: None.~~

~~Sykes introduced Item 4A. Hawth said the proposed change would limit the circumstances in which adjoining, undeveloped, contiguous non-conforming lots need to be combined into less-non-conforming lots. Hawth said the change would remove the requirement that one of the newly combined lots be developed and that all lots be 50 feet wide; the proposed language would require only that the newly combined lots be 40 feet wide. Hawth said the change would provide more flexibility, noting that Habitat for Humanity of Orange County had requested the change in order to serve one more family. Hawth added there are not many vacant lots left in town that were platted out in small increments, and so the change likely will not have a large impact.~~

~~Applicant Richard Turlington arrived at 7:48 p.m.~~

# TOWN OF HILLSBOROUGH

## Minutes

### Board of Commissioners

Remote regular meeting

7 p.m. June 14, 2021

Virtual meeting via YouTube Live

[Town of Hillsborough YouTube channel](#)

Present: Mayor Jenn Weaver and commissioners Mark Bell, Robb English, Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd

Staff: Interim Human Resources Director Haley Bizzell, Budget Director Emily Bradford, Assistant to the Manager/Deputy Budget Director Jen Della Valle, Interim Town Clerk/Human Resources Technician Sarah Kimrey, Stormwater and Environmental Services Manager Terry Hackett, Police Chief Duane Hampton, Assistant Town Manager/Planning Director Margaret Hauth, Interim Public Works Director Dustin Hill, Town Attorney Bob Hornik, Town Manager Eric Peterson, Utilities Director Marie Strandwitz, Public Space Manager Stephanie Trueblood and Public Information Officer Catherine Wright

#### Opening of the meeting

Mayor Jenn Weaver called the meeting to order at 7:03 p.m. Interim Town Clerk and Human Resources Technician Sarah Kimrey called the roll and confirmed the presence of a quorum.

#### 1. Public charge

Weaver did not read the public charge.

#### 2. Audience comments not related to the printed agenda

There was none.

#### 3. Agenda changes and approval

The mayor noted a change sent by the budget director by email prior to the meeting regarding the Community Development Block Grant project ordinance and an associated budget amendment. She also noted a change sent by the deputy budget director earlier regarding amending the miscellaneous budget amendments with two additional amendments regarding an aerator blower.

Motion: Commissioner Kathleen Ferguson moved to approve the amended agenda. Commissioner Mark Bell seconded.

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Commissioners Bell, Robb English, Ferguson, Matt Hughes and Evelyn Lloyd. Nays: 0.

#### 4. Public hearings

##### A. Request to close unopened right of way named Cole Avenue

The mayor opened the public hearing. Assistant Town Manager and Planning Director Margaret Hauth said Cole Avenue is an unopened lane that separates property between two neighbors, serves no purpose, is unimproved and has no utilities. The closure was requested by one of the neighbors. Both neighbors were in

attendance at the meeting. The property owner who made the request, Mark Rhoades, said the closure would allow the two neighbors to have a cleaner property line and would remove questions of maintenance responsibilities along the boundary. Hauth said the other neighbor, Christina Perrella, had noted in an email that she was planning to observe rather than participate in the meeting. The mayor asked for confirmation that both parties are amenable to the request. Hauth said she had not heard otherwise.

Motion: Ferguson moved to close the public hearing. Bell seconded.

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Bell, English, Ferguson, Hughes and Lloyd. Nays: None.

**B. FY2022 budget public hearing**

Mayor Weaver opened the public hearing. A water and sewer customer, William Johnson, provided a brief presentation against increasing utility rates. His presentation included a comparison of rates with surrounding communities and a look at specific aspects of the town's water and sewer fund. There were no other speakers. The mayor said the board received public comments from three other people via email. She summarized them:

- Will Lane, who attended the town's academy on operations, said he was glad to see funding for future sessions, thanked staff for making the budget document easy to understand, and said he wants to see the property tax rate stay the same.
- Lavone Tucker expressed concerns about out-of-town water and sewer rates. The mayor noted that the town manager had responded to the email.
- Michelle Jenkins was curious about the location for the proposed installation of a bench on Nash Street and had some questions about the installation.

The mayor said the board also received a letter from Fairview Community Watch asking for signage to be changed to rename the community center in the neighborhood after Dorothy Johnson.

Motion: Bell moved to close the public hearing. Ferguson seconded.

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Bell, English, Ferguson, Hughes and Lloyd. Nays: None.

**5. Items for decision — consent agenda**

**A. Minutes**

1. Joint Public Hearing April 15, 2021
2. Regular meeting May 10, 2021
3. Work session May 24, 2021

**B. Miscellaneous budget amendments and transfers (revised item)**

**C. Miscellaneous Tourism Board amendments and transfers**

**D. Hillsborough Tourism Board FY2022 Budget Ordinance**

**E. Proclamation Commemorating Juneteenth Independence Day**

**F. Consistency statement and ordinance amending Unified Development Ordinance Sections 7.5 – limiting the requirement to combine nonconforming lots**

**G. Consistency statement and ordinance amending Unified Development Ordinance Sections 5.1.6 and 5.1.7, Table of permissible uses**

**H. Reclassification and pay amendment – utilities analyst position to civil engineer**

**I. Deed restriction for all town parcels surrounding the West Fork Eno Reservoir**

- J. Special event permit – road closure and sponsorship request for police service for Juneteenth March
- K. NC 86 Connector Study (Phase II)
- L. Community Development Block Grant (CDBG-CV) project ordinance and associated budget amendment (added item)

Motion: Ferguson moved to approve all items on the amended consent agenda. Bell seconded.

Kimrey called the roll for voting.

Vote: 5-0. Ayes: Bell, English, Ferguson, Hughes and Lloyd. Nays: None.

**6. Items for decision — regular agenda**

**A. Consistency statement and ordinance amending Unified Development Ordinance Sections 5.2.9.2 and 6.3.1 – citizen request related to accessory dwelling units and setbacks**

Planning Director Margaret Hauth said she placed this request for text amendments on the regular agenda vs. the consent agenda because the Planning Board had a lot of discussion on it at the public hearing. She said the request is from a private property owner who would like to construct an accessory dwelling on the property. The ordinance does not allow accessory dwellings on private roads. The owner also would like to change the setback requirements of the property, which is zoned agricultural residential and has setbacks of 50 feet on all sides. The structures on this property are built closer to the property line already. The owner is asking to conform with setbacks in a nearby neighborhood, with a 40-foot setback in front and 30-foot setbacks on the other sides. Hauth said staff does its best to find options that don't involve changing the ordinance since it is a solution that impacts the entire town. She said the Planning Board's recommendation to allow accessory dwellings on private roads was not unanimous.

She answered questions from the board. She said the property is on Burnside Drive and is one of a few agricultural residential areas serviced by town water and sewer. Most agricultural residential zoning is outside town limits, and the impact of the request would be very limited, especially for the setback issue.

Hughes suggested separating the vote on setbacks and accessory dwelling units.

There was additional discussion. Hauth noted a change in the setback would affect all land zoned agricultural residential. She said that properties with the designation include the mining area and some places in West Hillsborough and that mining is regulated by the state. She said the only other tool that could be used to grant the request is a variance, but there is no hardship in this case to justify a variance. Hauth said reducing the setback gives property owners more ability to use their lot. She said individual houses that would be impacted likely are a dozen or fewer; a lot of the land in areas without water and sewer service are not developed; and the town has almost no way to oversee property used for agricultural purposes in its extraterritorial jurisdiction.

Motion: Hughes moved to approve ordinance change and consistency statement regarding setbacks. Lloyd seconded.

Kimrey called the roll for voting.

Vote: 3-1. Ayes: Bell, Ferguson, and Lloyd. Nays: Hughes. English lost connection and was unable to vote.

The board discussed the request to allow an accessory dwelling unit on a private road. The planning director said the applicant wants to build a garage with an apartment over it for a family member. She said the town greatly expanded the ability to have accessory dwelling units but the requirement to be on a public road has been in place for more than 30 years. Hauth said the Planning Board discussed whether a fixed distance could be set from a private road to allow accessory dwellings. The distance needed to allow the unit at this particular property is 300 feet, which would allow accessory dwellings on any private road in town. One of the Planning Board members was opposed to allowing the unit on a private road.

Hauth answered questions from the board. She confirmed the private road is a gravel road. She said it is one of the oldest private roads in town and probably one of the more well-constructed ones, noting that garbage trucks do travel it. She said most of the new private roads built are to access deeper lots and most private roads in town are very short. Hauth said the Planning Board discussed looking at the standard of a private road and she was very hesitant to accept the option because town staff are not qualified to look at a road and determine whether it's built to a certain standard and because the maintenance and standard for private roads is determined by the private owners. It was determined that a fair standard could not be implemented and the only option before the Planning Board was to allow accessory dwellings on private roads or don't.

In answering what the downside is to allowing accessory dwellings on private roads, Hauth said that not all private roads have been built in the last five years and some may not be well maintained or have a maintenance agreement among all the owners. She said the more people who live on a private road, the more pressure there will be also for the town to accept a road that would be a challenge. Hauth said staff have had conversations that private roads are a problem in the long run and perhaps they should not be allowed in town.

The mayor noted that the town has already taken steps to make accessory dwelling units more accessible to people and that both parts of this request seem to do that. In this case, the dwelling would make it possible for an aging parent to live on site. For another person, renting out the unit could help produce funds to maintain the road.

There was continued discussion about the assumption people have that private roads are public and subject to the same services as public roads and about the treatment of this private road. Hauth said the long tradition of garbage and recycling service on this road and the possibility of the road becoming public should be discussed separately.

**Motion:** Bell moved to adopt the ordinance and consistency statement to allow accessory dwelling units on private roads. Lloyd seconded.

Kimrey called the roll for voting.

**Vote:** 3-2. Ayes: Bell, English and Lloyd. Nays: Ferguson, Hughes.

~~B. Order closing unopened right of way named Cole Avenue~~

~~Motion: Hughes moved to close unopened right of way named Cole Avenue. Ferguson seconded.~~

~~Kimrey called the roll for voting.~~

~~Vote: 5-0. Ayes: Bell, English, Ferguson, Hughes and Lloyd. Nays: None.~~



Private Street off McAdams Road



**Private Street – Birch Run Minor Subdivision off North Nash Street**





**Private Street – Private Portion of Daphine Drive (Daphine Court)**



Private Street - Amanda Lane



**Unnamed Private Street off W Orange Street 1**



**Unnamed Private Street off W Orange Street 2**



**HILLSBOROUGH BOARD OF COMMISSIONERS  
Consistency Statement per Section 160D-605(a)**

**Applicant-Initiated Text Amendment Request Regarding  
Free-standing Accessory Dwelling Units on Private Streets**

October 28, 2024

The Town of Hillsborough Board of Commissioners has received and reviewed an application from residents Natalie Dolgireff and Armand Roth to amend the Unified Development Ordinance as follows:

*Amend UDO §5.2.8 (Dwelling, Accessory) to allow freestanding (detached) accessory dwelling units on private streets.*

After deliberation on the applicant's proposal and on Planning staff's suggested edits, the Hillsborough Board of Commissioners has determined that Planning staff's version of the proposed text amendment **is/is not** consistent with the Town of Hillsborough's Comprehensive Sustainability Plan (CSP) because it **supports/does not support** the following goals:

- Land Use and Development Goal 1: Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity.
  - Strategy: Ensure that land use and development regulations are aligned with preferred future land use and growth patterns.
- Town Government and Public Services Goal 2: Adopt local laws, regulations, and policies that help to achieve sustainable and equitable outcomes.
  - Strategy: Develop and adopt policies that help accomplish town goals.

The foregoing consistency statement, having been submitted to a vote, received the following vote and was duly adopted this 28<sup>th</sup> day of October in the year 2024.

Ayes:

Noes:

Absent or excused:

---

Sarah E. Kimrey, Town Clerk



## ORDINANCE

### Amending the Town of Hillsborough Unified Development Ordinance Sections 5.2.8, *Dwelling, Accessory* and 6.21.4, *Design Standards – Private Streets*

The Hillsborough Board of Commissioners ordains the following amendments:

- Section 1.** The amendments to Unified Development Ordinance Section 5.2.8, *Dwelling, Accessory* and Section 6.21.4, *Design Standards – Private Streets*, as attached hereto.
- Section 2.** All provisions of any town ordinance in conflict with this ordinance are repealed.
- Section 3.** This ordinance shall become effective upon adoption.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 28<sup>th</sup> day of October in the year 2024.

Ayes:

Noes:

Absent or excused:

---

Sarah E. Kimrey, Town Clerk

## 5.2 USE-SPECIFIC STANDARDS

### 5.2.8 DWELLING, ACCESSORY

The following sections are provided to create opportunities for a diversity of housing stock within town. A dwelling unit must contain sleeping, cooking, and bathroom facilities. Guest quarters or suites that do not contain all three types of facilities are not dwelling units and are not reviewed in this section.

#### 5.2.8.1 Accessory dwelling units in freestanding structures

New or existing accessory buildings may be used as dwelling units in addition to the principal dwelling unit in the R-10, R-15, and R-20 districts, subject to the following conditions:

- 5.2.8.1.a The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.
- 5.2.8.1.b The lot has direct access to a public street or a private street that conforms with the requirements for private streets in UDO Section 6.21.4, *Design Standards – Private Streets* and the Town of Hillsborough Street Manual.
- 5.2.8.1.c One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.
- 5.2.8.1.d The structure containing the accessory dwelling must meet the applicable primary building setbacks established in Table 6.3.1, *Dimensional Requirements – residential* OR Section 7.5.3, *Non-conforming lot setback requirements*. The existing, primary dwelling may be non-conforming in regard to building setbacks required in the zoning district. The setback provision in Section 9.1.5.2.c of this ordinance is available for an accessory building containing a dwelling unit.
- 5.2.8.1.e An accessory dwelling unit in a freestanding structure shall be located to the side or rear of the primary dwelling and behind the primary dwelling's front façade.
- 5.2.8.1.f All structures containing dwellings are connected to municipal water and sewer service.
- 5.2.8.1.g The accessory dwelling unit shall not exceed fifty (50) percent of the gross floor area of the principal dwelling unit or 1,000 square feet in gross floor area, whichever is greater. In no case shall the accessory dwelling unit exceed the gross floor area and/or height of the principal dwelling unit.
- 5.2.8.1.h The accessory unit is constructed to the state building code for one- and two-family dwellings (i.e., is not a manufactured home).
- 5.2.8.1.i There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.
- 5.2.8.1.j The application materials indicate storage locations for solid waste and recycling containers for both dwellings consistent with Town Code requirements.
- 5.2.8.1.k A platted, deeded public utility easement shall be required and existing utility lines shall be upsized if deemed necessary by the Utilities Department.

**5.2.8.1.i** Units that existed on August 12, 1996 that do not meet one or more provisions of this section may continue as legal non-conforming uses.

**5.2.8.2 Accessory dwelling units within a principal single-family dwelling**

Accessory dwelling units may be located within a principal single-family dwelling in any zoning district, subject to the following conditions:

**5.2.8.2.a** The lot is developed, or proposed to be developed, with a single-family dwelling and customary accessory outbuildings.

**5.2.8.2.b** The lot has direct access to a public street or a private street that conforms with the requirements for private streets in UDO Section 6.21.4, *Design Standards – Private Streets* and the Town of Hillsborough Street Manual.

**5.2.8.2.c** One (1) accessory dwelling unit is permitted per lot, whether within the principal dwelling or as a freestanding structure.

**5.2.8.2.d** Both dwellings are connected to municipal water and sewer service.

**5.2.8.2.e** The accessory dwelling unit shall not exceed fifty (50) percent of the gross floor area of the principal dwelling unit or 1,000 square feet in gross floor area, whichever is greater. In no case shall the accessory dwelling unit exceed the gross floor area of the principal dwelling unit.

**5.2.8.2.f** The accessory dwelling unit must have its own exterior access. Any interior access to the principal dwelling must be lockable from both dwellings.

**5.2.8.2.g** There is sufficient off-street parking on the parcel to accommodate two spaces for the principal dwelling and one space per bedroom in the accessory unit, which may include garage spaces.

**5.2.8.2.h** The application materials indicated storage locations for solid waste and recycling containers for both dwellings consistent with Town Code requirements.

**5.2.8.2.i** A platted, deeded public utility easement shall be required and existing utility lines shall be upsized if deemed necessary by the Utilities Department.

**5.2.8.2.j** Units that existed on August 12, 1996 that do not meet one or more provisions of this section may continue as legal non-conforming uses.

## 6.21 STREETS

### 6.21.4 DESIGN STANDARDS - PRIVATE STREETS

- 6.21.4.1** Any private street within a non-residential or multi-family development must meet the design standards for town public streets.
- 6.21.4.2** Any private street within a minor residential subdivision must be designed in compliance with the North Carolina Fire Prevention Code, which generally requires a twenty-foot wide improved travel way. Associated drainage facilities must be located in the right of way. Underground utilities may be located within the street right of way or in a separate utility easement. Factors such as the length and alignment of the street and the use of sprinklers in individual buildings may impact the travel way or right of way required by the North Carolina Fire Prevention Code.
- 6.21.4.3** A private street within a minor residential subdivision may be required to provide a right of way of fifty (50) feet if the land and lots are arranged to allow the potential conversion of the street to a public street. If the lot arrangement, surrounding development pattern, zoning, and existing town plans indicate conversion is unlikely, the permit issuing authority may allow a private street to reduce the right of way width to no less than 18 feet.
- 6.21.4.4** Lots for single-family detached dwellings may be created with access to a private street provided that:
- 6.21.4.4.a** No more than four (4) lots may have their sole access to the private street.
- 6.21.4.4.b** A new private street shall not be an extension of any existing public or private street.
- 6.21.4.4.c** A new private street shall not be aligned with an existing public street in such a way as may interfere with any planned extension of the public street.
- 6.21.4.5** The intent of this subsection is primarily to allow the creation of not more than four (4) lots with frontage on a private street for single-family development. Therefore, the Town may not approve any project served by a private street authorized by this subsection in which one (1) or more of the lots thereby created is intended for:
- 6.21.4.5.a** Two-family or multi-family residential use, or
- 6.21.4.5.b** Any other residential use or nonresidential use that would tend to generate more traffic than that customarily generated by four (4) single-family residences with one accessory dwelling unit each.
- 6.21.4.6** To ensure that the intent of this subsection is not subverted, the Town may, among other possible options, require that the approved plans show the types and locations of buildings on each lot or that the lots in a residential development served by a private street be smaller than the permissible size of lots on which two-family or multi-family developments could be located, or that restrictive covenants limiting the use of the subdivided property in accordance with this section be recorded before final plat approval.
- 6.21.4.7** No final plat that shows lots served by private streets may be recorded unless the final plat contains the following notation:  
"Further subdivision of any lot shown on this plat as served by a private street maybe prohibited by the Town of Hillsborough *Unified Development Ordinance.*"



**6.21.4.8** The recorded plat of any development that includes a private street shall clearly state that such street is a private street and must be accompanied by a private street maintenance agreement that is also recorded.



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date:	Oct. 28, 2024
Department:	Public Space and Sustainability
Agenda Section:	Regular
Public hearing:	No
Date of public hearing:	N/A

#### PRESENTER/INFORMATION CONTACT

Stephanie Trueblood, Public Space and Sustainability Manager

#### ITEM TO BE CONSIDERED

**Subject:** US 70 Bypass Safety Concerns

**Attachments:**

Presentation slides

**Summary:**

Concerns about the safety of pedestrians, bicyclists, and drivers on US 70 Bypass in Hillsborough have been expressed by the town board and Hillsborough community for many years. Recently, those concerns have become elevated due to the tragic death of a child who was struck while walking along the roadway.

US 70 Bypass is a federal highway maintained by the North Carolina Department of Transportation. The Town of Hillsborough and other agencies have conducted numerous planning efforts over the years aimed at improving safety along the highway. To date there is no funding secured or a schedule for improvements to this section of US 70.

This presentation offers a review of past and present planning efforts and is followed by an opportunity to discuss additional steps that can be taken to improve safety for all users in accord with the Hillsborough Vision Zero Policy.

**Financial impacts:**

None

**Staff recommendation and comments:**

None

**Action requested:**

Receive presentation and offer direction to staff.

# US 70 Bypass

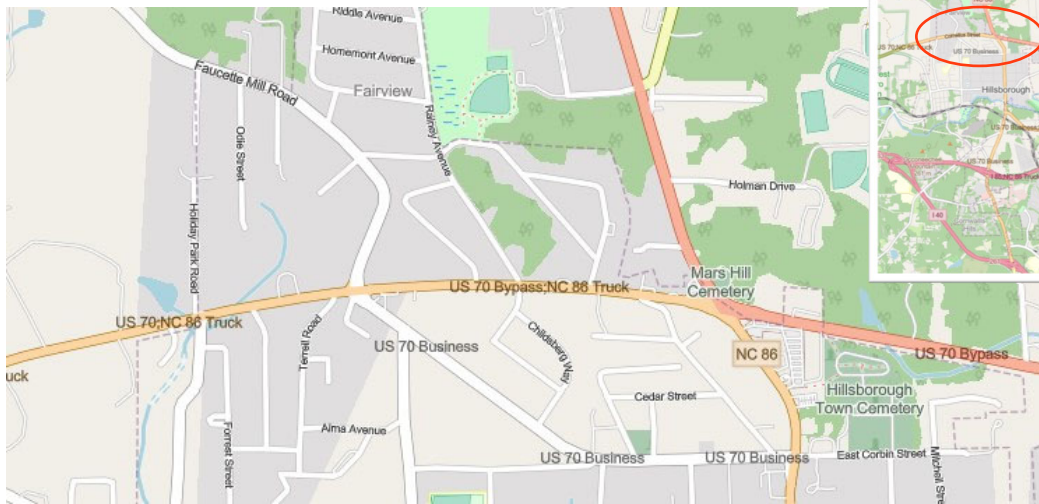
## Safety Concerns and Review of Existing Plans



TOWN OF  
HILLSBOROUGH

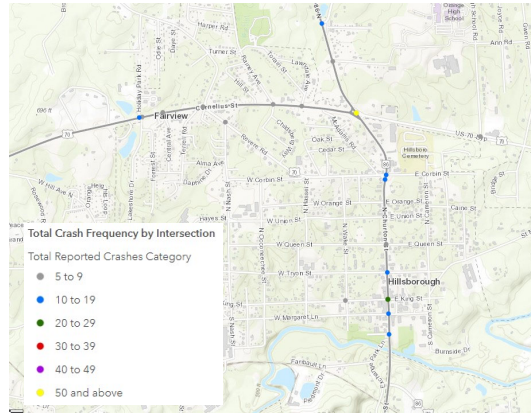
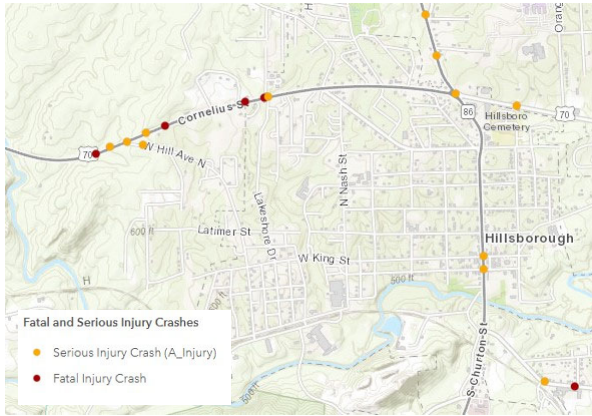
1

### US 70 Bypass, Hillsborough



2

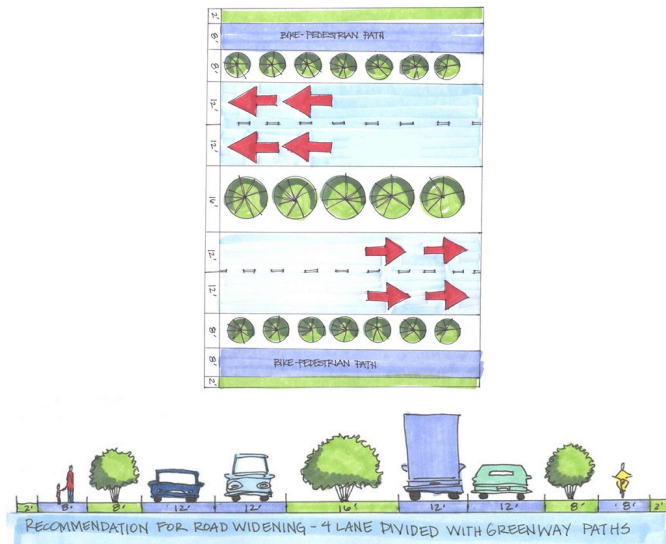
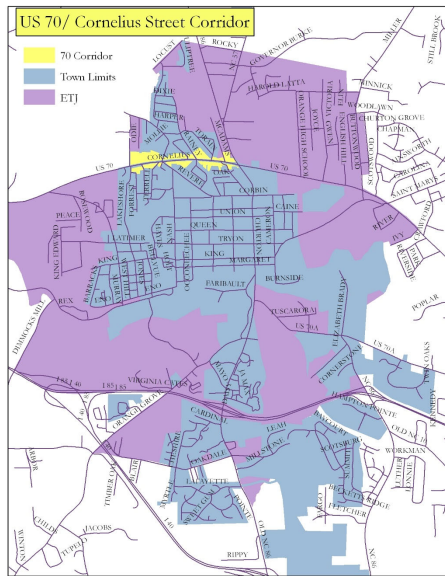
# Fatal and Serious Injury Crash Locations (NCDOT)



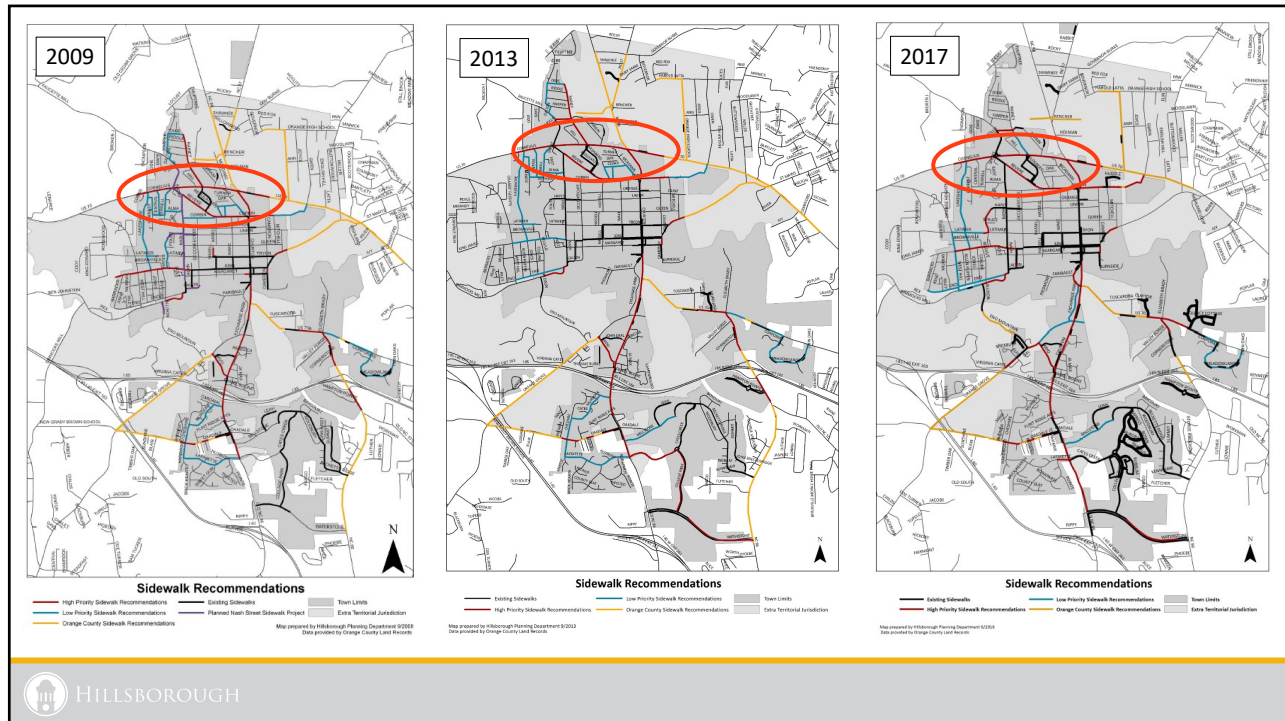
<https://connect.ncdot.gov/resources/safety/lists/crash%20datamaps/allitems.aspx>



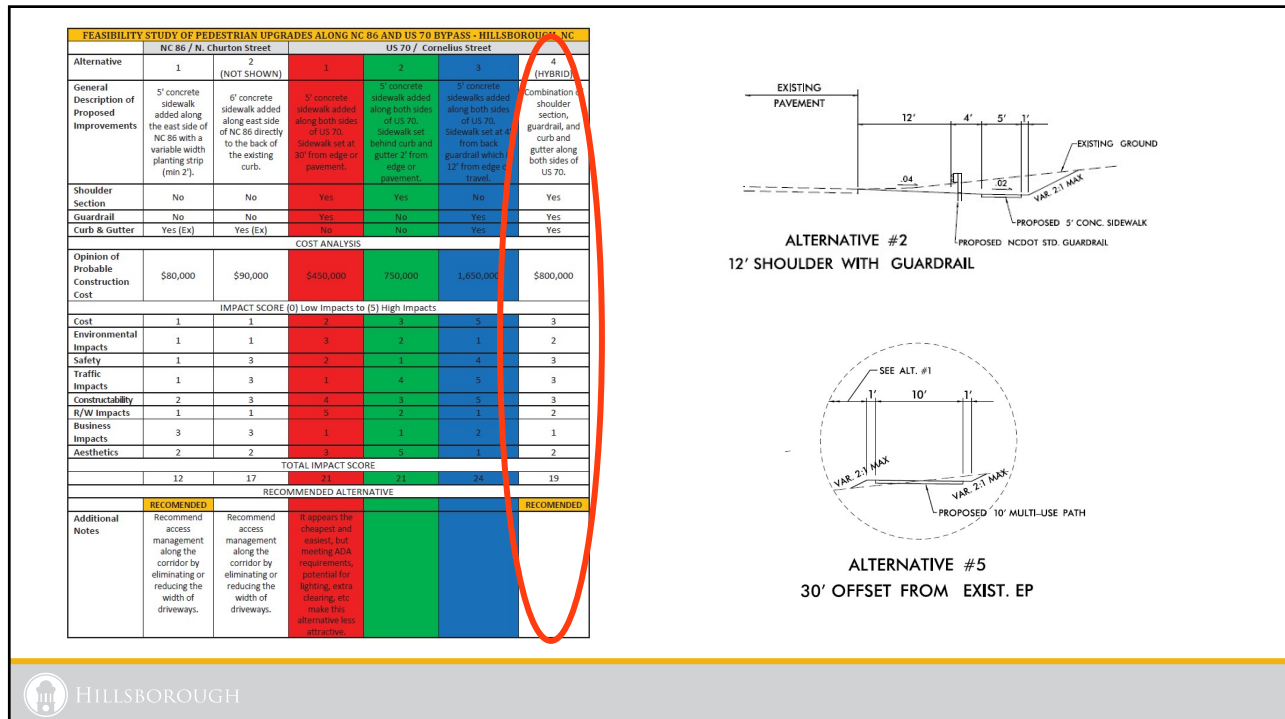
3




4

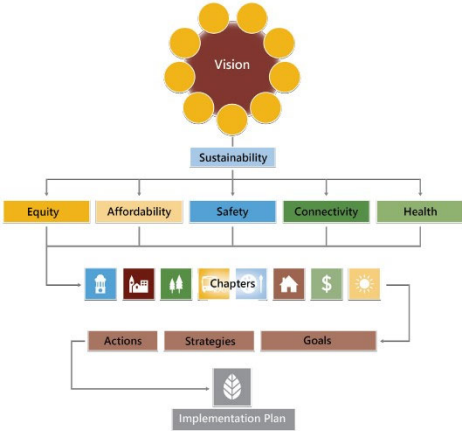



5



6








**HILLSBOROUGH COMPREHENSIVE SUSTAINABILITY PLAN**

**Local Priorities**


Through this planning work, the town has identified several priority projects and planning studies to improve the transportation network over the next several years, including:

- › N.C. 86 Connector / Orange Grove Road Extension Study — final alternative approved by the board from the Eno Mountain Road
- › South Churton Street Multimodal Corridor Study — to evaluate possible designs prior to the NCDOT STIP Project No. U-5845
- › Ridgeway Greenway Feasibility Study
- › Downtown Parking Study



**RESOLUTION**

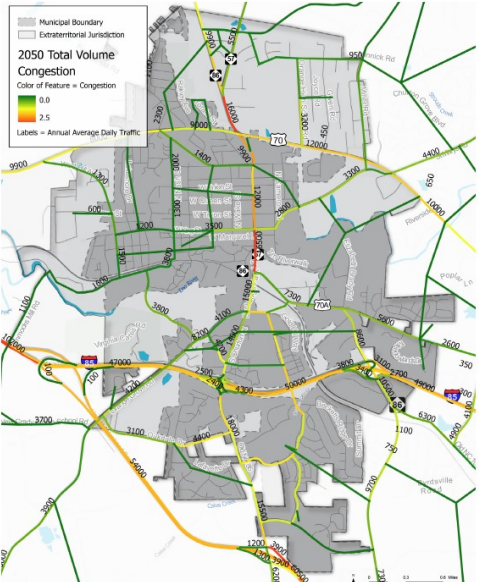
For the adoption of a Vision Zero policy to eliminate traffic fatalities and serious injuries by 2040



HILLSBOROUGH

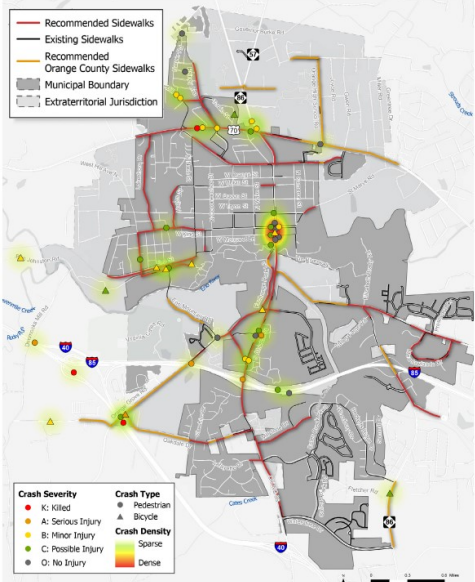
7

**Figure 6.7. Volume and Congestion Map — Triangle Regional Model**




Source: Durham-Chapel Hill-Carrboro Metropolitan Planning Organization

**Figure 6.11. Bike & Pedestrian Crashes from 2011 to 2020 & Sidewalk Recommendations**

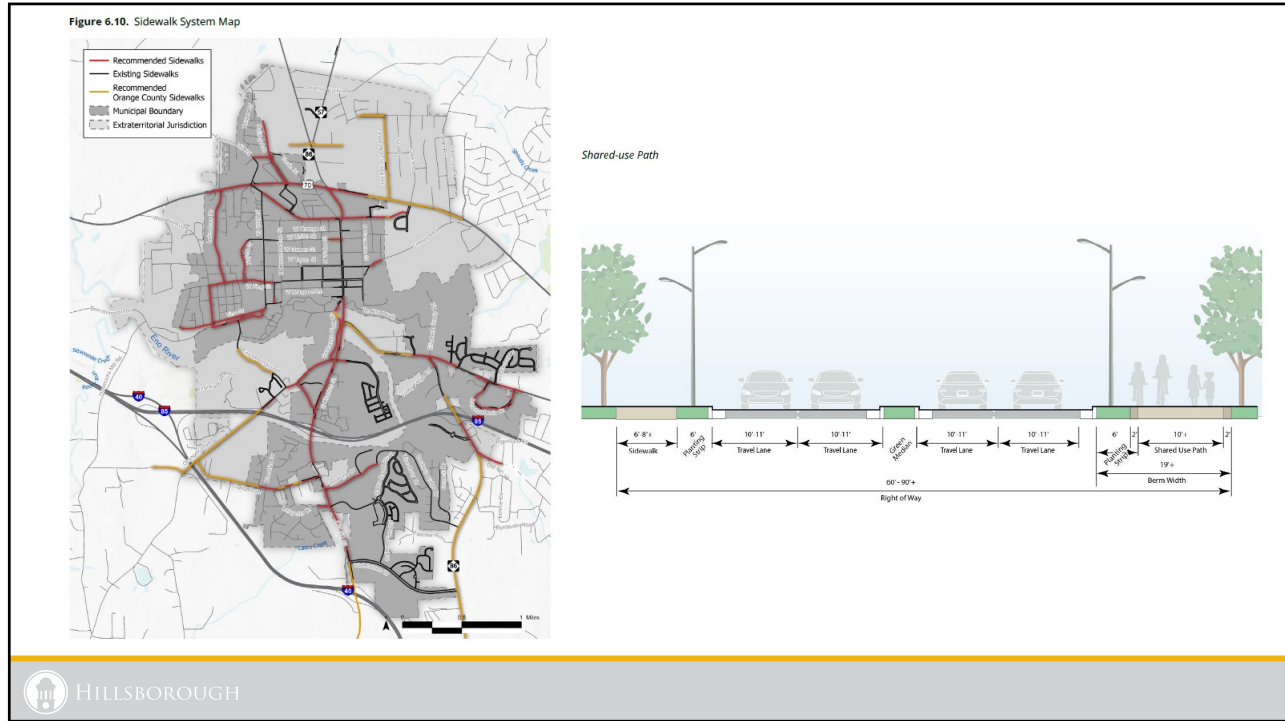


Source: Town of Hillsborough Community Connectivity Plan, NCDOT

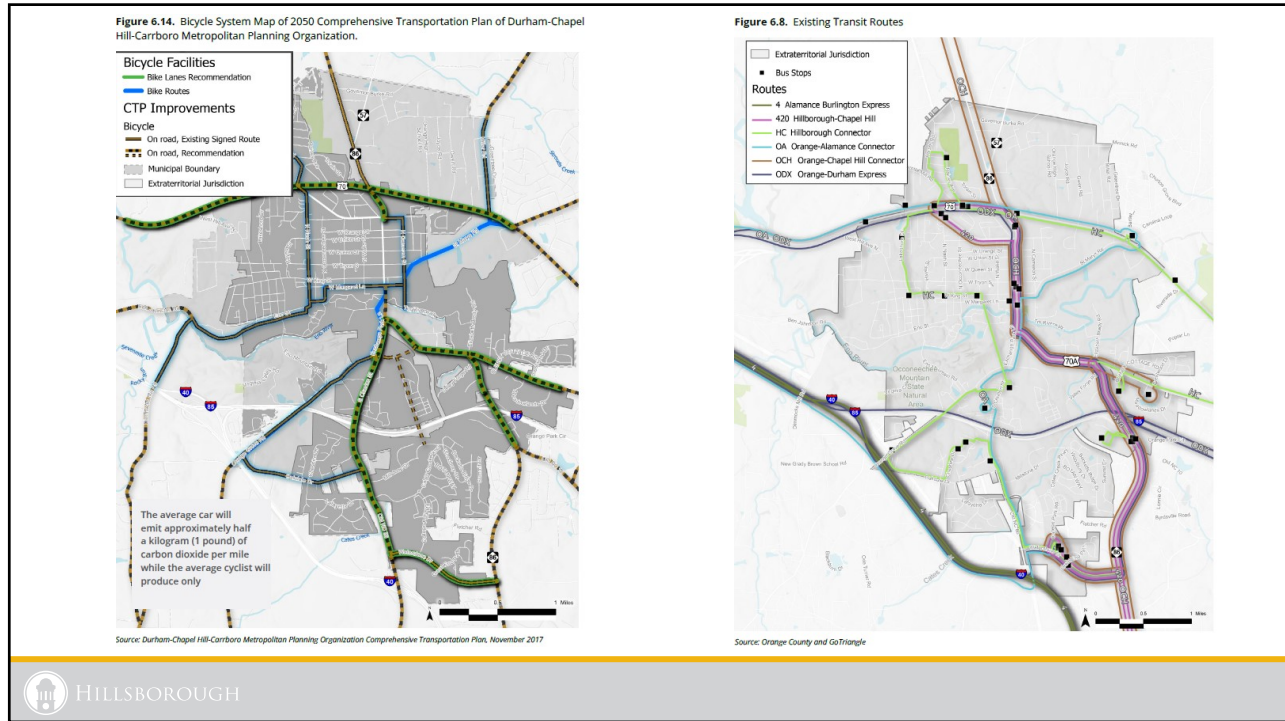


HILLSBOROUGH

8



9



10

FINAL PLAN

# US 70 Multimodal Corridor Study

PREPARED FOR

**ORANGE COUNTY**  
 NORTH CAROLINA  
 Orange County  
 300 West Tryon Street  
 Hillsborough, NC 27278  
 919.732.8181

PREPARED BY

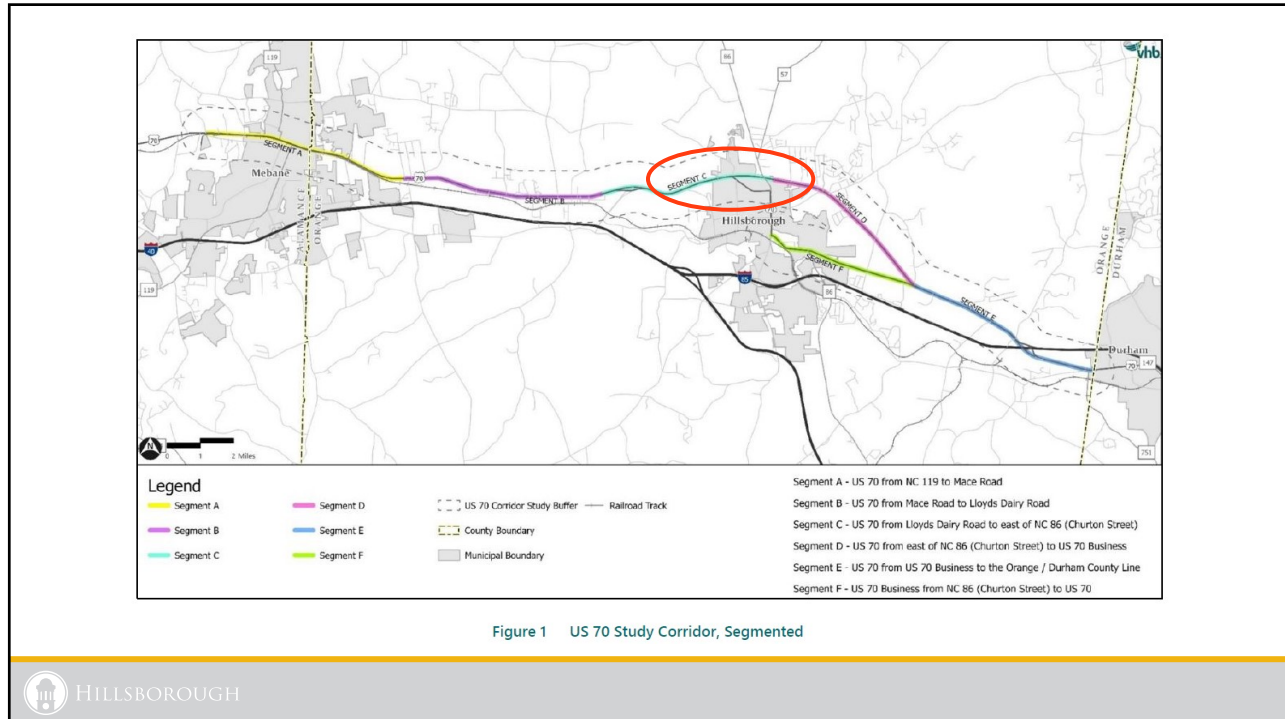
**vhb.**  
 VHB NC, P.C.  
 940 Main Campus Drive  
 Raleigh, NC 27606  
 919.829.0328  
 April 2024

Table 20 US 70 Corridor Plan Goals

 <b>Mobility</b>	Goal 1: Manage increasing vehicular traffic congestion, including auto, EMS, and freight.
	Goal 2: Prioritize bicycle and pedestrian connectivity through the corridor.
	Goal 3: Improve transit accessibility.
 <b>Placemaking</b>	Goal 4: Guide transportation investment to protect community character.
	Goal 5: Prioritize pedestrian, bicycle, and transit connectivity within urban areas.
 <b>Safety</b>	Goal 6: Increase the comfort of non-automobile roadway users.
	Goal 7: Work towards Vision Zero.
	Goal 8: Reduce pedestrian-automobile conflicts.
 <b>Job Access</b>	Goal 9: Improve multimodal access to jobs within the corridor.
	Goal 10: Improve multimodal access to jobs outside the corridor.
 <b>Natural Environment</b>	Goal 11: Improve multimodal access to parks throughout the corridor.
	Goal 12: Reduce wildlife-automobile conflicts.
	Goal 13: Ensure long term protection of local watersheds.

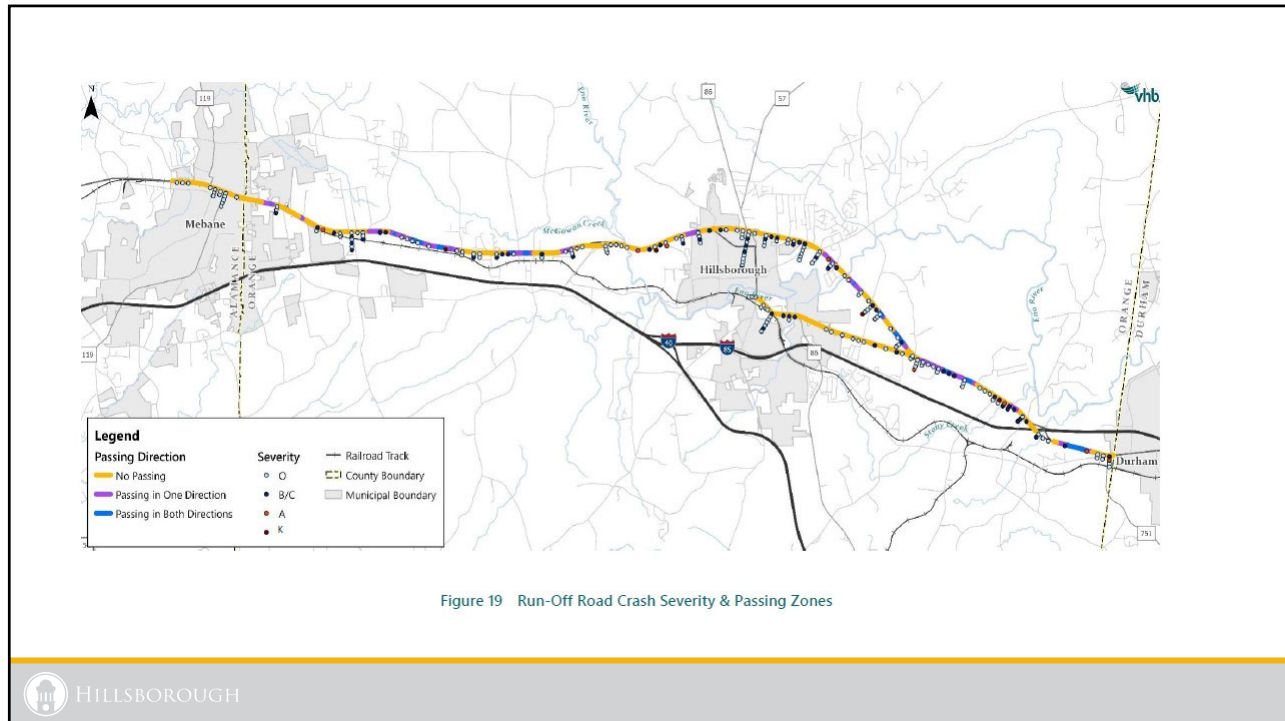
HILLSBOROUGH

11



12





13

## US 70 Multimodal Corridor Study- Orange County

**Relevant Objectives:**

- C.1: Reduce automobile congestion delay times in response to projected traffic demand growth through the corridor.
- C.2: Introduce and expand park and ride services.
- C.3: Expand regional transit access to job centers.
- C.4: Establish alternative east-west bicycle routes to US 70 between Mebane and Hillsborough.
- C.5: Improve bus service reliability.
- C.6: Improve accessibility of existing bus stops.
- C.7: Construct paired bus stops across US 70 from existing facilities.
- C.8: Construct accessible bus shelters that serve Hillsborough's residential communities.
- C.9: Accommodate all transportation modes in roadway improvement projects.
- C.10: Slow automobile traffic throughout the corridor.
- C.11: Extend sidewalk connectivity to anticipated growth areas.
- C.12: Improve the safety of pedestrian facilities in the Fairview Neighborhood.
- C.13: Establish gateways to Hillsborough.

14

## US 70 Multimodal Corridor Study- Orange County

### Goal 1: Manage increasing vehicular traffic congestion, including auto, EMS, and freight.

- C.1.1: When US 70 is widened to a four-lane divided facility throughout Segment C, include multimodal facilities.
- C.1.2: Realign Revere Road approach to the US 70/Faucette Mill Road intersection; reroute Short Street accordingly.
- C.1.3: Construct/extend exclusive turn lanes on the west- and northbound approaches to the US 70/Faucette Mill Road intersection.
- C.1.4: Construct exclusive turning lanes at the US 70/NC 86 intersection, including dual eastbound left turn lanes from US 70 onto NC 86 northbound.

### Goal 2: Prioritize bicycle and pedestrian connectivity through the corridor.

- C.4.1: Add sharrows and signage to establish bike route along the length of Faucette Mill Road north of the Hillsborough town limits.
- C.4.2: Construct an off-road bicycle path that connects Faucette Mill Road with Lebanon Road across the Eno River.
- C.9.1: Include a 10-foot shared-use path on the north side and a 5-foot sidewalk on the south side of US 70 from Lloyd's Dairy Road to NC 86.
- C.14.1: Construct shared-use path along the east side of NC 86 from US 70 to Corbin Street.
- C.14.2: Modernize the US 70/Faucette Mill Road intersection with accessible pedestrian signal heads/pedestals on all corners, leading pedestrian intervals, no right turn on red restrictions, and high-visibility markings.
- C.14.3: Modernize the US 70/NC 86 intersection with pedestrian refuge islands, accessible pedestrian signal heads/pedestals on all corners, leading pedestrian intervals, no right turn on red restrictions, and high-visibility markings.



15

## US 70 Multimodal Corridor Study- Orange County

### Goal 5: Prioritize pedestrian, bicycle, and transit connectivity within urban areas.

- C.12.1: Install high-visibility pedestrian crossing signage at the Faucette Mill Road/Torain Street intersection.
- C.12.2: Include high-visibility crossings in all future sidewalk construction on Faucette Mill Road, Torain Street, and Rainey Avenue where the pedestrian network would otherwise be interrupted by roadway.
- C.12.3: Install high-visibility pedestrian crossing signage and pedestrian pads at the Rainey Avenue/Torain Street intersection.
- C.14.1: Construct shared-use path along the east side of NC 86 from US 70 to Corbin Street.
- C.14.2: Modernize the US 70/Faucette Mill Road intersection with accessible pedestrian signal heads/pedestals on all corners, leading pedestrian intervals, no right turn on red restrictions, and high-visibility markings.
- C.14.3: Modernize the US 70/NC 86 intersection with pedestrian refuge islands, accessible pedestrian signal heads/pedestals on all corners, leading pedestrian intervals, no right turn on red restrictions, and high-visibility markings.

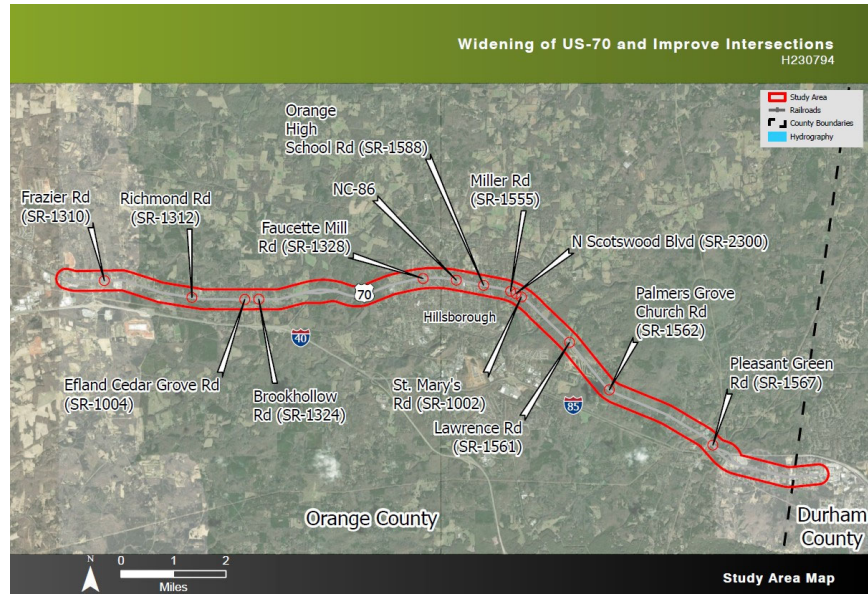
### Goal 6: Increase the comfort of non-automobile roadway users.

- C.10.2: Reduce posted speed limit on Faucette Mill Road to 35 miles per hour between the Hillsborough town limits and Frank Perry Road.
- C.12.1: Install high-visibility pedestrian crossing signage at the Faucette Mill Road/Torain Street intersection.
- C.12.2: Include high-visibility crossings in all future sidewalk construction on Faucette Mill Road, Torain Street, and Rainey Avenue where the pedestrian network would otherwise be interrupted by roadway.
- C.12.3: Install high-visibility pedestrian crossing signage and pedestrian pads at the Rainey Avenue/Torain Street intersection.
- C.10.1: Reduce posted speed limit on US 70 to 35 miles per hour throughout Segment C.



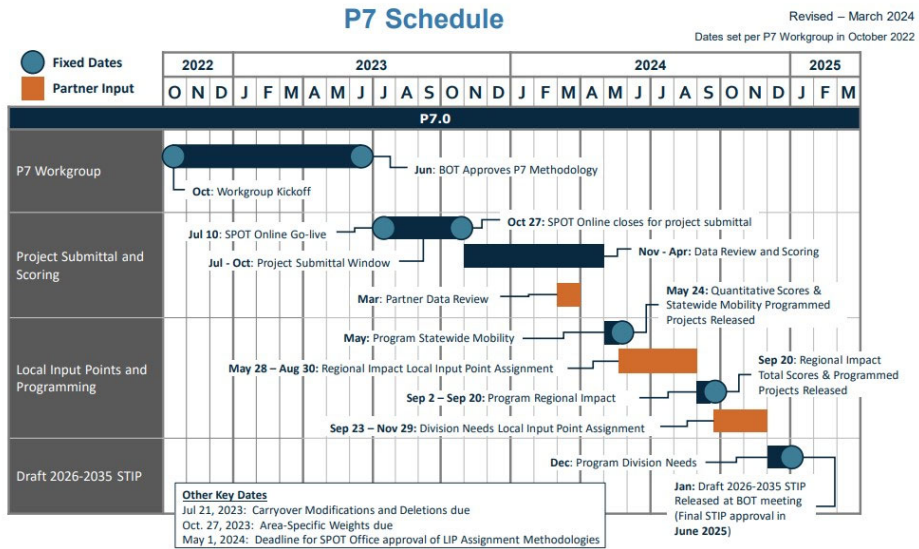
16

NCDOT



17

Funding Review



18

## Speed Limits



19

## Questions and Discussion

---



TOWN OF  
HILLSBOROUGH

20