



Minutes

Board of Commissioners Regular Meeting

7 p.m. Sept. 11, 2023

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

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

Staff: Planning and Economic Development Manager Shannan Campbell, Assistant Town Manager and Community Services Director Matt Efird, Budget and Management Analyst Josh Fernandez, Environmental Engineering Supervisor Bryant Green, Town Attorney Bob Hornik, Town Clerk and Human Resources Technician Sarah Kimrey, Communications Specialist JC Leser, Town Manager Eric Peterson, Utilities Director Marie Strandwitz, Public Space and Sustainability Manager Stephanie Trueblood, Police Major Jason Winn and Communications Manager Catherine Wright

Opening of the meeting

Mayor Jenn Weaver called the meeting to order at 7 p.m.

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

Staff asked to remove the following items from the agenda:

- Item 7C: Acceptance of water and sewer utilities in Harmony at Waterstone (Parcel 17)
- Item 8B: Unified Development Ordinance text amendment – Section 6.17, Sidewalks (Staff Initiated)

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

Vote: 4-0. Absent: Commissioner Robb English

4. Public hearing

A. Public hearing to collect public comment on system development fees

Motion: Commissioner Matt Hughes moved to open the public hearing. Ferguson seconded.

Vote: 4-0. Absent: English

There were no public comments at this time.

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

Vote: 4-0. Absent: English

Commissioner Robb English joined the meeting at 7:04 p.m.

5. Presentations

- A. Update presentation for the U.S. 70 Multimodal Corridor Plan
Orange County Transportation Services Director Nish Trivedi provided an update on the draft report regarding existing conditions for the U.S. 70 corridor, public workshop outcomes, and next steps for potential widening of the corridor with multimodal accommodations. Trivedi informed the board that the town's comprehensive sustainability plan would be met for any portion of the development in Hillsborough.

The study found several key results:

- Traffic has returned to pre-COVID levels and includes higher speeds and more trucks.
- Some locations have high crash rates and speeds.
- Pedestrian and bicycle improvements are needed.
- Moderate, localized traffic growth is expected.
- Rail right of way constrains parts of the western corridor.
- Interstate 85 improvements are critical to U.S. 70 traffic.
- Full access to U.S. 70 is needed at the I-85 connector.
- N.C. 86 and N.C. 57 access via U.S. 70 is important.

A second round of project suggestions and public participation will be offered this fall.

6. Appointments

- A. Board of Adjustment – Re-appointment of Portia Made-Jamison for a term ending Sept. 30, 2026
B. Tree Board – Appointment of Jon Simpson for a term ending Sept. 30, 2026
C. Planning Board – Appointment of Christian Schmidt for a term ending Sept. 30, 2026

Motion: Hughes moved to approve all appointments. Ferguson seconded.
Vote: 5-0.

7. Items for decision – consent agenda

- A. Minutes
– Regular meeting Aug. 14, 2023
– Special meeting Aug. 28, 2023
– Work session with joint Water and Sewer Advisory Committee meeting Aug. 28, 2023
B. Miscellaneous budget amendments and transfers
C. ~~Acceptance of Water and Sewer Utilities in Harmony at Waterstone (Parcel 17)~~
D. Approval of a water and sewer extension contract for 420 W. Tryon St.

Motion: Bell moved to approve all items on the amended consent agenda. Ferguson seconded.
Vote: 5-0. Nays: None.

8. Items for decision – regular agenda

- A. Unified Development Ordinance text amendment: Section 6.13.3.4, Minimum Number of Parking Spaces Required – Places of Worship (Applicant Initiated)

Planning and Economic Development Manager Shannan Campbell presented the topic and shared that the text amendment for the Unified Development Ordinance is applicant initiated. She highlighted the special parking needs of places of worship and the flexible parking needs for holidays and special events.

Ferguson expressed displeasure at the unilateral application of this text amendment, sharing her belief that the downtown area should have different parking requirements. Bell agreed with Ferguson and suggested the problem could be fixed in the next ordinance rewrite.

Weaver shared that the board must consider the parking considerations, the town's comprehensive sustainability plan, future transportation and the urban/rural divide both now and with a future rewrite of the ordinance. Ferguson said it would be more sustainable to add parking for this location now. She said if the church moved, parishioners likely would remain with it and drive further, hindering sustainability goals.

A member of the Holy Family Catholic Church said that the church encourages sustainability. He noted the sustainability plan focuses on the urban and downtown area, which the church property is not within.

Motion: Hughes moved to adopt the ordinance amendment as recommended by the Planning Board.
English seconded.

Lloyd commended the church for its growth and agreed with Ferguson that the town should allow for more parking.

Vote: 2-3. Nays: Bell, Ferguson and Lloyd

Motion: Ferguson moved to adopt an ordinance and consistency statement amending the Unified Development Ordinance parking standard for churches and places of worship to a minimum of 1 per 8 seats or a maximum of 1 per 2.5 seats. Lloyd seconded.

Vote: 3-2. Nays: Hughes and English.

~~B. Unified Development Ordinance text amendment- Section 6.17, Sidewalks (Staff Initiated)~~

- C. Resolution to adopt system development and capital facilities fees
When asked by Ferguson, Town Manager Eric Peterson expressed his support for the fees and the more equitable structure of fees by bedrooms for residential properties.

Motion: Ferguson moved to adopt the amended resolution. Hughes seconded.

Vote: 5-0.

D. Hot topics for work session Sept. 25, 2023

The following was noted for inclusion:

- Update on the transit-oriented development site.
- Ridgewalk greenway feasibility study.
- Coordination among staff regarding development proposals and projects.

9. Updates

A. Board members

Board members gave updates on the committees and boards on which they serve.

B. Town manager

There was none.

C. Staff (written reports in agenda packet)

There were no additional reports.

10. Adjournment

Mayor Weaver adjourned the meeting at 8:23 p.m.

Respectfully submitted,

Sarah Kimrey
Town Clerk
Staff support to the Board of Commissioners

DRAFT

FY 2023-2024

**TOWN OF HILLSBOROUGH
BUDGET CHANGES REPORT
DATES: 09/11/2023 TO 09/11/2023**

	<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	To cover safety dividend program.	41149	09/11/2023	JFernandez	450,000.00	-4,855.00	258,226.00
Safety & Risk Mgmt.	10-10-6600-5300-571 SAFETY AWARDS PROGRAM						
	To cover safety dividend program.	41150	09/11/2023	JFernandez	15,120.00	4,855.00	19,975.00
Police	10-20-5100-5300-458 DATA PROCESSING SERVICES						
	To cover Central Square annual contract	41148	09/11/2023	EBRADFORI	25,310.00	1,000.00	26,310.00
Police	10-20-5100-5300-730 DRUG ENFORCEMENT OPERATIONS						
	To cover Central Square annual contract	41147	09/11/2023	EBRADFORI	5,000.00	-1,000.00	3,632.00
Admin of Enterprise	30-80-7200-5300-571 SAFETY AWARDS PROGRAM						
	To cover safety dividend program.	41152	09/11/2023	JFernandez	0.00	2,826.00	2,826.00
Utilities Admin.	30-80-7220-5100-020 SALARIES						
	To cover WWTP intern	41145	09/11/2023	EBRADFORI	368,043.00	2,500.00	370,543.00
W&S Contingency	30-80-9990-5300-000 CONTINGENCY						
	To cover WWTP intern	41146	09/11/2023	EBRADFORI	400,000.00	-2,500.00	286,250.00
	To cover safety dividend program.	41151	09/11/2023	JFernandez	400,000.00	-2,826.00	283,424.00
Storm- Water	35-30-5900-5300-570 MISCELLANEOUS						
	To cover safety dividend program.	41154	09/11/2023	JFernandez	26,374.00	-191.00	25,183.00
Storm- Water	35-30-5900-5300-571 SAFETY AWARDS PROGRAM						
	To cover safety dividend program.	41153	09/11/2023	JFernandez	0.00	191.00	191.00
						<u>0.00</u>	

APPROVED: 5/0

DATE: 9/11/23

VERIFIED: _____

Sam E. Kimrey



ORDINANCE

Amending the Unified Development Ordinance of the Town of Hillsborough

The Hillsborough Board of Commissioners ordains the following amendments:

6.13.3.4 Table: MINIMUM NUMBER OF PARKING SPACES REQUIRED	
Use Type	Parking Standard
Adult Day Care	1 per staff person plus 1 per 8 clients
Adult Use	1 per 200 sf GFA
Amusement arcade	1 per game table, video game or amusement device
Athletic Field	10 spaces
Artisan Studio	1 per 300 sf GFA
Bank & Financial Institution	1 per 300 sf GFA
Bar	1 per 2 seats
Bed and Breakfast Facility	1 per guest room + 2 for owner's residence
Billiard or Pool Hall	2 per table or lane
Botanical Garden & Arboretum	2 spaces per acre
Brewery	1 space per employee + 1 space per every 2 seats in a public tasting room area + 1 space per 300 sf GFA of any retail/merchandise areas + 1 space per 75 sf GFA of any restaurant areas
Building/Trade Contractor's office	1 per 300 sf GFA
Cemetery	None
Child Day Care	1 per staff person plus 1 per 8 students
Church, Place of worship	1 per 8 seats (minimum) or 1 per 2.5 seats (maximum)
Detention facility	1 per staff person on max employment shift plus 10 visitor spaces
Dwelling: Accessory	2 per primary dwelling plus 1 per bedroom in accessory dwelling
Dwelling: Attached (1-4 units)	2 per unit
Dwelling: Attached (5-19 units)	2 per unit
Dwelling: Attached (20+ units)	2 per unit when the development has 100 or fewer units, 1 per bedroom plus 1 visitor space per 25 units when the development has more than 100 units
Dwelling: attached (20+ units, 100% of units affordable to households making 80% AMI or less at time of construction)	1 space per bedroom and no more than 2 spaces per unit.

Dwelling: Mobile Home A	NA
Dwelling: Mobile Home B	NA
Dwelling: Mobile Home C	NA
Dwelling: Single-family	NA
Electronic Gaming Operation	none
Event Center	1 per 100 sf GFA
Extended Care Facility	0.3 per room
Family Care Home	0.3 per room

The foregoing ordinance having been submitted to a vote, received the following vote and was duly adopted this 11th day of September in 2023.

Ayes: 3
Noes: 2
Absent or excused: 0





Sarah E. Kimrey, Town Clerk

TOWN BOARD OF COMMISSIONERS
Consistency Statement per Section 160D-604(d)

Text Amendment Request from: Holy Family Catholic Parish of Hillsborough
September 11, 2023

The Town of Hillsborough Board of Commissioners has received and reviewed the application from Holy Family Catholic Parish of Hillsborough to amend the Town of Hillsborough Unified Development Ordinance as follows:

Amend UDO §6.13.3.4 (Table: Minimum Number of Parking Spaces Required) to change the parking requirement for "Church, Place of Worship" from 1 space per 8 seats to 1 space per 8 seats (minimum) and 1 space per 2.5 seats (maximum).

The Hillsborough Board of Commissioners has determined the proposed action **is** consistent with the Town of Hillsborough's Comprehensive Sustainability Plan for the following reason(s):

1. The amendment is consistent with the Transportation and Connectivity Chapter goal to "Develop and maintain a safe, efficient, and sustainable multimodal transportation system (including bicycle, pedestrian, and transit options) that offers alternatives to single-occupancy vehicle trips and promotes health and access to area jobs, destinations, and services."

Strategy: Adopt regulations that contribute to meeting identified transportation and connectivity needs in town.


Adopted by the Hillsborough Board of Commissioners this 11th day of September 2023.

Ayes: 3

Noes: 2

Absent or excused: 0





Sarah E. Kimrey, Town Clerk



RESOLUTION

Adopt Utilities System Development and Capital Facilities Fees

WHEREAS, North Carolina General Statute Chapter 162A Article 8: System Development Fees sets forth the methodology and procedures for calculating, adopting and the collection of fees pertaining to water and sewer capacity for certain types of development impacting local government water and sewer providers; and

WHEREAS, the town retained Raftelis Financial Consultants to conduct a System Development Fee analysis and recommend System Development Fees in accordance with Chapter 162A, Article 8 of the North Carolina General Statutes; and

WHEREAS, the town has publicly noticed the System Development Fee analysis report and provided an avenue for written public comment during the 45-day notice period via its website beginning on July 25, 2023 and followed with a public hearing on September 11, 2023; and

WHEREAS, the town has also established Capital Facilities Fees which are similar to System Development Fees yet are not defined as one of the three System Development Fee scenarios outlined in Chapter 162A, Article 8 of the North Carolina General Statutes; and

WHEREAS, Section 14-71 of the town code of ordinances defines and establishes the payment of such System Development Fees and Capital Facilities Fees; and

WHEREAS, the proposed System Development and Capital Facilities Fees are as follows:

Residential	Water	Sewer	Total
One-bedroom	\$1,091	\$1,166	\$2,257
Two-bedroom	\$2,181	\$2,333	\$4,514
Three-bedroom	\$3,272	\$3,499	\$6,771
Four-bedroom	\$4,363	\$4,666	\$9,029
Five-bedroom	\$5,453	\$5,832	\$11,286
Six-bedroom	\$6,544	\$6,999	\$13,543
Non-Residential			

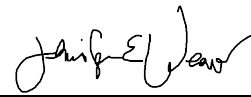
Fees will be based upon the NCAC 2T .0114 design values multiplied by the calculated capacity cost per gallon of \$9.09 for water and \$9.72 for sewer, or by dividing the estimated flow demonstrated by the applicant from a history of water use from similar facilities by 120 gallons per day. Design value examples:

Business/office	\$227/employee	\$243/employee	\$470/employee
Restaurant	\$364/seat	\$389/seat	\$752/seat
Store – no food service	\$909/1,000 sq. ft.	\$972/1,000 sq. ft.	\$1,881/1,000 sq. ft.
Hotel – no room kitchen	\$1,091/room	\$1,166/room	\$2,257/room

and such fees will be published in the town's fees and charges schedule;

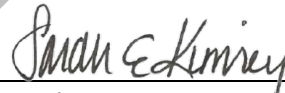
NOW, THEREFORE, be it resolved the Hillsborough Board of Commissioners adopts the above fees or as amended in the record effective immediately.

Approved this 11th day of September of the year 2023.



Jenn Weaver, Mayor
Town of Hillsborough

Attestation:



Sarah Kimrey, Town Clerk