Orange County
Board of Commissioners

Agenda

Virtual Business Meeting
May 18, 2021
7:00 p.m.

Note: Background Material on all abstracts available in the Clerk's Office

Due to current public health concerns, the Board of Commissioners is conducting a Virtual Business meeting on May 18, 2021. Members of the Board of Commissioners will be participating in the meeting remotely. As in prior meetings, members of the public will be able to view and listen to the meeting via live streaming video at orangecountync.gov/967/Meeting-Videos and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

In this new virtual process, there are two methods for public comment.

- Written submittals by email
- Speaking during the virtual meeting

Detailed public comment instructions for each method are provided at the bottom of this agenda. (**Pre-registration is required.)**

Compliance with the "Americans with Disabilities Act" - Interpreter services and/or special sound equipment are available on request. Call the County Clerk's Office at (919) 245-2130. If you are disabled and need assistance with reasonable accommodations, contact the ADA Coordinator in the County Manager's Office at (919) 245-2300 or TDD# 919-644-3045.

1. Additions or Changes to the Agenda

PUBLIC CHARGE

The Board of Commissioners pledges its respect to all present. The Board asks those attending this meeting to conduct themselves in a respectful, courteous manner toward each other, county staff and the commissioners. At any time should a member of the Board or the public fail to observe this charge, the Chair will take steps to restore order and decorum. Should it become impossible to restore order and continue the meeting, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed. The BOCC asks that all electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate. Please be kind to everyone.

2. Public Comments (Limited to One Hour)

(We would appreciate you signing the pad ahead of time so that you are not overlooked.)

a. Matters not on the Printed Agenda (Limited to One Hour – THREE MINUTE LIMIT PER SPEAKER – Written comments may be submitted to the Clerk to the Board.)

Petitions/Resolutions/Proclamations and other similar requests submitted by the public will not be acted upon by the Board of Commissioners at the time presented. All such requests will be referred for Chair/Vice Chair/Manager review and for recommendations to the full Board at a later date regarding a) consideration of the request at a future Board meeting; or b) receipt of the request as information only. Submittal of information to the Board or receipt of information by the Board does not constitute approval, endorsement, or consent.

b. Matters on the Printed Agenda
(These matters will be considered when the Board addresses that item on the agenda below.)

3. Announcements, Petitions and Comments by Board Members (Three Minute Limit Per Commissioner)

4. Proclamations/ Resolutions/ Special Presentations

5. Public Hearings

a. Amendment to the Code of Ordinances – Minimum Housing Standards Ordinance

6. Regular Agenda

a. Unified Development Ordinance Text Amendments – "160D" Legislation
b. Approval of a Resolution Authorizing the Submittal of a Request to the Secretary of the Department of Health and Human Services to Disengage from Cardinal Innovations Healthcare and Realign with Alliance Health

7. Reports

a. Review of COVID-19 Long Term Recovery Plan

8. Consent Agenda

- Removal of Any Items from Consent Agenda
- Approval of Remaining Consent Agenda
- Discussion and Approval of the Items Removed from the Consent Agenda

a. Minutes
b. Approval of a Resolution on Renaming Braxton Bragg Court to Hydrangea Court
c. Approval of a Resolution on Renaming Joseph Johnston Court to Water Oak Court
d. Affordable Housing General Obligation Bond Sale – $2,500,000
e. Adoption of the Final Financing Resolution Authorizing the Issuance of Installment Purchase Financing for Various Capital Investment Plan Projects and To Refinance Existing County Obligations
f. Designation of Inflatable Boat as Surplus Property and Approval of Transfer to Eno Fire Department
g. Change in BOCC Meeting Schedule for 2021
h. Schools Adequate Public Facilities Ordinance – Approval and Certification of 2021 Report
i. Contract Approval for Interior Renovations at Multiple Facilities
j. Renewal of Lease for 115 E. King Street
k. Extension of Little River Regional Park Interlocal Agreement
l. Bike Month Proclamation
m. Acceptance of Chapel Hill-Carrboro City Schools and Orange County Schools Department of Public Instruction (DPI) Facility Needs Survey Reports
n. Advisory Boards and Commissions – Appointments

9. County Manager's Report

10. County Attorney's Report

11. *Appointments

a. Animal Services Hearing Panel Pool - Appointment Discussion

12. Information Items

- May 4, 2021 BOCC Meeting Follow-up Actions List
- Memorandum – Blackwood Farm Park – Phase 2 Status Report

13. Closed Session

Approval of Closed Session Minutes

"Pursuant to G.S. § 143-318.11(a)(3) "to consult with an attorney retained by the Board in order to preserve the attorney-client privilege between the attorney and the Board."

14. Adjournment

Note: Access the agenda through the County's web site, www.orangecountync.gov

***Subject to Being Moved to Earlier in the Meeting if Necessary**

Orange County Board of Commissioners' meetings and work sessions are available via live streaming video at orangecountync.gov/967/Meeting-Videos and Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

Public Comment Instructions

Public Comment – Written
(for Items not on the Agenda, Agenda Items and Public Hearings)

Members of the public may provide written public comment by submitting it to the ocbocc@orangecountync.gov email address by 3:00 PM on the afternoon of the meeting.

When submitting the comment, include the following:

- The date of the meeting
- The agenda item (example: 5-a) you wish to comment on
- Your name, address, email and phone number

The Orange County Board of Commissioners, County Manager, County Attorney and Clerk to the Board, will be copied on all of the emails that are submitted.

Public Comment – Verbal
(for Items not on the Agenda, Agenda Items and Public Hearings)

Members of the public will be asked to contact the Clerk to the Board using the email address ocpubliccomment@orangecountync.gov no later than 3:00 PM on the day of the meeting and indicate they wish to speak during the meeting.

When submitting the request to speak, include the following:

- The date of the meeting
- The agenda item (example: 5-a) you wish to speak on
- Your name, address, email and phone number
- The phone number must be the number you plan to call in from if participating by phone

Prior to the meeting, speakers will be emailed a participant link to be able to make comments during the live meeting. Speakers may use a computer (with camera and/or microphone) or phone to make comments. Speakers using the phone for comments must use the provided PIN/Password number.

The public speaker's audio and video will be muted until the BOCC gets to the respective agenda item(s). Individuals who have pre-registered will then be brought into the public portion of the meeting one at a time.

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 5-a

SUBJECT: Amendment to the Code of Ordinances – Minimum Housing Standards Ordinance

DEPARTMENT: County Attorney

ATTACHMENT(S):

Draft Ordinance
Resolution

INFORMATION CONTACT:

John Roberts, County Attorney, 245-2318

PURPOSE: To amend the Code of Ordinances to bring the Minimum Housing Standards Ordinance (the "Ordinance") into compliance with Chapter 160D of the North Carolina General Statutes.

BACKGROUND: In 2019 Chapter 160D of the North Carolina General Statutes was signed into law. In addition to combining the land use laws applicable to cities and counties into a single chapter, 160D modified the law as it relates to minimum housing ordinances. Soon thereafter staff with the Town of Hillsborough indicated an interest in having the Ordinance enforced within Town limits. These two things prompted a review of the Ordinance during which it was discovered to be in need of updating due to the fact it has not been updated since its original adoption in 1984. Some of the more substantive changes to the Ordinance include:

- Section 20-32, adds several definitions and removes the requirement that the enforcement officer be a certified code enforcement official due to the fact that this requirement, at least for the last 15 – 20 years, has not been met by the County and enforcement consisted of various staff in the Housing Department.
- Section 20-34, adds structural and sanitary maintenance standards;
- Section 20-36, adds minimum heating standards;
- Section 20-39, adds minimum standards to basements used as living areas;
- Section 20-44, clarifies the inspection authority of the public officer;
- Section 20-45, clarifies the enforcement authority of public officer to order repair, vacation, and demolition of a property only upon governing board approval, authorizes liens upon property for such costs, and authorizes judicial enforcement action (for demolition and structural conditions the public officer is now required to consult with a County code enforcement official);
- Section 20-48, authorizes civil citations and removes the criminal penalty for violations.

The Ordinance is currently enforceable within the County's jurisdiction and the amendments will be effective upon adoption. Senior staff with the Town of Hillsborough indicate a desire to adopt the Ordinance for future enforcement within Town limits.

FINANCIAL IMPACT: The financial impact associated with this action is unknown. Enforcement of this ordinance will lead to additional personnel hours in the department to which enforcement is assigned.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY**
  The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.

RECOMMENDATION(S): The Manager recommends the Board:

1. Conduct the Public Hearing;

2. Close the Public Hearing;

3. Accept additional written comments to the Board of County Commissioners via e-mail to ocbocc@orangecountync.gov or by delivery to the office of the Orange County Clerk at 300 West Tryon Street, Hillsborough, NC 27278 until 9:00 a.m. on Thursday, May 20, 2021; and

4. Schedule a final vote on the Ordinance at the Board's June 1, 2021 Business meeting. **No additional public comments shall be received on this item at the June 1, 2021 Business meeting**.

Chapter 20 - HOUSING[1]

Footnotes:

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Cross reference— Buildings and building regulations, ch. 6; businesses, ch. 8; unfair housing, § 12-146 et seq.; solid waste management, ch. 34; utilities, ch. 36; historic preservation.

ARTICLE I. - IN GENERAL

Secs. 20-1—20-30. - Reserved.

ARTICLE II. - MINIMUM HOUSING STANDARDS[2]

Footnotes:

--- (**2**) ---

State Law reference— Building inspection, G.S. 153A-350 et seq.

Sec. 20-31. - Finding; purpose.

Pursuant to G.S. §§ 153A-121 (entitled general ordinance making power), 1~~53A-350~~60D-1101 et seq. (Article 1~~8~~1, ~~Part 4~~ entitled Building ~~Inspection~~)~~Code~~ Code Enforcement), and 160~~A~~D-~~44~~1201 et seq. (Article 1~~9~~2, ~~Part 6~~ entitled Minimum Housing ~~Standards~~Codes), it is hereby declared that, there exist in the County dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, or due to other conditions rendering the dwellings unsafe or unsanitary, or dangerous or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the residents of the County, and that these conditions are more likely to be found in renter-occupied housing.

In order to protect the health, safety, and welfare of the residents of the County, it is the purpose of this Ordinance to establish minimum housing standards for the initial and continued occupancy of all renter-occupied dwellings. This Ordinance presently applies only to renter-occupied dwellings in order to conserve the enforcement resources of the County and to provide for greater efficiency in the operation of the inspection scheme hereinafter created.

(Ord. of 2-21-1984, art. 1, eff. 7-1-1984)

Sec. 20-32. - Definitions.

The following definitions shall apply in the interpretation and enforcement of this Ordinance:

Alter, Repair, Bring into Compliance or Similar Words shall mean that the work is workmanlike and performed in a workmanlike manner.

Building shall mean that which is built or constructed, an edifice structure or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. The term “building” shall be construed as if followed by the words “or part thereof.”

Basement shall mean a portion of a building or dwelling which is located partly underground, having direct access to light and air from windows located above the level of the adjoining ground.

Cellar shall mean a portion of a building or dwelling located partly or wholly underground having an inadequate access to light and air from windows located partly or wholly below the level of the adjoining ground.

Deterioration shall mean that a dwelling can be repaired, altered, or improved to comply with all of the minimum standards established by this Ordinance at a cost not in excess of 50 percent of its fair market value, as determined by finding of the Public Officer.

Dilapidated shall mean that a dwelling cannot be repaired, altered or improved to comply with all of the minimum standards established by this Ordinance except at a cost in excess of 50 percent of its fair market value, as determined by finding of the Public Officer.

Dwelling shall mean any building, structure, manufactured home or mobile home, or part thereof which is wholly or partly used or intended to be used for living, sleeping or habitation by human occupants, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith. Any manufactured home or mobile home used solely for a seasonal or vacation purpose shall not be regarded as a dwelling. Temporary housing hereinafter defined, shall not be regarded as a dwelling. The term shall include within its meaning the terms rooming house and rooming unit, as hereinafter defined.

Dwelling unit shall mean any room or group of rooms, including a bathroom with commode or urinal and tub or shower used exclusively in connection with the occupancy of the unit, located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping and cooking.

Enclosed room shall mean a floor space in a dwelling or dwelling unit which by the use of fixed partitioning walls and doors is wholly separated from any other floor space.

Extermination shall mean the control and elimination of insects, rodents or other pests by removing or making inaccessible materials that may serve as their food by poisoning, spraying, fumigating, or trapping or by any other recognized and legal pest elimination method approved by the Public Officer.

Garbage means animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food including the combustible and non-combustible waste material resulting therefrom including paper, rags, cartons, boxes, tin cans, glass, and dust and similar household waste.

Gender. Words having a masculine gender shall include the feminine and neuter genders.

Habitable room shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, heater rooms, foyers, or communicating corridors, closets and storage spaces.

Infestation shall mean the presence, within or around a dwelling, of any insects, rodents or other pests in such number as to constitute a menace to the health, safety, or welfare of the occupants or the public.

Let shall mean to rent to another for money or other valuable consideration.

Manufactured home or mobile home shall mean a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width. As used in this Ordinance, "mobile home" also means a double-wide mobile home which is two or more portable manufactured housing units designed for transportation on their own chassis, which connect on site for placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over eight feet in width.

Multiple dwelling shall mean any dwelling containing two or more dwelling units.

Occupant shall mean any person living, sleeping, cooking or eating in or having actual possession of a dwelling, dwelling unit or rooming unit.

Operator shall mean any person who has charge, care or control of a building, or any part thereof, in which dwelling units or rooming units are let.

Owner shall mean any person who alone, jointly, or severally with others:

(a) Shall have title to any dwelling, dwelling unit or rooming unit, with or without accompanying actual possession thereof;

(b) Shall have charge, care or control of any, dwelling, dwelling unit or rooming unit, as owner or agent of the actual owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the actual owner. Any such person thus, representing the actual owner shall be bound to comply with the provisions of this Ordinance, and the rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.

Party or *Parties in interest* shall mean all persons who have interests of record in a dwelling, dwelling unit or rooming unit and any persons who are in possession thereof.

Person shall mean any individual, corporation, firm, partnership, association, organization or other legal entity.

Plumbing shall mean and include all of the following facilities and equipment: gas pipes, gas burning equipment, water pipes, mechanical garbage disposal units (mechanical sink grinders), sewage disposal pipes, water closets, sinks, installed dishwashers, lavatories, commodes, urinals, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar fixtures, together with all connections to water, sewer or gas lines.

Premises shall mean the dwelling, its appurtenant structures, and so much of the adjoining and surrounding land as is used or is reasonable or necessary for its use as a habitation for human occupants.

Public authority shall mean the Orange County Housing Authority or any officer who is in charge of any department or branch of the government of Orange County or the State of North Carolina relating to health, fire, building regulations or other activities concerning dwellings in the County.

Public officer shall mean the officer or officers employed by the County and designated by the County Manager as the officer authorized to exercise the powers prescribed by this Ordinance. ~~Any such public officer shall be a qualified code-enforcement official as defined and provided in North Carolina General Statutes § 143-151.8 et seq. (Article 9B, North Carolina Code Officials Qualification Board).~~

Renter occupied shall mean occupied by a person other than the owner pursuant to an oral or written agreement between the owner and the occupant to let the premises.

Rooming house shall mean any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner operator to three or more persons who are not related by blood, adoption, or marriage to the owner or operator.

Rooming unit shall mean any room or group of rooms including or not including a private bath forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking and eating.

Rubbish shall mean combustible and non-combustible waste material, except garbage, and the term shall include the residue from the burning of wood, coal, coke and other combustible material, cartons and boxes, tree branches, yard trimmings and other large discarded articles.

Supplied shall mean paid for, furnished, or provided by, or under the control of, the owner or operator.

Temporary housing shall mean any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than 30 consecutive days.

Unfit for human habitation shall mean that conditions exist in a dwelling, dwelling unit, rooming house or rooming unit which violate or do not comply with one or more of the minimum housing standards established by this Ordinance.

Words having certain meaning. Whenever the words "dwelling, dwelling unit, rooming house, rooming unit, premises" are used in this Ordinance they shall be construed as though they were followed by the words "any part thereof."

(Ord. of 2-21-1984, art. 2, eff. 7-1-1984)

Cross reference— Definitions generally, § 1-2.

Sec. 20-33. - Minimum standards of fitness for dwellings and dwelling units.

(a) Every renter-occupied dwelling and dwelling unit shall comply with all of the minimum housing standards established by this Ordinance.

(b) No person shall let any dwelling or dwelling unit which does not comply with all of the minimum housing standards established by this Ordinance.

(Ord. of 2-21-1984, art. 3, eff. 7-1-1984)

Sec. 20-34. - Minimum standards for structural conditions and safe and sanitary maintenance.

The following standards shall constitute the minimum standards for condition of a dwelling or dwelling unit:

(a) All foundations, foundation walls, piers or other foundation supports; all exterior walls, interior structural walls, joists, rafters, sills and other structural members shall be maintained in sound condition and good repair, free of decay, rot, deterioration, or damage, weathertight, rodent proof, capable of affording privacy, and capable of supporting the load which normal use would cause to be placed thereon.

(b) All roofs, flashings, exterior walls, basement walls, foundation walls, floors, doors, basement doors, cellar doors, hatchways, windows and any other part of a dwelling exposed to the weather shall be constructed and maintained so as to be rodent proof, ~~waterproof~~watertight, and weathertight. Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.

(c) The ground shall not be used as a floor nor shall any wood floors be placed on the ground.

(d) Every outside and inside stair or steps, porches, landings, and other parts or appurtenances shall be kept in sound condition and good repair, free of holes, cracks, grooves, splinters, and other ramshackle and tumble-down conditions as may increase the hazards of collapse, tripping, falling, rodent or pest infestation, fire, or otherwise endanger the health or safety of the occupants, and shall be capable of supporting the load that normal use may cause to be placed thereon.

(e) Every floor, interior wall or partition, and ceiling of all rooms, closets and hallways shall be finished and covered with suitable materials, maintained in good repair, ~~and~~ maintained in a clean and sanitary condition free of dirt, grease, oil, and peeling and flaking paint, and capable of supporting the load which normal use may cause to be placed thereon..

(f) All interior surfaces and all exterior surfaces which are accessible to children under the age of seven years ~~which are covered with lead-based paint which is loose, cracking, scaling, peeling, chipping, or flaking shall be treated or covered as follows:~~shall be free of lead-based paint. The discovery of lead-based paint in a dwelling or dwelling unit shall be immediately reported to the North Carolina Department of Environmental Quality and the Orange County Health Department and as otherwise required by law.

~~(1) Surfaces to be treated must be thoroughly washed, sanded, and scraped or wire brushed so as to remove all loose, cracking, scaling, peeling, chipping, and flaking paint and then repainted with at least two coats of a suitable nonleaded paint.~~

~~(2) Surfaces to be covered shall be free of any loose, cracking, scaling, peeling, chipping, and flaking paint and then covered with gypsum wall board, plywood, drywall, plaster, or other suitable material.~~

(g) Every dwelling shall be provided with exit facilities adequate for the safety of the occupants as provided in the North Carolina State Building Code.

(h) Every exterior door, basement door, cellar door, and hatchway shall be capable of being locked on either side and every window shall be capable of being secured and shall be kept in sound working condition and good repair.

(i) The premises of a dwelling shall be properly graded to prevent the accumulation of stagnant water and the yard and all exterior property areas shall be kept free of species of weeds or plant growth which are noxious or detrimental to health.

(j) Bathtub and shower floors and walls above bathtubs with installed shower heads and in shower compartments shall be finished with a nonabsorbent surface. Such nonabsorbent surfaces must extend at least six feet (6') above the floor. Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained in good repair and so as to permit such floor to be easily kept in a clean and sanitary condition.

(k) Every supplied facility, piece of equipment, or utility which is required under this Ordinance shall be so constructed or installed that it will function safely and effectively, and shall be maintained in satisfactory working condition.

(l) Every dwelling and dwelling unit shall have smoke alarms installed and maintained according to the NC State Residential Building Code.

(m) Where interior alterations, repairs, fuel-fired appliance replacements, or additions requiring a permit occurs, or where one or more sleeping rooms are added or created, carbon monoxide alarms shall be provided in accordance with the NC State Residential Building Code.

(n) Upon investigation should the Public Officer reasonably believe structural deficiencies exist in violation of this Section the Public Officer shall consult with an Orange County code enforcement official prior to making a final determination on such structural deficiencies. A code enforcement official is an official as defined in §143-151.8 et.seq.

(Ord. of 2-21-1984, art. 4, eff. 7-1-1984)

Sec. 20-35. - Minimum standards for basic plumbing.

(a) Every dwelling unit shall be supplied with an adequate supply of both hot and cold potable water and have 24-hour a day access to a privy or commode connected to a public sewer or other sewage disposal system approved by the Environmental Health Division of the Orange County Health Department ~~of Environment and Natural Resources~~, or the North Carolina Department of Health and Human Services. ~~This is not to be construed as requiring water to be piped into the dwelling unit.~~

(b) A commode or urinal and tub or shower ~~if provided~~ shall be located in an enclosed room or rooms.

(c) Any plumbing fixture shall be so constructed and installed that it will function safely and effectively and shall be maintained in good repair capable of performing the function for which it was originally intended.

(d) Whenever all or any part of the existing plumbing system or fixtures shall be replaced, modified, altered or expanded, then such new installation shall be made in accordance with the North Carolina State Building Code.

(Ord. of 2-21-1984, art. 5, eff. 7-1-1984)

Sec. 20-36. - Minimum standards for heating.

(a) Every dwelling or dwelling unit shall be supplied with a permanent central or electrical heating system or other safe heating facilities in proper operating condition and designed to be capable of

heating all habitable rooms, bathrooms, and water closet compartments to a minimum temperature of 68 degrees Fahrenheit measured three feet above the center of the floor whenever the outdoor temperature is below 55 degrees Fahrenheit.

(b) If a dwelling unit contains a heating system or heating appliances that meet the requirements of subsection (a) of this section, the owner of the dwelling unit shall not be required to install a new heating system or heating appliances, but the owner shall maintain the existing heating system or heating appliances in a good and safe working condition. Otherwise, the owner of the dwelling unit shall install a heating system or heating appliances that meet the requirements of subsection (a) of this section and shall maintain the heating system or heating appliances in a good and safe working condition.

(c) Portable kerosene heaters are not acceptable as a permanent source of heat as required by subsection (a) of this section but may be used as a supplementary source in single-family dwellings and duplex units. An owner who has complied with subsection (a) of this section shall not be held in violation of this section where an occupant of a dwelling unit uses a kerosene heater as a primary source of heat.

~~(a)~~(d) Nothing in this section shall be construed to diminish the rights or remedies available to a tenant under a lease agreement, statute, or at common law.

(Ord. of 2-21-1984, art. 6, eff. 7-1-1984)

Sec. 20-37. - Minimum standards for electrical equipment and facilities.

Every dwelling and dwelling unit shall be wired for electrical lights and convenience receptacles as follows:

(a) Every habitable room containing 70 square feet of~~r~~ floor area or less shall contain at least two floor or wall-type electrical convenience receptacles and every habitable room containing more than 70 square feet of floor area shall be provided with at least three receptacles but not less than one receptacle for every 50 square feet of floor space.

(b) Every bathroom, water closet room, laundry room, and furnace room shall contain at least one supplied ceiling or wall type electric light fixture.

(c) Every public hall and stairway in every multiple dwelling shall be adequately lighted by electrical lights from sunset to sunrise.

(d) All electrical fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, free of fire or shocking hazards, and capable of performing the function for which it was originally intended.

(e) Whenever all or any part of the existing electrical system, wiring, or fixtures shall be replaced, modified, altered, or expanded then such new installation shall be made in accordance with the North Carolina State Building Code.

(Ord. of 2-21-1984, art. 7, eff. 7-1-1984)

Sec. 20-38. - Minimum standards for lighting and ventilation.

(a) Every dwelling unit shall be provided with natural light and ventilation by one or more windows, opening to the outdoors, as follows:

(1) In dwelling units containing fewer than five habitable rooms exclusive of kitchens, bathrooms; and water closets, a window or windows shall be provided in all habitable rooms.

(2) In dwelling units containing five or more habitable rooms exclusive of kitchens, bathrooms and water closets, a window or windows shall be provided in at least four habitable rooms.

(b) The windows shall be glazed with glass or other translucent or transparent material. The aggregate area of glazing material in windows shall not be less than eight percent of the floor area of, the room served by them, but in no event shall the glazed area in a habitable room be less than ten square feet or in a bathroom, less than three square feet. Windows used for ventilation shall have an aggregate openable area of at least 50 percent of the glazed area required for lighting.

(c) Every kitchen, bathroom, and water closet compartment shall comply with the light and ventilation requirements for habitable rooms except that no window shall be required in kitchens, bathrooms, and water closets, equipped with a ventilation system which meets the standards of the North Carolina State Building Code.

(Ord. of 2-21-1984, art. 8, eff. 7-1-1984)

Sec. 20-39. - Minimum standards for space, use and location.

(a) Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the North Carolina State Building Code. This provision shall not apply to mobile homes which meet Federal or State construction and safety standards at the time of manufacture.

(b) Every dwelling unit shall contain at least 150 square feet of habitable floor area for the first occupant, at least 100 square feet of additional habitable area for each of the next three occupants and at least 75 square feet of additional habitable floor area for each additional occupant.

(c) At least one-half of the floor area of every habitable room shall have a ceiling height of not less than seven feet and six inches.

(d) Floor area shall be calculated on the basis of aggregate room area. However, closet area and wall area within the dwelling unit may count for not more than ten percent of the required habitable floor area. The floor area of any part of any room where the ceiling height is less than four and one-half feet (4'6") shall not be considered as part or the floor area for the purpose of determining maximum permissible occupancy.

(e) No cellar shall be used for living purposes.

(f) No basement shall be used for living purposes unless:

(1) The floor and walls are substantially watertight and weathertight;

(2) The total window standards, total openable window area, and ceiling height are equal to those required for habitable rooms;

(3) The required minimum window standards of every habitable room are entirely above the grade adjoining such, window area, except where the window or windows face a stairwell, window well, or access way.

(Ord. of 2-21-1984, art. 9, eff. 7-1-1984)

Sec. 20-40. - Minimum standards for control of insects, rodents and infestations.

(a) In every dwelling unit, for protection against mosquitoes, flies, and other insects, every door used or intended for use for ventilation opening directly from a dwelling unit to outdoor space shall have supplied and installed screens and a self-closing device; and every window or other device opening to outdoor space used or intended to be used for ventilation shall likewise be supplied with screens.

(b) Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents shall be equipped with screens or such other device as will effectively prevent their entrance.

(c) Subject to the terms of Section 20-42(f), e~~E~~very dwelling unit shall be kept free of any insects, rodents or other pests therein or on the premises.

(Ord. of 2-21-1984, art. 10, eff. 7-1-1984)

Sec. 20-41. - Minimum standards applicable to rooming houses; exceptions.

All of the provisions of this Ordinance, and all of the minimum standards and requirements of this Ordinance, shall be applicable to rooming houses, and to every person who operates a rooming house, or who occupies or lets to another for occupancy any rooming unit in any rooming house, except as provided in the following paragraphs:

(a) At least one water closet or approved privy in good working condition shall be supplied for each four rooms within a rooming house wherever these facilities are shared.

(b) Every room occupied for sleeping purposes by one occupant shall contain, at least 70 square feet of floor area, and every-room occupied for sleeping purposes by more than one occupant shall contain at least 50 square feet of floor area for each occupant 12 years of age and over and at least 35 square feet of floor area for each occupant under 12 years of age.

(c) The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors, and ceilings, and for the sanitary maintenance of every other part of the rooming house. He shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.

(d) Every water closet, flush urinal, lavatory basin and bathtub shall be within an enclosed room or rooms, which are separate from the habitable rooms, are accessible from a common hall, and are accessible without going through any other rooming unit therein. If sanitary facilities are outside, they shall be accessible to occupants of each rooming unit without going through another rooming unit.

(e) All rooming units shall have access to an exterior door and exit without going through another rooming unit.

(Ord. of 2-21-1984, art. 11, eff. 7-1-1984)

Sec. 20-42. - Responsibilities of owners and occupants.

(a) Every owner of a multiple dwelling shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

(b) Every owner of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls.

(c) Every occupant of a dwelling or dwelling unit shall dispose of all their~~his~~ rubbish and garbage in a clean and sanitary manner.

(d) It shall be the responsibility of the owner, in all cases, to furnish, supply, install, and maintain all plumbing and plumbing fixtures in a dwelling unit, including protection against freezing. It shall be the responsibility of the occupant of a dwelling unit to keep all supplied plumbing and plumbing fixtures therein as clean and sanitary as the condition of the premises permit and to exercise reasonable care in the proper use and operation of same, including the doing of any act or the use and maintenance of any protection required by or provided by the owner for the prevention of freezing.

(e) It shall be the responsibility of the owner in all cases to furnish, supply, install and replace all required windows, window glazings and screens. It shall be the responsibility of the occupant of a dwelling unit to maintain the same in good condition, normal wear and tear excepted. Whenever any window,

window glazing, or screen is damaged or broken by the willful act or neglect of the occupant, then it shall be the responsibility of the occupant to bear the cost of repairing or replacing the same.

(f) The owner of any dwelling or dwelling unit shall be responsible for providing a dwelling or dwelling unit free of insects, rodents, or other pests at the time of original letting to any occupant. Thereafter, every occupant of~~r~~ a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever the unit is the only one infested. Whenever infestation is caused by failure of the owner to maintain a dwelling in rodent-proof or reasonable insect-proof condition as required by Section 20-40, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

(Ord. of 2-21-1984, art. 12, eff. 7-1-1984)

Sec. 20-43. - Powers and duties of the public officer.

The County Manager shall designate a Public Officer to enforce the provisions of this Ordinance and to exercise the duties and powers herein prescribed. The Public Officer is authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Ordinance, including the following powers in addition to others herein granted:

(a) To investigate the dwelling conditions and to inspect dwellings and dwelling units located in the County, in order to determine which dwellings and dwelling units do not meet the minimum standards contained in this Ordinance.

(b) To administer oaths and affirmations, examine witnesses and receive evidence.

(c) To enter upon premises for the purpose of making examinations and inspections; provided, such entries shall be made in accordance with Section 20-44 of this Ordinance and State law, and shall be made in such manner as to cause the least possible inconvenience to the persons in possession.

(d) To appoint and fix the duties of officers, agents and employees, as the Public Officer deems necessary to assist in carrying out the purposes of this Ordinance, and to delegate any of the Public Officer's functions and powers to such officers, agents and employees, subject to the general supervision of the County Manager.

(e) To perform such other duties as may be prescribed herein or by the Board of County Commissioners ~~of Orange County~~or County Manager.

(Ord. of 2-21-1984, art. 13, eff. 7-1-1984)

Sec. 20-44. - Inspection; duty of owners and occupants.

(a) The Public Officer is hereby authorized to enter, examine, and survey ~~at all reasonable times and~~ in a reasonable manner all dwellings, dwelling units, rooming houses, rooming units and the premises associated therewith to determine if there exist upon such premises conditions which do not meet the standards contained in this Ordinance, as follows:

(1) Whenever it appears to the Public Officer (on ~~her or his~~their own motion) there is reasonable cause to believe that unsafe, unsanitary, or otherwise hazardous or unlawful conditions may exist upon such premises~~that any dwelling or dwelling unit does not meet the minimum standards contained in this Ordinance;~~. Reasonable cause is established where;

(i) the landlord or owner has a history of more than two verified violations of this Ordinance within a 12-month period (for purposes of this subsection, a violation shall be deemed verified

upon issuance of a decision or order of the Public Officer pursuant to 20-45, or upon issuance of a warning or civil penalty pursuant to 20-48),

(ii) there has been a petition that substandard conditions exist within the building or there has been a request that the building be inspected,

(iii) the inspection department has actual knowledge of an unsafe condition within the building, or

(iv) violations of this Ordinance are visible from the outside of the property.

(2) Whenever a petition is filed with ~~or complaint is received by~~ the Public Officer charging that any dwelling or dwelling unit contains conditions that do not meet minimum standards contained in this Ordinance. The following may act by petition: (i) a public authority; (ii) at least five residents of the County regarding any renter-occupied dwelling. The following may act by petition ~~or complaint~~ provided that the person ~~making the complaint~~ identifies ~~himself or herself~~themself to the Public Officer: any one occupant of a dwelling unit which is renter-occupied regarding that dwelling unit.

(3) Whenever the Board of County Commissioners has determined periodic inspections are necessary as part of a targeted effort to respond to blighted or potentially blighted conditions within a geographic area that has been designated by the Board of County Commissioners. However, the total aggregate of targeted areas in the County's jurisdiction at any one time shall not be greater than 1 square mile or five percent (5%) of the area within the County's jurisdiction, whichever is greater. A targeted area designated by the Board of County Commissioners shall reflect the County's stated neighborhood revitalization strategy and shall consist of property that meets the definition of a "blighted area" or "blighted parcel" as those terms are defined in G.S. 160A-503(2) and G.S. 160A-503(2a), respectively, except that for purposes of this subsection, the planning board is not required to make a determination as to the property. The County shall not discriminate in its selection of areas or housing types to be targeted and shall;

(i) provide notice to all owners and residents of properties in the affected area about the periodic inspections plan and information regarding a legislative hearing regarding the plan,

(ii) hold a legislative hearing regarding the plan, and

(iii) establish a plan to address the ability of low-income residential property owners to comply with minimum housing code standards.

(b) The owner and occupant of every dwelling, dwelling unit, rooming house and rooming unit, or the person in charge thereof, shall give the Public Officer free access to such dwelling, dwelling unit, rooming house or rooming unit and its premises at all reasonable times and in a reasonable manner for the purposes of such inspection, examination and survey consent of the occupant in actual possession or in control of the premises shall be sufficient permission to the Public Officer to enter upon the premises. Whenever the Public Officer is denied permission to enter upon and inspect the premises, by the occupant, the Public Officer may obtain a warrant authorizing ~~her or him~~them to conduct such inspection of the premises as authorized by North Carolina General Statutes § 15-27.2.

(c) Every occupant or person in possession of a dwelling, dwelling unit, rooming house or rooming unit shall give the owner thereof, ~~or her or his~~their agent or employee, access to any part of such dwelling or dwelling unit and its premises at reasonable times and in a reasonable manner for the purpose of making such repairs and alterations as are necessary to effect compliance with the standards contained in this Ordinance or with any lawful order issued pursuant to the provisions of this Ordinance.

(Ord. of 2-21-1984, art. 14, eff. 7-1-1984)

Sec. 20-45. - Procedure for enforcement.

(a) Whenever a petition is filed with the Public Officer by an occupant, a public authority, or by at least five residents of the jurisdiction charging that any dwelling is unfit for human habitation or when it appears to the Public Officer that any dwelling is unfit for human habitation, the Public Officer shall, if a preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such dwellings a complaint~~Whenever it appears to the Public Officer that any dwelling or dwelling unit does not meet minimum standards contained in this Ordinance, he shall issue and cause to be served upon the owner and the parties in interest in such dwelling or dwelling unit a complaint~~ stating the charges and containing a notice that a hearing will be held before the ~~Public Officer~~Public Officer at a place therein fixed, not less than ten nor more than 30 days after the serving of the complaint. The owner or any party in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. Notice of such hearing shall also be given to at least one of the persons signing a petition relating to such dwelling. Any person desiring to do so may attend such hearing and give evidence relevant to the matter being heard. The rules of evidence prevailing in the courts of this State shall not be controlling in hearings before the ~~Public Officer~~Public Officer.

(b) Orders. – If, after notice and an administrative hearing, the Public Officer determines that the dwelling under consideration is unfit for human habitation, the officer shall state in writing findings of fact in support of that determination and shall issue and cause to be served upon the owner one of the following orders, as appropriate:

(1) If the repair, alteration, or improvement of the dwelling can be made at a reasonable cost in relation to the value of the dwelling, an order requiring the owner, within the time specified, to repair, alter, or improve the dwelling in order to render it fit for human habitation. The order may require that the property be vacated and closed only if continued occupancy during the time allowed for repair will present a significant threat of bodily harm, taking into account the nature of the necessary repairs, alterations, or improvements; the current state of the property; and any additional risks due to the presence and capacity of minors under the age of 18 or occupants with physical or mental disabilities. The order shall state that the failure to make timely repairs as directed in the order shall make the dwelling subject to the issuance of an unfit order under subsection (b)(3) of this section.

(2) If the repair, alteration, or improvement of the dwelling cannot be made at a reasonable cost in relation to the value of the dwelling, an order requiring the owner, within the time specified in the order, to remove or demolish the dwelling. However, notwithstanding any other provision of law, if the dwelling is located in a historic district and the Historic District Commission determines, after an administrative hearing as provided by this Ordinance, that the dwelling is of particular significance or value toward maintaining the character of the district, and the dwelling has not been condemned as unsafe, the order may require that the dwelling be vacated and closed consistent with G.S. 160D-949.

(3) Repair, closing, and posting. – If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the dwelling, the Public Officer may cause the dwelling to be repaired, altered, or improved, or to be vacated and closed, and the Public Officer may cause to be posted as provided in Section 20-48(b). The duties of the Public Officer set forth in this subsection (b)(3) shall not be exercised until the Board of County Commissioners shall have by ordinance ordered the Public Officer to proceed to effectuate the purpose of this subsection with respect to the particular property or properties that the Public Officer shall have found to be unfit for human habitation and which property or properties shall be described in the ordinance. The property specific ordinance shall be recorded in the office of the register of deeds in the county where the property or properties are located and shall be indexed in the name of the property owner in the grantor index.

(4) Demolition. – If the owner fails to comply with an order to remove or demolish the dwelling, or if the Public Officer determines the dwelling is dilapidated, the Public Officer may cause such dwelling to be removed or demolished. The duties of the Public Officer set forth in this subsection (b)(4) shall not be exercised until the Board of County Commissioners shall have by ordinance ordered the Public Officer to proceed to effectuate the purpose of this subsection with respect to the particular property or properties that the Public Officer shall have found to be unfit for human habitation and

which property or properties shall be described in the ordinance. No such ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with the housing code. The property specific ordinance shall be recorded in the office of the register of deeds in the county where the property or properties are located and shall be indexed in the name of the property owner in the grantor index. Prior to making a final determination to remove or demolish a dwelling the Public Officer shall consult with an Orange County code enforcement official as that term is defined herein.

(5) Abandonment of Intent to Repair. – If the dwelling has been vacated and closed for a period of one year pursuant to an ordinance adopted pursuant to subsection (b)(3) of this section or after a Public Officer issues an order or proceedings have commenced under the substandard housing regulations regarding a dwelling to be repaired or vacated and closed as provided in this subsection, then the Board of County Commissioners may find that the owner has abandoned the intent and purpose to repair, alter, or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, and welfare of the public in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling that might otherwise have been made available to ease the persistent shortage of decent and affordable housing in the County, then in such circumstances, the Board of County Commissioners may, after the expiration of such one-year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

(i) If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require that the owner either repair or demolish and remove the dwelling within 90 days.

(ii) If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require the owner to demolish and remove the dwelling within 90 days.

The property specific ordinance shall be recorded in the office of the register of deeds in the county wherein the property or properties are located and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with this ordinance, the Public Officer shall effectuate the purpose of the ordinance.

(6) Liens. –

(i) The amount of the cost of repairs, alterations, or improvements, or vacating and closing, or removal or demolition by the Public Officer shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of the General Statutes.

(ii) If the real property upon which the cost was incurred is located in an incorporated city, then the amount of the cost is also a lien on any other real property of the owner located within the city limits or within one mile thereof except for the owner's primary residence. The additional lien provided in this sub-subdivision is inferior to all prior liens and shall be collected as a money judgment.

(iii) If the dwelling is removed or demolished by the Public Officer, the County may sell the materials of the dwelling, and any personal property, fixtures, or appurtenances found in or attached to the dwelling, and shall credit the proceeds of the sale against the cost of the removal or demolition, and any balance remaining shall be deposited in the superior court by the Public Officer, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court.

(7) Civil action. – If any occupant fails to comply with an order to vacate a dwelling, the Public Officer may, upon approval of the County Manager, file a civil action in the name of the County to remove such occupant. The action to vacate the dwelling shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as defendant any person occupying such

dwelling. The clerk of superior court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date, and place not to exceed 10 days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. 42-29. If the summons appears to have been duly served and if at the hearing the Public Officer produces a certified copy of an ordinance adopted by the Board of County Commissioners pursuant to subdivision (5) of this section authorizing the officer to proceed to vacate the occupied dwelling, the magistrate shall enter judgment ordering that the premises be vacated and that all persons be removed. The judgment ordering that the dwelling be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. 42-30. An appeal from any judgment entered hereunder by the magistrate may be taken as provided in G.S. 7A-228, and the execution of such judgment may be stayed as provided in G.S. 7A-227. An action to remove an occupant of a dwelling who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this paragraph unless such occupant was served with notice at least 30 days before the filing of the summary ejectment proceeding that the Board of County Commissioners has ordered the Public Officer to proceed to exercise her or his duties under subsections (4) and (5) of this section to vacate and close or remove and demolish the dwelling.

(8) Additional notices to affordable housing organizations. – Whenever a determination is made pursuant to subsection (b) of this section that a dwelling must be vacated and closed, or removed or demolished, under the provisions of this section, notice of the order shall be given by first-class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. A minimum period of 45 days from the mailing of such notice shall be given before removal or demolition by action of the Public Officer, to allow the opportunity for any organization to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The Public Officer or clerk shall certify the mailing of the notices, and the certification shall be conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy shall be an order requiring the Public Officer to wait 45 days before causing removal or demolition.

~~After such notice and hearing, the Public Officer shall state in writing his determination whether the dwelling or dwelling unit complies with the minimum standards contained in this Ordinance, and if not, whether it is deteriorated or dilapidated.~~

~~(1) If the Public Officer determines that the dwelling or dwelling unit is deteriorated, he shall state in writing his findings of fact in support of such determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to repair, alter, or improve such dwelling or dwelling unit to comply with the minimum standards contained in this Ordinance within a specified period of time, not to exceed 90 days. Such order may also direct and require the owner to vacate and close such dwelling or dwelling unit until such repairs, alterations, and improvements have been made.~~

~~(2) If the Public Officer determines that the dwelling is dilapidated, he shall state in writing his findings of fact to support such determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner either to repair, alter or improve such dwelling unit to comply with the minimum standards contained by this Ordinance, or else to vacate and remove, or demolish the same within a specified period of time not to exceed 90 days.~~

(Ord. of 2-21-1984, art. 15, eff. 7-1-1984)

Sec. 20-46. - Appeals from decisions and orders of public officer.

(a) An appeal from any decision or order of the Public Officer may be taken by any person aggrieved thereby within ten days from the rendering of the decision or service of the order, and shall be taken by fil~~l~~ing with the Public Officer and the Orange County Board of Adjustment notice of appeal which shall specify the grounds upon which the appeal is based. Upon the filing of any notice of appeal, the Public Officer shall forthwith transmit to the Board all the papers constituting the record upon which the decision appealed from was made. When an appeal is from a decision of the Public Officer refusing to allow the person aggrieved thereby to do any act, the Public Officer'~~hi~~s decision shall remain in

force until modified or reversed. When an appeal is from a decision of the Public Officer requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing by the Board, unless the Public Officer certifies to the Board, after the notice of appeal is filed with ~~her or him~~them, that by reason of the facts stated in the certificate (a copy of which shall be furnished to the appellant), a suspension of this requirement would cause imminent peril to life or property, in which case the requirement shall not be suspended except by restraining order granted for due cause shown upon not less than one day's written notice, to the Public Officer, by the Board, or by a court of record. In the absence of an appeal, the order of the Public Officer is final.

(b) The Board shall fix a reasonable time for the hearing of all appeals, shall give due notice to all the parties, and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The Board may reverse or affirm, wholly or in part, or may modify the decision or order appealed from, and may make such decision and order as in its opinion ought to be made in the matter, and to that end it shall have all the powers of the Public Officer, but the concurring vote of four members of the Board shall be necessary to reverse or modify any decision or order of the Public Officer. The Board shall have power also in passing upon appeals in any case where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Ordinance, to adapt the application of the Ordinance to the necessities of the case to the end that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. This power shall be exercised according to the procedures and standards contained in the Orange County ~~Zoning~~ Unified Development Ordinance for the exercise of the variance powers contained in that ordinance.

(c) Every decision of the Board shall be in writing and shall be promptly filed in the office of the Public Officer, and, shall be open to public inspection; a certified copy shall be sent by mail, or otherwise, to the appellant.

(d) Every decision of the Board shall be subject to review by proceedings in the nature of certiorari instituted within 15 days of the decision of the Board, but not otherwise.

(e) During the time allowed for the filing of an appeal to the Board or for the filing of a petition for writ of certiorari, but not more than 30 days after the issuance of an order by the Public Officer or the rendering of a decision by the Board, whichever is applicable and whichever is later, any person aggrieved by the order or decision may petition the Superior Court for a temporary injunction restraining the Public Officer pending final disposition of the cause as provided in subsection 20-46(a) or subsection 20-46(d) hereof.

(Ord. of 2-21-1984, art. 16, eff. 7-1-1984)

Sec. 20-47. - Methods of service of complaints and orders.

Complaints and orders issued by the Public Officer shall be served upon persons either personally or by registered or certified mail. If the whereabouts of such persons are unknown and the same cannot be ascertained by the Public Officer in the exercise of reasonable diligence, the Public Officer shall make affidavit to that effect, and the serving of such complaint or order upon such person may be made by the publishing of same at least once no later than the time at which personal service would be required under the provisions of this Ordinance in a newspaper having general circulation in the County. Where service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected by the complaint or order.

(Ord. of 2-21-1984, art. 17, eff. 7-1-1984)

Sec. 20-48. - Violations; remedies and penalty.

(a) The owner of any dwelling or dwelling unit who fails to comply with an order issued by the Public Officer pursuant to subsection 20-45(b) of this Ordinance from which no appeal has been taken, or

fails to comply with an order of the Board of Adjustment following an appeal, shall be ~~guilty of a misdemeanor~~in violation of this Ordinance. Each day that any such failure to comply with such order continues shall constitute a separate and distinct ~~offense~~violation.

(b) If the owner of any dwelling or dwelling unit fails to comply with an order issued by the Public Officer pursuant to subsection 20-45(b) of this Ordinance from which no appeal has been taken, or fails to comply with an order of the Board of Adjustment following an appeal, then the Public Officer may cause such dwelling or dwelling unit to be vacated and closed; and may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human habitation. The use or occupancy of this building for human habitation is prohibited and unlawful." If a person removes a notice that has been affixed to a dwelling or dwelling unit by the Public Officer, that person is ~~guilty of a misdemeanor~~in violation of this ordinance.

(c) Occupancy of dwelling or dwelling unit posted or placarded as provided in subsection 20-48(b) of this Ordinance shall constitute a ~~misdemeanor~~violation. Each day that such occupancy continues after such posting or placarding shall constitute a separate and distinct ~~offense~~violation.

(d) Whenever a violation ~~is denominated a misdemeanor under the provisions of this Ordinance~~occurs, the Public Officer, either in addition to or in lieu of other remedies, may initiate any appropriate action or proceeding to prevent, restrain, correct, or abate the violation or prevent the occupancy of the building involved. In addition to all other enforcement options provided herein, the Public Officer may issue a warning or citation as follows:

(1) A warning may be issued by the Public Officer, his designee, or Inspector, without fine when he or she is of the opinion that a violation of this chapter may be remedied without the necessity of prosecution; however, a warning may not be issued in cases where public health and/or safety are endangered;

(2) Enforcement personnel are hereby empowered to issue civil citations to any person(s) if there is probable cause to believe that such person(s) caused or is responsible for a violation of the minimum standards and responsibilities found in Sections 20-33 through 20-42. Enforcement personnel are authorized to assess penalties and seek civil relief as noted herein. Citations so issued may be served in person on the violator by the Public Officer, designee, or Inspector. If such a person cannot readily be found or if reasonable attempts have been made to effect service of the written citation upon the responsible person(s) by delivery or mail and those attempts have been unsuccessful, then a citation may be provided by posting the citation upon the dwelling in which the violator resides in a conspicuous place for a period of not less than 14 days. Any citation so served shall direct the violator to make a payment of the penalty provided therein to Orange County on or before a specific day and hour named in the citation and to present evidence of the remedy of any violation of this chapter.

(i) Citations may be appealed to the Public Officer within ten (10) days of receipt of the citation. Such appeal shall be in writing.

(ii) The Public Officer shall render a decision on the appeal within ten (10) days. Any person aggrieved by the decision may appeal the decision pursuant to Section 20-46.

(e) Neither this Ordinance nor any of its provisions shall be construed to impair or limit in any way the power of the County to define and declare nuisances and to cause their abatement by summary action or otherwise~~, or to enforce this Ordinance by criminal process as authorized by North Carolina General Statutes § 14-4~~ and the enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in any other ordinances or laws.

(f) It shall be a violation of this Ordinance to prevent the Public Officer or Inspectors authorization to enter, examine, and survey at all reasonable times all buildings, dwellings, dwelling units, rooming units, and premises under Section 20-44 of this Ordinance. Each such incident shall constitute a separate and distinct violation.

(g) The violation of any provision of this Ordinance shall subject the violator to a civil penalty of up to Five Hundred Dollars ($500.00). Each offense and continuing offense shall constitute a separate violation. Such penalties shall be collectible in the nature of debt.

(h) In addition to the remedy specified in this and in other sections of this Ordinance, the provisions of this Ordinance may also be enforced by the County by injunction and order or abatement or by any other equitable remedy issuing from a court of competent jurisdiction, as specified in G.S. 153A-123(d) and (e).

(i) A violation of this ordinance is not a misdemeanor.

(Ord. of 2-21-1984, art. 18, eff. 7-1-1984)

Sec. 20-49. - Non-conforming conditions.

(a) The area, dimensional, and proportional provisions of subsections 20-37(a), 20-38(a), 20-38(b), 20-39(a), 20-39(c), 20-41(b) shall not apply to dwellings or dwelling units in use prior to the adoption of this Ordinance, but no such dwelling or dwelling unit shall be modified, altered, expanded, or replaced except that any such new installation shall be made in accordance herewith.

(b) The provisions of this Ordinance shall apply to manufactured homes or mobile homes except when Federal or State construction and safety standards provide a standard other than as provided herein and when such mobile homes meet any such Federal and State construction and safety standards at the time of manufacture.

(Ord. of 2-21-1984, art. 19, eff. 7-1-1984)

Sec. 20-50. - Conflict with other provisions.

In the event any provision, standard or requirement of this Ordinance is found to be in conflict with any provision of any other ordinance or code of the County the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents or the County shall prevail.

(Ord. of 2-21-1984, art. 20, eff. 7-1-1984)

Sec. 20-51. - Severability.

If any provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, independent provision and such holding shall not affect the validity of any other provision hereof, and to that end, the provisions of this Ordinance are hereby declared to be severable.

(Ord. of 2-21-1984, art. 20, eff. 7-1-1984)

Sec. 20-52. - Effective date.

This Ordinance shall be effective on July 1, 1984.

(Ord. of 2-21-1984, art. 20, eff. 7-1-1984)

RES-2021-030

RESOLUTION OF AMENDMENT

A RESOLUTION AMENDING CHAPTER 20 OF THE ORANGE COUNTY CODE OF ORDINANCES

Be it Resolved and Ordained by the Board of Commissioners of Orange County, North Carolina:

WHEREAS, in 2019 the North Carolina Legislature passed and Governor Cooper signed into law Chapter 160D of the North Carolina General Statutes; and

WHEREAS, Chapter 160D combined the enabling land use legislation impacting cities and counties into a single statute; and

WHEREAS, Chapter 160D includes updates for local minimum housing ordinances such as the Minimum Housing Standards Ordinance first adopted in Orange County in 1984; and

WHEREAS, the Board of Commissioners of Orange County believes all renters in Orange County have a right to reside in rental dwellings that meet reasonable habitable standards and are free from unreasonable health and safety risks.

NOW THEREFORE BE IT RESOLVED AND ORDAINED, that the Code of Ordinances, Orange County, North Carolina, Chapter 20, Article II is hereby amended which amendments read as shown in the attached revised ordinance to effect Minimum Housing Standards in Orange County.

This Amendment is effective upon adoption.

Adopted by the Orange County Board of Commissioners this _____ day of May, 2021.

By:

_____
Renee Price, Chair
Orange County Board of Commissioners

Attest:

_____
Laura Jensen, Clerk to the Board

[SEAL]

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 6-a

SUBJECT: Unified Development Ordinance Text Amendments – "160D" Legislation

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Statement of Approval and Consistency
2. Proposed UDO and Comprehensive Plan Amendments
3. Proposed Amendments to the Planning Board Rules of Procedure
4. Information from County Attorney's Office and Planning Staff Addressing Issues Raised During the Public Hearing

INFORMATION CONTACT: (919)

Perdita Holtz, Planner III, 245-2578
James Bryan, Staff Attorney, 245-2319
Craig Benedict, Director, 245-2575

PURPOSE: To consider a decision on County-initiated amendments to the Unified Development Ordinance to conform County regulations to a new chapter, 160D, of the North Carolina General Statues. As a result, amendments to Appendix F of the Comprehensive Plan and to the Planning Board's and Board of Adjustment's Rules of Procedure are also necessary.

The public hearing for this item was on May 4, 2021 and no additional public comments shall be received on this item at the May 18, 2021 Business meeting.

BACKGROUND: Background information is available in the May 4 public hearing materials available at http://server3.co.orange.nc.us:8088/WebLink/0/doc/64351/Page1.aspx and a video of the hearing is available at http://orangecountync.gov/967/Meeting-Videos

During the public hearing one resident spoke regarding the proposal to conform mailed notification timelines to statutory language. Currently, language in the UDO requires that mailed notifications for Comprehensive Plan Future Land Use Map amendments (Section 2.3.5) and Zoning Atlas amendments must be mailed a minimum of 15 days (but not more than 25 days) prior to both the Planning Board meeting and to the public hearing (two separate notices are sent) (Section 2.8.7). Staff had suggested mirroring the statutory language of a minimum of 10 days but not more than 25 days (NCGS 160D-602(a)). Residents have also sent written comments to the Board of County Commissioners; these comments are viewable on the Google Group archive page: https://groups.google.com/g/ocbocc. No written comments were delivered to the Planning Department offices prior to the May 6, 2021 9:00 a.m. deadline.

Additionally, there was discussion over the proposal by staff to add the "option to mailed notice for large-scale zoning map amendments" (NCGS 160D-602(b) to the UDO (Section 2.8.7(D)(1)). Staff has prepared information (Attachment 4) to help inform discussions on both of these issues.

Planning Board Recommendation: The Planning Board reviewed this item at its April 7, 2021 regular meeting and voted **unanimously** to recommend **approval** of the amendments. Materials and links related to the Planning Board's review were part of the May 4 public hearing materials.

Board of Adjustment Review of Rules of Procedure: The Board of Adjustment (BOA) began review of the revisions to its Rules of Procedure (ROP) at its April 12, 2021 meeting and will continue review at a subsequent meeting. Materials for these meetings are available at: http://orangecountync.gov/AgendaCenter/Board-of-Adjustment-24. As a quasi-judicial board, the BOA has amendment authority over its ROP.

Planning Director's Recommendation: The Planning Director recommends **approval** of the:

1. Statement of Approval and Consistency indicating the text amendments are reasonable and in the public interest as contained in Attachment 1.
2. Amendments to the Unified Development Ordinance (UDO) and 2030 Comprehensive Plan as contained in Attachment 2.
3. Amendments to the Planning Board's Rules of Procedure as contained in Attachment 3.

FINANCIAL IMPACT: Existing County staff has and will continue to accomplish the necessary tasks associated with updating the UDO in response to the State legislation.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: ESTABLISH SUSTAINABLE AND EQUITABLE LAND-USE AND ENVIRONMENTAL POLICIES**
  The fair treatment and meaningful involvement of people of all races, cultures, incomes and educational levels with respect to the development and enforcement of environmental laws, regulations, policies, and decisions. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends the Board approve the:

1. Statement of Consistency (Attachment 1);
2. UDO and Comprehensive Plan Amendments (Attachment 2); and
3. Amendments to the Rules of Procedure for the Planning Board (Attachment 3).

Attachment 1

**STATEMENT OF APPROVAL AND CONSISTENCY
OF A PROPOSED UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT
WITH ADOPTED ORANGE COUNTY PLANS**

Orange County has initiated amendments to the Unified Development Ordinance (UDO) in response to a complete reorganization of North Carolina's planning and development regulation statutes into new chapter 160D (Local Planning and Development Regulation) of the North Carolina General Statutes.

The Board of County Commissioners hereby approves the proposed text amendment and finds:

a. The requirements of Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the UDO have been deemed complete; and,

b. Pursuant to Sections 1.1.5 *Statement of Intent - Amendments*, and 1.1.7 *Conformance with Adopted Plans* of the UDO and to Section 160D-604(d) *Planning board review and comment – Plan consistency* and 160D-605(a) *Governing board statement – Plan consistency* of the North Carolina General Statutes, the Board finds sufficient documentation within the record denoting that the amendment **is consistent** with the adopted 2030 Comprehensive Plan.

    1. The amendment is consistent with applicable plans because it supports the following:

        - Land Use Goal 6 of the 2030 Comprehensive Plan – A land use planning process that is transparent, fair, open, efficient, and responsive.

            These amendments are consistent with this goal and objective by conforming the UDO to state statutes while also maintaining the intent of existing regulations.

c. The amendment is reasonable and in the public interest because it:

    1. Ensures legal sufficiency by conforming the County's land development regulations to State of North Carolina General Statutes.

The Board of County Commissioners hereby adopts this Statement of Approval and Consistency as well as the findings expressed herein.

_____ _____

Renee Price, Chair Date

Attachment 2

Ordinance # ORD-2021-011

AN ORDINANCE AMENDING THE
UNIFIED DEVELOPMENT ORDINANCE and
2030 COMPREHENSIVE PLAN OF ORANGE COUNTY

Whereas, In July 2019, the North Carolina General Assembly adopted legislation that entailed the first major recodification and modernization of city and county development regulations since 1905 and codified land use and zoning statutes into a new chapter, 160D (Local Planning and Development Regulation), of the North Carolina General Statutes, and

Whereas, all local governments that exercise zoning authority in North Carolina are required to conform their ordinances to NCGS Chapter 160D by July 1, 2021 , and

Whereas, County staff has completed necessary amendments to the Orange County Unified Development Ordinance and 2030 Comprehensive Plan, and

Whereas, the requirements of Section 2.3 *Comprehensive Plan Amendments* and Section 2.8 *Zoning Atlas and Unified Development Ordinance Amendments* of the Unified Development Ordinance have been deemed complete, and

Whereas, the Orange County Planning Board has recommended approval of the proposed text amendments, and

Whereas, the County has held the required public hearing and has found the proposed text amendments are consistent with the goals and policies of the adopted Comprehensive Plan.

Be it ordained by the Board of Commissioners of Orange County that the Unified Development Ordinance and 2030 Comprehensive Plan of Orange County are hereby amended as depicted in the attached pages.

Be it further ordained that this ordinance be placed in the book of published ordinances and that this ordinance is effective upon its adoption.

Upon motion of Commissioner _____, seconded by Commissioner _____, the foregoing ordinance was adopted this _____ day of _____, 2021.

I, Laura Jensen, Clerk to the Board of Commissioners for Orange County, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a meeting held on _____, 2021 as relates in any way to the adoption of the foregoing and that said proceedings are recorded in the minutes of the said Board.

WITNESS my hand and the seal of said County, this _____ day of _____, 2021.

SEAL

_____

Clerk to the Board of Commissioners

UDO AMENDMENT PACKET NOTES:

The following pages contain UDO amendments necessary to conform Orange County's UDO to new NCGS chapter 160D.

Within this amendment package:

- Red Underlined Text: Denotes new, proposed text that staff is suggesting be added to the UDO
- ~~Red Strikethrough Text:~~ Denotes existing text that staff is proposing to delete

Only those pages of the UDO impacted by the proposed modifications have been included within this packet. Some text on the following pages has a large "X" through it to denote that these sections are not part of the amendments under consideration. The text is shown only because in the full UDO it is on the same page as text proposed for amendment or footnotes from previous sections 'spill over' onto the included page. Text with a large "X" is not proposed for deletion.

Please note that the page numbers in this amendment packet may or may not necessarily correspond to the page numbers in the adopted UDO because adding text may shift all of the text/sections downward.

Users are reminded that these excerpts are part of a much larger document (the UDO) that regulates land use and development in Orange County. The full UDO is available online at:

http://www.orangecountync.gov/DocumentCenter/View/8305/Unified-Development-Ordinance-PDF

ARTICLE 1: ADMINISTRATION

SECTION 1.1: GENERAL PROVISIONS

1.1.1 Title

The official title of this document is 'Unified Development Ordinance of Orange County, North Carolina'. For convenience, it shall be referred to throughout this document as 'this Ordinance', 'the Ordinance', ' the/this Unified Development Ordinance' or 'the/this UDO'.

1.1.2 Authority

This Ordinance is adopted pursuant to the statutory authority provided in the North Carolina General Statues (NCGS), specifically the provisions of:

(A) Chapter ~~153A, Article 18~~160D[1],

(B) Chapter 4,

~~**(C)** Chapter 160A, Article 19,~~

~~**(D)**~~**(C)** Chapter 39, Article 5A,

~~**(E)**~~**(D)** §47-30,~~ and~~

(E) §143 214.5, and

(F) all special local legislation approved by the North Carolina General Assembly, including but not limited to Session Law 1991-246.~~~~

For the purpose of establishing comprehensive development regulations for designated portions of Orange County and providing for administration, enforcement and amendment thereof in accord with the aforementioned provisions.

1.1.3 Flood Damage Prevention Authority – Basis for Establishment

(A) The Legislature of the State of North Carolina has delegated authority to county governments to adopt regulations to promote the public health, safety, and general welfare of its citizenry in the following sections of the North Carolina General Statutes:

(1) Part 6, Article 21 of Chapter 143,

(2) ~~Parts 2, 3 and 4~~ Articles1, 7, 8, and 11 of ~~Article 18 of~~ Chapter ~~153A~~160D, and

(3) § 153A-121.

(B) The Special Flood Hazard Areas (SFHA) are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) and associated Digital Flood Insurance Rate Map (DFIRM) panels, with an effective date of October 19, 2018 for Orange County including any digital data developed as part of the, which are adopted by reference and declared a part of this ordinance. The maps may be maintained either in paper or digital format and shall be available for public inspection in the Planning Department.[2]

Future revisions to the FIS and panels that do not change flood hazard data within the jurisdictional authority of Orange County are also adopted by reference and declared a part of this ordinance. Subsequent Letter of Map Revisions (LOMRs) and/or Physical Map Revisions (PMRs) shall be adopted within 3 months.

[1] The struck-through provisions in Sections 1.1.2 and 1.1.3 are repealed as of 1/1/21and replaced with the provisions in Chapter 160D.

[2] Added to be compliant with Section 160D-105(b).

(A) Correct a manifest error in the Ordinance, or

(B) Extend the boundary of an existing zoning district, because of changed or changing conditions in a particular area or in the county generally, or

(C) Rezone an area either to a different conventional zoning district~~,~~ or conditional ~~zoning~~ district, ~~or conditional use district,~~ or[3]

(D) Change the regulations and restrictions thereof.

Amendments shall be reasonably necessary to promote the public health, safety, and general welfare and to achieve the purposes of the adopted Comprehensive Plan or part thereof.

1.1.6 Applicability and Jurisdiction

(A) Except as otherwise expressly stated, this Ordinance applies to all development, public or private, within the unincorporated area of Orange County or outside of existing municipal extra-territorial jurisdictional boundaries, or established Joint Planning Areas, approved by the County Board of Commissioners, to the extent allowed by law.

(B) Split Jurisdiction

If a parcel of land lies within the planning and development jurisdiction of more than one local government, the local governments may, with the written consent of the landowner, assign exclusive planning and development jurisdiction for the entire parcel to any one of those local governments, in accordance with the intent and process prescribed in NCGS 160D-203.[4]

1.1.7 Conformance with Adopted Plans

(A) The provisions of this Ordinance, and any proposed amendment thereto, shall be consistent with the goals and policies included in the Orange County Comprehensive Plan and/or any specialized study approved by the Orange County Board of Commissioners relating to land use development within the County's planning jurisdiction.

(1) If a Zoning Atlas amendment is adopted and the action is deemed inconsistent with the adopted Comprehensive Plan, the Zoning Atlas amendment shall have the effect of also amending the Future Land Use Map of the Comprehensive Plan.

(a) In such a case, no additional application or fee for a Comprehensive Plan amendment shall be required of the applicant.[5]

~~(A)~~**(B)** The enforcement, interpretation, and application of the standards contained herein shall be consistent with the goals and policies of the Comprehensive Plan and shall not create a situation that is inconsistent with the goals and policies contained therein.

[3] Section 160D-703 standardizes zoning district terms. The former "general use" district is now termed "conventional" district. Conditional Zoning Districts are now termed "conditional district."
[4] With the adoption of 160D, state statutes now include a planning and development process for parcels split by jurisdiction. Staff is not spelling out the exact process in the UDO, in case the statutory language were to change in the future (and, therefore, necessitate a UDO text change) but the general process is that each local government would have to formally adopt a resolution regarding the planning jurisdiction for the parcel(s) in question and the resolution is recorded with the register of deeds. Taxation and other non-regulatory matters would not be affected.
[5] The proposed language is the current State law, found in Chapter 160D-605. Staff is suggesting adding the language to the UDO to provide clarity on the process in such situations.

1.1.8 Regulation of Farming and Bona Fide Farm Activities

The provisions of this Ordinance which are adopted under Chapter ~~153A, Article 18, Part 3~~ 160D, Article 7 do not apply to property used for bona fide farm purposes, as defined within North Carolina General Statutes, except as follows:

(A) Any non-farm use of farm property,

(B) Compliance with all regulations required to be imposed by the Federal Emergency Management Agency (FEMA) through the National Flood Insurance Program including all applicable Flood Insurance Rate Maps (FIRM), and

(C) Compliance with the Orange County flood damage prevention regulations as detailed within this Ordinance.

1.1.9 Relationship with Other Laws, Covenant, or Deed Restrictions

(A) If the provisions of this Ordinance are inconsistent with those of state and/or federal law, the more restrictive provision governs, to the extent permitted by law. The more restrictive provision is the one that imposes greater restrictions or more stringent controls.

(B) If the provisions of this Ordinance are inconsistent or conflict with provisions found in other adopted ordinances or regulations of the County, the more restrictive provision governs. The more restrictive provision is the one that imposes greater restrictions or more stringent controls.

(C) In accordance with this Ordinance, a property owner may be required to record deed restrictions, covenants, or other legal documentation outlining development limitations or imposing regulatory standards on the perpetual development and/or use of property. While the County may require such legal documents to be recorded as part of the normal development review process, the County has no enforcement authority over private covenants or deed restrictions that are not based on development limitations imposed by this Ordinance. This Ordinance is not intended to interfere with, abrogate or annul any easement, covenant, deed restriction or other agreement between private parties. Orange County does not enforce private agreements.

(D) Town of Chapel Hill Land Development Standards: The regulations governing the use of land and structures as contained in the Town of Chapel Hill Land Development Ordinance are hereby adopted by reference as fully as though set forth herein. The regulations shall be applicable to that portion of the Transition Area located within the Chapel Hill Joint Development Review Area as prescribed in the adopted Joint Planning Area Land Use Plan and the adopted Joint Planning Area Land Use Map.

(E) Town of Carrboro Land Development Standards: The regulations governing the use of land and structures as contained in the Town of Carrboro Land Use Ordinance are hereby adopted by reference as fully as though set forth herein. The regulations shall be applicable to that portion of the Transition Area located within the Carrboro Joint Development Review Area as prescribed in the adopted Joint Planning Area Land Use Plan and the adopted Joint Planning Area Land Use Map.

(F) The Jordan Water Supply Nutrient Strategy Rules and riparian buffer protection rules (Jordan Lake Rules) of 15A NCAC 02B .0265, .0267 and .0268, apply to all lands within the Jordan Lake Watershed portion of Orange County. Wherever standards of the Jordan Lake Rules and the standards listed in this ordinance differ, the more restrictive provisions shall apply.

(G) The Neuse River Basin Nutrient Sensitive Waters Management Strategy rules and the riparian buffer protection rules (Neuse Rules) of 15ANCAC 02B .0235, .0240, .0233, .0241, and .0242 apply to all lands within the Neuse River Basin portion of

connection with such construction, provided that actual construction work must be diligently pursued until completion of the building.

(B) Building permits, variances, special use permits, subdivision plans, site plan approvals, and other similar development approvals that are valid on April 5, 2011, will remain valid until their expiration date. Development may be completed in accordance with such approvals, even if such building, development or structure does not fully comply with provisions of this Ordinance. If building is not commenced and diligently pursued in the time allowed under the original approval or any extension granted, then the building, development or structure must meet the standards of this Ordinance in effect at the time of re-application.

(C) Applications for building permits, variances, special use permits and other similar development approvals that were submitted in complete form and were pending approval on April 5, 2011 shall be reviewed under the terms of the ordinance(s) in effect at the time the application was deemed complete. Any re-application for an expired approval must meet the standards of the ordinance(s) in effect at the time of re-application.

1.1.15 Vested Rights and Permit Choice

(A) In accordance with the provisions of NCGS ~~153A-344.1~~160D-108 a property owner may seek a vested right designation on any Ssite ~~-S~~specific ~~development~~ Vesting[6] Pplan consistent with the standards and requirements detailed herein.

(B) If an application made in accordance with this Ordinance is submitted and a development regulation changes between the time the application was submitted and a decision is made, the applicant may choose which version of the development regulations will apply to the application, in accordance with NCGS 160D-108.[7]

1.1.16 Severability

It is the legislative intent of the Board of County Commissioners in adopting this Ordinance that all provisions and sections thereof shall be liberally construed to protect and preserve the peace, health, safety and general welfare of the inhabitants of Orange County and, further, that should any provision, portion, section, or subsection of this Ordinance be held to be construed as affecting the validity of any of the remaining provisions, portions, sections or subsections, it is the intent of the Board of County Commissioners that this Ordinance shall stand, notwithstanding the invalidity of any provision, or section or part thereof.

1.1.17 Repeal of Existing Regulations

All existing regulations now contained within this Ordinance are hereby repealed. The adoption of this Ordinance, however, shall not affect nor prevent any pending or future prosecution of, or action to abate, an existing violation of said regulations, as amended.

(A) Status of Prior Violations

(1) All violations of the regulations repealed by the adoption of this Ordinance shall remain violations of the ordinances of Orange County and all penalties and enforcement remedies set forth herein shall be available as though the violation were a violation of this Ordinance.

(2) However, if the effect of this Ordinance is to make a formerly unlawful or nonconforming use become lawful and/or conforming, then no enforcement action shall be taken except for the imposition and collection of penalties for the violations that occurred prior to the effective date of this Ordinance.

[6] Chapter 160D standardizes the terminology state-wide to "site specific vesting plan".
[7] This is existing state law that staff is suggesting be added to the UDO to provide additional clarity on what is allowed and the process (as spelled out in state statutes).

(2) The standards shall limit development to the type that would be permitted under the existing standards contained in this Ordinance and/or to that which is in accord with the contemplated plan or its implementing mechanisms;

(3) The standards may be in effect only in the area affected by the contemplated plan and/or in which its implementing mechanisms will apply; and

(4) The standards may limit the nature and type of development applications and projects which are approved throughout the duration of the standards.

SECTION 1.2: OFFICIAL ZONING ATLAS

1.2.1 Generally

(A) The Orange County planning and zoning jurisdiction shall be, and hereby is, divided into Zoning Districts as detailed in Article 3 of this Ordinance.

(B) The boundaries of said Zoning Districts are hereby established as shown on the Official Zoning Atlas which accompanies this Ordinance and which, with all notations, references, and other information shown thereon, shall be as much a part of this Ordinance as it is fully described herein. Maps and descriptions accompanying enacted amendments shall be displayed by the Planning Department adjacent to the Official Zoning Atlas until such time as the official copy is corrected.

(C) The Official Zoning Atlas and any subsequent amendments shall be authenticated by the Clerk to the Board of County Commissioners and kept on file in the Planning Department. The ~~current~~Official Zoning Atlas and prior ~~Zoning Atlas'~~versions may be maintained either in paper or digital format.[8]

(D) Copies of the Official Zoning Map Atlas, or portions thereof, may be made from time to time. These copies are for informational purposes only and the Official Zoning Atlas, as described herein, shall be the final and sole authority as to the zoning status of land within the zoning jurisdiction of Orange County.

(E) The Planning Director shall be responsible for entering amendments to the Official Zoning Atlas.

(F) The Planning Director shall authenticate the entry of each amendment to the Official Zoning Atlas and shall maintain a record of the nature and date of entry of each amendment.

(G) Changes to the Official Zoning Atlas, other than those authorized by duly approved amendments to this Ordinance, shall not be made. The making of unauthorized changes to the Official Zoning Atlas shall be considered a violation of this Ordinance.

(H) Amendments to this Ordinance that result in the change in classification of any piece of land shall become effective immediately upon enactment by the Board of County Commissioners. The Board of County Commissioners, upon a finding of due cause, may extend the effective date of any such amendments.

(I) When all or part of the Official Zoning Atlas becomes damaged, lost, destroyed, worn or hard to interpret by reason of its age, condition, number of changes or otherwise, the Atlas shall be replaced by the Planning Director. This new edition of the Official Zoning Atlas may not change the zoning status of any property. Such replacements shall be authenticated by the Clerk of the Board of County Commissioners and shall bear the date of replacement.

1.2.2 Interpretation of Zoning District Boundaries

When there is any uncertainty as to the intended location of any zoning district boundary on the Zoning Atlas, the Planning Director shall make an interpretation of the Atlas upon request of any

[8] New provision in NCGS 160D-105.

person. Any person aggrieved by any such interpretation may appeal such interpretation to the Board of Adjustment. The Planning Director and the Board of Adjustment, in interpreting the Zoning Atlas or deciding any appeal, shall apply the following standards:

(A) Boundaries indicated as approximately following the centerlines of streets; highways or alleys shall be construed as following such centerlines;

(B) Boundaries indicated as approximately following lot lines shall be construed as following such lot lines;

(C) Boundaries indicated as approximately following City Limits shall be construed as following such City Limits;

(D) Boundaries indicated as following railroad lines shall be construed to be the center line of the main track;

(E) Boundaries indicated as following shorelines shall be construed to follow such shorelines; in the event of change in the shoreline, the boundary shall be construed as moving with the actual shorelines;

(F) Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed as following such centerlines;

(G) Boundaries shown as approximately following designated flood hazard area limits shall be construed as following such limits;

(H) Boundaries indicated as parallel to or extensions of features indicated in Subsections A through E above shall be so construed. Distances not specifically indicated on the Zoning Atlas shall be determined by reference to the scale of the Atlas; and

(I) Where physical or cultural features existing on the ground are at variance with those shown on the Zoning Atlas, or in other circumstances not covered by Subsections A through F above, the Board of Adjustment shall interpret the district boundaries.

SECTION 1.3: BOARD OF COUNTY COMMISSIONERS

1.3.1 Responsibilities

The Orange County Board of Commissioners shall have the following responsibilities in relation to the administration of this Ordinance:

(A) Hear and decide applications for amendments to the text, schedules, and map portions of this Ordinance, which shall be processed in accordance with the provisions detailed herein. In exercising this power, the Board is bound by the State enabling legislation, the terms of this Ordinance, and applicable court decisions in carrying out its legislative function.

~~**(B)** Hear and decide applications for the approval of Class A Special Use permit as noted in the Schedule of Permitted Uses as requiring approval of the Board of Commissioners, which shall be processed in accordance with the provisions detailed herein. In exercising this power, the Board is bound by the State enabling legislation, the terms of this Ordinance, and applicable court decisions in carrying out its decision making function within a quasi-judicial capacity and shall make its decisions based on substantial evidence contained in its record of proceedings and shall be bound by the general and specific standards and requirements of the particular Special Use as defined herein.~~[9]

~~**(C)**~~**(B)** Hear and decide applications appealing those decisions appealed to the Board of County Commissioners.

[9] Staff is recommending, in order for the BOCC to cease hearing quasi-judicial matters because of the formal legal process that such matters require, that uses currently requiring a Class A SUP be modified to be allowed via a new conditional district (which is a legislative approval to which conditions can be applied).

~~(D)~~(C) Establish Rules of Procedure for the conduct of hearings and other proceedings before the Board of County Commissioners in exercising responsibilities identified herein.

~~(E)~~(D) Make the necessary appointments to the Planning Board and Board of Adjustment.

(E) Provide, by appropriation, funds for the administration of this Ordinance.

1.3.2 Conflicts of Interest[10]

(A) A member of the Board of County Commissioners shall not vote on any legislative decision regarding a development regulation contained in this Ordinance where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identified financial impact on the member.

(B) A member of the Board of County Commissioners shall not vote on any zoning amendment if the landowner of the property subject to the rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

SECTION 1.4: PLANNING DIRECTOR

1.4.1 Responsibilities

(A) The Planning Director, or his/her designee, shall have the responsibility for the administration, interpretation, and enforcement of this Ordinance.

(B) Within this Ordinance, 'Planning Director' is synonymous with the individual actually serving in that capacity or a designated employee unless otherwise specified.

(C) The Planning Director is an employee of the County hired by and reporting to the County Manager and shall have the following duties in respect to this Ordinance:

(1) Administering all provisions of this Ordinance for which administrative responsibilities are not otherwise expressly assigned;

(2) Making interpretations of the provisions of this Ordinance;

(3) Reviewing all applications submitted in accordance with the requirements of this Ordinance to ensure compliance with the provisions of this Ordinance;

(4) Coordinating County staff's compliance with duties and responsibilities specified in this Ordinance;

(5) Preparing reports for, submitting recommendations to, and seeking input from, the Planning Board for all matters for which this Ordinance requires review and approval by the Planning Board;

(6) Maintaining records of the Planning Board's meetings and actions;

(7) Ensuring the text of this Ordinance and the zoning atlas are modified to reflect any amendments approved by the Board of County Commissioners and maintaining up-to-date originals and copies of these documents;

(8) Conducting on-going regular reviews of the text of this Ordinance and proposing amendments necessary to implement and ensure consistency with the policy objectives of the County;

(9) Maintaining records of the Board of Adjustment's meetings and actions;

[10] Adoption of conflict of interest standards are now required, pursuant to NCGS 160D-109.

(10) Reporting any variances or interpretations of the location of the boundary of an area of special flood hazard area to the Federal Insurance Administration upon request; and

(11) Granting Zoning Compliance Permits, making inspections of buildings or premises, revoking permits, and any other procedures necessary to carry out the enforcement of this Ordinance.

1.4.2 Conditions on Authority

When rendering decisions on the approval of development projects, the interpretation of this Ordinance, or the issuance of permits, the Planning Director shall determine if the application is consistent with the requirements of this Ordinance and issue all appropriate permits or other approvals. The following limitations apply:

(A) Issuance of a permit authorizing the excavation, construction, moving, alteration, or use of land shall in no case be construed as waiving any provision of this Ordinance.

(B) Under no circumstances is the Planning Director permitted to grant exceptions to the actual meaning of any clause, standard, or regulation contained in this Ordinance to any person making application to excavate, construct, move, alter, or use either building, structures or land.

(C) Under no circumstances is the Planning Director permitted to make changes to this Ordinance or to vary the terms of this Ordinance in carrying out assigned duties.

(D) The Planning Director shall issue a permit when an applicant demonstrates that the standards established by this Ordinance are complied with regardless of whether the use of the permit would violate contractual or other arrangements (including, but not by way of limitation, restrictive covenants) among private parties.

(E) The Planning Director shall revoke a zoning compliance permit if it is found to be issued in violation of any of the provisions of this Ordinance, or if the conditions as stated on the permit are not carried out.

(F) If an application for a permit is disapproved, the Planning Director shall state in writing the cause for such disapproval.

(G) The Planning Director shall issue a Stop Work Order pursuant to Article 9 of this Ordinance if it is determined that irreparable injury will occur if an alleged violation is not terminated immediately.

1.4.3 Conflicts of Interest[11]

Neither the Planning Director, nor any County staff member, shall make a final decision on an administrative decision pursuant to this Ordinance if the outcome of the decision would have a direct, substantial, and readily identified financial impact on the Planning Director, or staff member, or if the applicant or other person subject to that decision is a person with whom the Planning Director, or staff member, has a close familial, business, or other associational relationship.

SECTION 1.5: PLANNING DEPARTMENT

1.5.1 Duties and Responsibilities

The Planning Department is an administrative department of the County Government headed by the Planning Director. The Planning Department shall have, under the authority of the Planning Director, the following responsibilities in relation to this Ordinance:

(A) The administration and enforcement of the Ordinance.

[11] Adoption of conflict of interest standards are now required, pursuant to NCGS 160D-109.

(B) The issuance of any required permits and certificates as authorized by this Ordinance.

(C) Administrative, technical and professional support to the Board of County Commissioners, Planning Board, Board of Adjustment and any advisory committee set up hereunder.

(D) The preparation of written staff reports and recommendations on all proposed amendments to this Ordinance, applications of approval of Special Uses, ~~applications for all planned developments,~~ [12]applications of approval of plats, applications for variances, and appeals from orders, decisions, determinations, and requirements made in enforcing this Ordinance.

(E) Liaison with other County departments, representatives of other local governmental units and units of the State of North Carolina and of the United States.

(F) The maintenance of data, maps, and other information necessary to discharge of its responsibilities.

(G) Provide appropriate services to encourage the participation of citizens of Orange County in the discharge of its responsibilities.

(H) Perform such other duties as may be directed by the Board of County Commissioners.

SECTION 1.6: PLANNING BOARD

1.6.1 Establishment and Intent

(A) The Orange County Board of Commissioners under the authority of Chapter ~~153A~~160D, ~~Article 18, Part 1~~Section 301 of the General Statutes of North Carolina, as amended, for the purposes and advantages described herein, creates a County Planning Board to embark upon a continuing planning program, including but not limited to the preparation and maintenance of a Comprehensive Plan for Orange County, in protection of the public health, safety, and general welfare of present and future residents, landowners and visitors.

(B) The Planning Board shall consist of at least 12 members who shall be ~~residents of~~domiciled in[13] Orange County. Members shall serve without compensation except for incidental expenses incurred in connection with official duties as approved by the Board of County Commissioners.

(C) Each Township within the County shall be represented in the membership of the Board by at least one resident.

(D) The Board of County Commissioners may by resolution establish rules related to the requirements for volunteer service on the Planning Board, appointment and removal of Planning Board members, and rules of procedure.

(E) In establishing the Planning Board and its program, the Board of Commissioners intends that the Planning Board be guided by the following principle:

[12] This is a reference to an old process that should have been deleted in 2011 when the various development-related ordinances were combined into the UDO.
[13] Update to reflect language now used in General Advisory Board Policy.

(1) The Comprehensive Plan, and any ordinances or other measures to effectuate it, shall be made with the general purpose of guiding and accomplishing a coordinated, and harmonious development of the County which will, in accordance with present and future needs, best promote health, safety and the general welfare, as well as efficiency in the process of development; including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of populations, the promotion of good civic design, wise and efficient expenditure of public funds, and adequate provision of public utilities, services, and other public requirements, and conservation of significant natural and man-made resources within the County.

1.6.2 Tenure and Membership Expectations[14]

Tenure and Membership Expectations are included in the *Orange County Advisory Board Policy* and the *Planning Board Policies and Procedures*, as approved by the Board of County Commissioners.

~~**(A)** The tenure of office shall be three years. Members are eligible for reappointment for a second consecutive full term. After two consecutive terms a member shall be ineligible for reappointment for one year after the expiration of the previous terms.~~

~~**(B)** Appointments shall be made so that one-third of the terms expire in March of each calendar year.~~

~~Appointments made to fill vacancies shall be for the unexpired term, if there are less than two years remaining in the unexpired term,[15] and shall not be counted as a term in determining eligibility for reappointment.~~

~~**(C)** All members appointed to the Planning Board shall, before entering their duties, qualify by taking an oath of office as required by NCGS 153A-26.[16]~~

~~**(D)** A member whose term has expired shall~~ may ~~continue to serve on the Board until his/her respective successor has been appointed.~~

~~Attendance at the regular meetings of the Board and at Public Hearings shall be considered a prerequisite for maintenance of membership on the Planning Board. The Board of County Commissioners may declare a vacancy on the Planning Board because of a member's non-attendance, in accordance with the Planning Board Rules of Procedure.~~

~~**(E)** Attendance at Public Hearings for matters on which the Planning Board has made a recommendation shall be encouraged.[17]~~

~~**(F)** Absence due to sickness, death of an immediate family member or similar reason shall be considered approved absences and shall not affect the member's status. In the event of long illness or other cause for prolonged absence, the member shall be replaced.~~

~~**(G)**~~**(A)** ~~The Board of County Commissioners may by resolution establish rules related to tenure and membership expectations. If the terms of such resolution, or policy created thereby, conflict with the terms of this section 1.6.1 or 1.6.2 the terms of the resolution or policy shall control.~~

[14] Because this information is now included in the two referenced policy documents, staff is recommending these duplicate provisions be deleted from the UDO.
[15] ~~Update to reflect current advisory board policy.~~
[16] ~~This is a new requirement under 160D-309.~~
[17] ~~Update to reflect current advisory board policy.~~

1.6.3 Duties[18]

As provided for in ~~153A-321~~160D-301 of the General Statutes of North Carolina, as amended, the Planning Board shall have the following ~~general~~ Powers and Duties:

~~**(A)** Make studies of Orange County and surrounding areas;~~

~~**(B)** Determine objectives to be sought in the development of Orange County;~~

~~**(C)** Propose and recommend plans for achieving these objectives;~~

(A) Prepare, review, maintain, monitor, and periodically update and recommend to the Board of County Commissioners a Comprehensive Plan, and other such plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis;

~~**(D)**~~**(B)** Develop and recommend policies, ordinances, development regulations, administrative procedures and other means for carrying out plans in a coordinated and efficient manner;

~~**(E)**~~**(C)** Advise the Board of County Commissioners concerning the ~~use and amendment of means for carrying out~~ implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by NCGS 160D-604;

~~**(F)**~~**(D)** Exercise such functions in the administration and enforcement of various means for carrying out plans that the Board of Commissioners may direct;

~~**(G)**~~**(E)** Perform other related duties that the Board of County Commissioners may direct;

~~**(H)** Approve and recommend for adoption by the Board of County Commissioners a Comprehensive Plan for the development of the county, as well as amendments thereto; and~~

~~**(I)** The Planning Board, working with the Planning Director, shall from time to time, at intervals of not more than five years, examine the provisions of this Ordinance and the location of Zoning District boundary lines and shall submit a report to the Board of County Commissioners recommending changes and amendments, if any, which are desirable in the interest of public health, safety, and general welfare, mindful of the intent expressed in Subsection 1.1.5.~~

1.6.4 Conflicts of Interest[19]

(A) A member of the Planning Board shall not vote on any advisory or legislative decision regarding a development regulation contained in this Ordinance where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identified financial impact on the member.

(B) A member of the Planning Board shall not vote on any zoning amendment if the landowner of the property subject to the rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

~~1.6.4~~1.6.5 Staffing

(A) The Planning Director, under the direction of the County Manager or his/her designee, shall serve as the professional staff to the Planning Board and shall be primarily responsible for completing any work product necessary to assist the Board in carrying out its duties.

[18] All revisions in the section conform the UDO to NCGS 160D-301.
[19] Adoption of conflict of interest standards are now required, pursuant to NCGS 160D-109.

(B) The Board of County Commissioners must approve all work assignments or projects requested by the Planning Board outside of work product associated with this Ordinance prior to the commencement of work.

~~1.6.5~~1.6.6 Rules of Procedure

The Planning Board shall conduct its affairs in accordance with the "Orange County Board of County Commissioners Advisory Board Policy" and the "Planning Board Policies and Procedures".

~~1.6.6~~1.6.7 Notification of Meetings

All meetings shall be open to the public. The Planning Director shall cause notices to be given as required under:

(A) Article 33C, Chapter 143 of the North Carolina General Statutes;

(B) 143-318.11 of the North Carolina General Statutes; and

(C) Article 2 of this Ordinance.

~~1.6.7~~1.6.8 Meeting Minutes

The Planning ~~Board~~ Director shall cause minutes of ~~its~~ Planning Board meetings to be maintained as a permanent public record. Such minutes shall record the attendance of its members, its findings, recommendations, and a summary of information, data and comments presented to it.

SECTION 1.7: COMPREHENSIVE PLAN

1.7.1 Intent

(A) The Comprehensive Plan shall constitute an internally consistent and compatible statement of policies ~~for the long-term, physical development the~~that sets forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of that portion of Orange County under County jurisdiction, in accordance with NCGS 160D-501.[20]

~~**(B)** The Comprehensive Plan shall consist of a statement of development policies and shall include maps and text setting forth objectives, principles, standards and plan proposals for physical development.~~ The Comprehensive Plan shall periodically be reviewed and maintained to ensure the relevance of policies to current and projected conditions.[21]

~~**(C)**~~**(B)** Land use regulations are intended to be consistent with the adopted Comprehensive Plan.

1.7.2 Elements

The Comprehensive Plan shall be comprised of the following elements:

(A) Economic Development

(B) Housing

(C) Land Use

[20] NC jurisdictions exercising zoning authority are now required to adopt and "reasonably maintain" a Comprehensive Plan. The amendments in this section reflect the language in 160D-501.

[21] The new statutes (160D-501) do not prescribe a timeframe in which a Comprehensive Plan must be reviewed/updated because the necessity will vary considerably among the hundreds of NC local governments that exercise zoning authority. UNC School of Government staff has indicated that "the schedule for updates is left to the good judgment of each jurisdiction, provided officials act in a reasonable fashion under the particular circumstances."

(D) Natural and Cultural Systems, including:

(1) Agriculture,

(2) Air and Energy Resources,

(3) Cultural and Historic Resources,

(4) Natural Areas, Wildlife Habitat and Prime Forests,

(5) Water Resources,

(E) Parks and Recreation,

(F) Services and Community Facilities, including:

(1) Water and Wastewater,

(2) Erosion Control and Stormwater Management,

(3) Solid Waste and Recycling,

(4) Public Safety and Telecommunications,

(5) Library Service,

(6) Education,

(G) Transportation,

(H) County Profile (Data), and

(I) Such additional elements dealing with other subjects which in the judgment of the Board of Commissioners relate to the physical development of the county. Such elements may include, but not be limited to, the subjects of historic preservation, community or rural design, growth management, etc.

1.7.3 Area Plans

As part of the Comprehensive Plan, area plans may be prepared which focus on a portion of the County such as a township, a watershed or an interstate highway interchange. Likewise, technical information and/or task force reports prepared as part of a plan element or an area plan may be incorporated as part of the appendix of or as a supplement to the Comprehensive Plan.

In preparation and adoption of a plan element, area plan or other similar document, the Board of Commissioners shall ever be mindful of the need to balance the public interest with the needs of private interests, particularly in the conservation of surface and underground water resources, soil resources, and natural growth resources of the county and the efficient use of the renewable and non-renewable sources of energy.

SECTION 1.8: BOARD OF ADJUSTMENT

1.8.1 Establishment

(A) The Orange County Board of Commissioners under the authority of §~~153A-345~~160D-302 of the General Statutes of North Carolina, as amended, for the purposes and advantages described herein creates a Board of Adjustment.

(B) The Board shall consist of five members and two alternates who shall be residents of Orange County's Planning Jurisdiction. Members shall serve without compensation except for incidental expenses incurred in connection with official duties as approved by the Board of County Commissioners.

(C) The Board of County Commissioners may by resolution establish rules related to the requirements for volunteer service on the Board of Adjustment, appointment and removal of Board of Adjustment members, and rules of procedure.

1.8.2 Tenure and Membership

~~(A)~~ Tenure and Membership information is included in the *Orange County Advisory Board Policy* and the *Board of Adjustment Rules of Procedure*, as approved by the Board of County Commissioners.~~The members shall be appointed by the Board of County Commissioners for terms of three years. A member whose term has expired shall continue to serve on the Board until his/her respective successor has been appointed and qualified.~~

~~(B) Members' terms shall be staggered so that all terms will not expire simultaneously.~~

~~(C) In cases where an individual is appointed to serve the unexpired portion of a Board member's term, the appointment shall be for the time period of the unexpired term only and shall not be counted as a regular term for that member.~~

~~A member may be appointed for a second successive term, but after two consecutive terms a member shall be ineligible for reappointment until one calendar year has elapsed from the date of completion of the second term.~~

~~(D) An alternate member shall only vote in the absence of a regular member.~~

1.8.3 Duties

The Board of Adjustment shall have the following duties:

(A) Hear, review, and decide appeals of any order requirement, decision, or determination made by the Planning Director in the performance of official duties.

(B) Hear and decide applications for the approval of ~~Class B~~ [22]Special Use permit applications in accordance with the rules and conditions laid down in this Ordinance.

(C) Hear and decide appeals for variances from the dimensional regulations of this Ordinance in accordance with provisions detailed herein. Nothing in this Ordinance shall be construed to authorize the Board of Adjustment to permit a use in a district where that use is neither a Permitted Use nor a Special Use.

(D) Pass upon, decide or determine such other matters as may be required by this Ordinance.

1.8.4 Conflict of Interest[23]

(A) A member of the Board of Adjustment shall not vote on any matter before the Board where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identified financial impact on the member.

(B) A member of the Board of Adjustment shall not vote on any matter before the Board if the applicant of the matter is a person with whom the member has a close familial, business, or other associational relationship.

(C) A member of the Board of Adjustment shall not vote on a quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker.

(1) Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to changes, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

[22] As explained in the footnote in Section 1.3.1, staff is recommending that there will no longer be classes of special use permits (SUP). The Board of Adjustment will be the only board to hear SUP cases; uses that formerly required a Class A SUP will be reviewed as conditional districts.

[23] Adoption of conflict of interest standards are now required, pursuant to NCGS 160D-109.

~~1.8.4~~1.8.5 Rules of Procedure

The Board shall adopt Rules of Procedure and Regulations for the conduct of its affairs. The rules shall be maintained in the office of the Planning Director. Except as otherwise expressly stated in this Ordinance, the rules adopted by the Board of Adjustment shall provide for:

(A) Selection of officers, specifically a Chair and Vice-Chair, whose term of office shall be one year, with eligibility for re-election.

(B) Attendance requirements.

(C) Establishment of a quorum, which shall be a majority of the appointed members, to allow the Board to conduct business.

(D) Establishment of a date and time for a regular meeting.

(E) A procedure for calling special meetings as the need of the Board requires.

~~1.8.5~~1.8.6 Conduct and Notification of Meetings

All meetings of the Board shall be conducted in compliance with:

(A) North Carolina General Statutes Chapter 143, Article 33C,

(B) This Ordinance

The Planning Director shall give notice of Board meetings as provided in NCGS Chapter 143, Article 33C. Notice of meetings shall be given to Board of Adjustment members as provided in the Rules of Procedure adopted by the Board as well as the provisions of this Ordinance.

~~1.8.6~~1.8.7 Record of Meetings

The Planning Director shall keep a record of Board meetings to be maintained as a permanent public record. This record shall include minutes from each meeting including the vote of each member on every question, the Board's findings on required items, recommendations, and a complete summary of the evidence submitted to the Board including all documents, data, and testimony presented.

SECTION 1.9: DEVELOPMENT ADVISORY COMMITTEE

1.9.1 Establishment and Intent

(A) Establishment

There is hereby established a Development Advisory Committee (DAC) to assist the Planning Department in the execution of its functions with respect to processing applications submitted in accordance with the provisions of this Ordinance.

(B) Intent

The DAC is an informal advisory committee to allow various entities to review and discuss issues associated with a submitted application in order to assist with the development of a formal recommendation as to the disposition of the request by the Planning Department.

1.9.2 Duties and Responsibilities

The Development Advisory Committee has the following duties and responsibilities. The Committee shall:

(A) Review proposed text and atlas amendments, Conditional Districts, Special Use P~~p~~ermits, rezonings, subdivisions or other similar technical issues that may be referred to the Committee.

(B) Review in cooperation with the Planning Director the relationship between the Comprehensive Plan and this Ordinance.

(C) Produce, as required, for all County governing bodies and planning boards a report on such proposed text and atlas amendments, Conditional Districts, Special Use Ppermits, rezonings, subdivisions or other similar technical issues that may be referred to the Committee.

(D) Render technical advice and recommendations related to this Ordinance and its operation.

1.9.3 Membership

The DAC may consist of representatives from:

(A) Orange County Planning Department (including Erosion Control, Building Inspections, Floodplain Management, Transportation, Comprehensive Planning, etc.),

(B) Orange County Health Department,

(C) Orange County Department of Environment, Agriculture, Parks and Recreation,

(D) Orange County Economic Development Department,

(E) Orange County Emergency Services Department,

(F) N.C. DOT District,

(G) Town of Chapel Hill,

(H) Town of Carrboro,

(I) Town of Hillsborough,

(J) City of Mebane,

~~(J)~~(K) City and/or County of Durham,[24]

~~(K)~~(L) Orange Water and Sewer Authority,

~~(L)~~(M) Orange-Alamance Water District,

~~(M)~~(N) Public Utilities,

~~(N)~~(O) Natural Resource Conservation Service, and

~~(O)~~(P) Boards of Education; Orange County and/or Chapel Hill-Carrboro.

~~1.9.4~~ Meetings

The Planning Director is to convene and chair meetings of the Development Advisory Committee. The minutes of each meeting of the Committee are to be maintained as a separate document in the nature of a public record in the office of the Planning Director. Meetings shall not be open to the public.

1.9.5 Reports

The Development Advisory Committee shall prepare its report on a proposed amendment, Special Use permit, rezoning, Conditional Districts, or subdivision on the basis of the petition, if any, and supporting documentation as well as any public plans, studies, or data for inclusion within the official review file of the given project.

[24] Added to reflect long-standing courtesy review agreements and areas of mutual planning.

ARTICLE 2: PROCEDURES

SECTION 2.1: REVIEW AND DECISION MAKING AUTHORITY – SUMMARY TABLE

The following table provides a brief synopsis of the review and decision-making processes for development applications.

TABLE 2.1: REVIEW AND DECISION MAKING AUTHORITIES

R=REVIEW DM=DECISION MAKER PH=PUBLIC HEARING EH=EVIDENTIARY HEARING

ZONING/DEVELOPMENT REVIEW RELATED PROCEDURES	PLANNING DIRECTOR	EROSION CONTROL OFFICER	DEVELOPMENT ADVISORY COMMITTEE (DAC)	BOARD OF ADJUSTMENT	PLANNING BOARD	BOCC
Zoning Compliance Permits	R and DM	R	R			
Soil Erosion and Sedimentation Control Permits		R and DM				
Stormwater Management Plans		R and DM				
UDO Text Amendments	R		R		R [1]	DM and PH
Zoning Atlas Amendments	R		R		R [1]	DM and PH
Special Use Permits	R	R	R	DM and EPH ~~Class B~~	~~R [1] Class A~~	~~DM and PH Class A~~
Zoning Variances	R		R	DM and EPH		
~~Conditional Use~~	~~R~~	~~R~~	~~R~~		~~R [1]~~	~~DM and PH~~
Appeals/Interpretations	R		R	DM and EPH		
Comprehensive Plan Amendments	R				R [1]	DM and PH
Subdivision Related Procedures						
Exempt	R and DM					
Minor	R and DM	R	R			
Major	R	R	R		R and DM [2]	R and DM
Conditional ~~Use~~ District	R	R	R		R [1]	R, DM, and PH
Appeal						

NOTES

[1] The Planning Board reviews applications and makes a recommendation prior to the public hearing held by the Board of County Commissioners. The Board of County Commissioners may choose to refer an application back to the Planning Board at the conclusion of the public hearing.

[2] The Planning Board approves the Concept Plan for a Major Subdivision and then makes a recommendation on the Preliminary Plat to the BOCC.

SECTION 2.2: APPLICATIONS

2.2.1 Authority to File Applications

(A) Applications submitted under this Ordinance shall be submitted by the landowner, as identified by the records of the Orange County Tax Office, or their authorized agent.

(B) If the applicant is not the owner, or sole owner, of the land, a notarized letter signed by the owner(s) consenting to the submission of the application shall be submitted along with all required application information and materials.

2.2.2 Timely Processing of Applications

The Planning Director, Planning Board, Board of Adjustment, Board of County Commissioners and all other authorized review and decision-making bodies shall make every reasonable effort to process, review, and act on applications in a timely manner, consistent with the need to fully consider the application's proposed impact and ensure that it is consistent with the spirit and intent of the Orange County Comprehensive Plan and otherwise advances the public health, safety, and general welfare.

2.2.3 Burden Of Proof

The burden of demonstrating that an application complies with applicable submittal, review, and approval criteria is on the applicant.

2.2.4 Form of Application and Filing Fees

(A) Unless a greater number is specified herein for a specific review procedure, three copies of all applications, including required supporting documentation, shall be submitted by the applicant. Applications detailing the submittal requirements for each type of application are available in the Planning Department office.

(B) Officials responsible for accepting applications shall maintain a list specifying the materials and information to be submitted with each application filed. The list shall be made available to all applicants and to any other person who requests a copy.

(C) The Planning Director is authorized to propose and promulgate administrative regulations, including but not limited to the type and amount of data required for a completed application, in order to implement the provisions of this Ordinance.

(D) Applications must be accompanied by the fee amount that has been established by Board of County Commissioners. Application fees are nonrefundable.

2.2.5 Pre-application Conference

(A) Prior to submittal of an application for review and approval of a:

(1) Non-residential development,

(2) Special Use Permit (SUP),

~~**(3)** Conditional Use District (CUD),~~

~~**(4)**~~**(3)** Conditional ~~Zoning~~ District ~~(CZD)~~,

~~**(5)**~~**(4)** Major Subdivision, and/or

~~**(6)**~~**(5)** Minor Subdivisions Utilizing the Flexible Development Option.

The applicant shall schedule a pre-application conference with the Planning Department.

(B) In preparation for the pre-application conference, the applicant shall submit a sketch plan illustrating the location, size and major design elements of the proposed development no later than five working days prior to the pre-application meeting.

(C) The Planning Department may request that representatives of other public agencies be present at the pre-application conference, including, but not limited to:

(1) Planning Board,

(2) Building Inspections,

(3) Health Department,

2.2.9 Manner of Review

Applications requiring a public hearing shall be reviewed using either a legislative process or a quasi-judicial process as follows:

(A) Comprehensive Plan amendments – legislative

(B) Special Use Permits – quasi-judicial

(C) Zoning Atlas and Unified Development Ordinance amendments – legislative

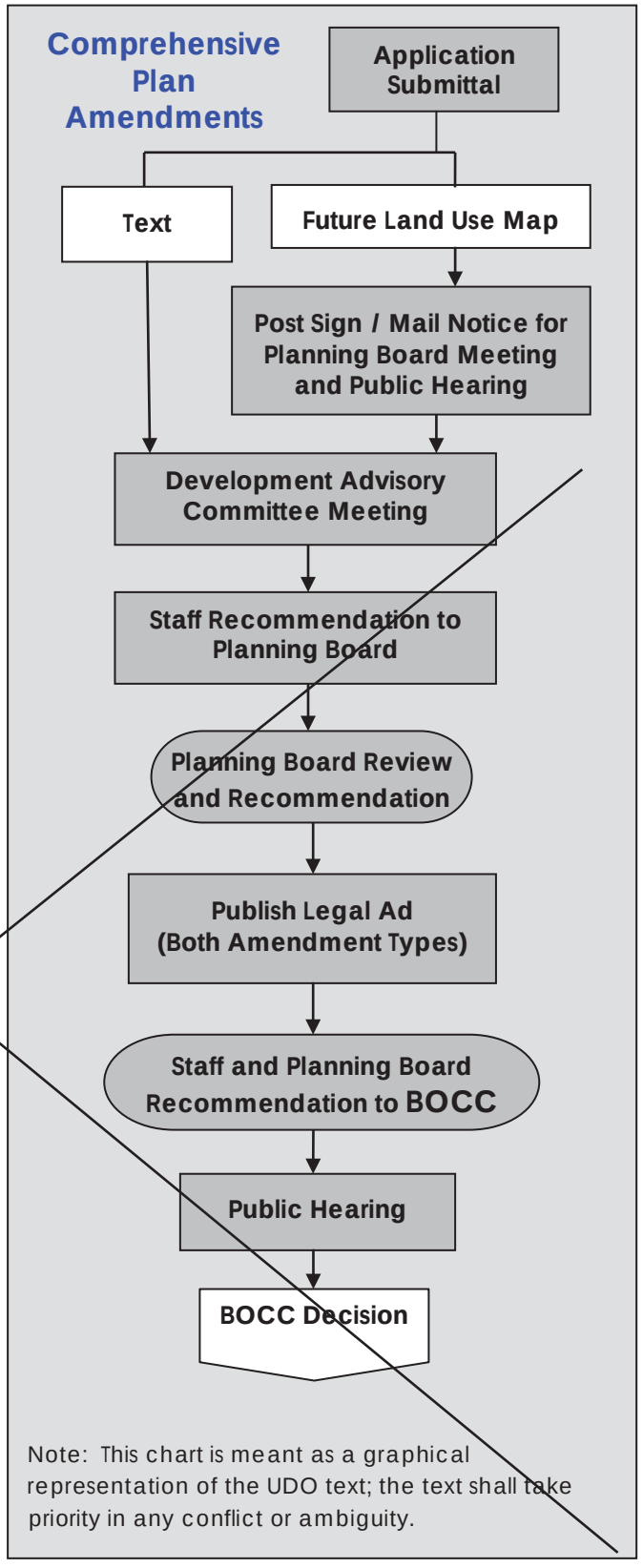
~~**(D)** Conditional Use District (CUD) – rezoning portion is legislative; Special Use Permit portion is quasi-judicial~~

~~**(E)**~~**(D)** Conditional ~~Zoning~~ District ~~(CZD)~~ - legislative

SECTION 2.3: COMPREHENSIVE PLAN AMENDMENTS

2.3.1 Review and Approval Flow Chart

The review and approval process for Comprehensive Plan Amendments is shown in the procedure's flowchart.



2.3.2 Generally

(A) The Comprehensive Plan shall be so prepared that all or individual elements and parts thereof may be adopted and/or amended by the Board of Commissioners.

(B) For the purpose of establishing and maintaining sound, stable, and desirable development within Orange County, the Comprehensive Plan or portion thereof shall not be amended except as follows:

(1) Because of changed or changing conditions in a particular area or areas of the County;

(2) To correct an error or omission; or

(3) In response to a change in the policies, objectives, principles or standards governing the physical development of the County.

2.3.3 Initiation of Amendments

(A) An amendment to the Comprehensive Plan or portion thereof may be initiated by:

(1) The Board of Commissioners on its own motion;

(2) The Planning Board;

(3) Application, by any person or agency, which accurately and completely sets forth the reason(s) for the proposed amendment as prescribed in Section 2.3.2(B); or

(4) The Planning Director.

(B) Once initiated, all amendments shall be referred to the Planning Board.

2.3.4 Public Hearing Required

A public hearing shall be held before adoption of any proposed Comprehensive Plan amendment. The Board of County Commissioners shall hear applications and receive public comment for proposed Comprehensive Plan amendments in a Public Hearing.

2.3.5 Notice Requirements for Planning Board Meetings and Public Hearings

(A) The Planning Director shall provide notice of Planning Board meetings at which the Planning Board is to review and make a recommendation on Future Land Use Map amendments and Public Hearings at which an amendment to the Future Land Use Map is to be reviewed. Notifications of proposed Future Land Use Map amendments shall occur as follows:

(1) Notice of the Planning Board meeting and public hearing shall be posted on the affected parcel or on an adjacent public right of way a minimum of ten days, but not more than 25 days, [25] prior to the Planning Board meeting. Said notice shall contain the time and location of both the Planning Board meeting and public hearing.

(a) When multiple parcels are affected, a posting on each individual parcel is not required, but sufficient notices shall be posted to provide reasonable notice to interested persons.

(2) Written notice of the Planning Board meeting and public hearing shall be sent by first-class mail to all property owners, as listed in the Orange County tax records, whose property is affected or within one thousand feet of the affected parcel(s). Said notice shall be mailed at least ~~15~~ ten days, but not more than 25 days, prior to the date of the Planning Board meeting and shall include the times and locations of both the Planning Board meeting and public hearing. The outside of the envelope or postcard shall be marked "Notice of Public Hearing."

(a) Alternative option to mailed notice for large-scale Future Land Use Map amendments shall be as follows:[26]

The first class mail notice required by subsection (2) shall not be required if a Future Land Use Map amendment proposes to change the land use classification of more than 50 properties, owned by at least 50 different property owners, and Orange County elects to use the expanded public notice described as follows:

(i) An advertisement published as described in (C) below, provided that the advertisement is not less than one-half of a newspaper page in size.

[25] Comprehensive Plan (CP) amendments are required to follow the same notification process as zoning text amendments (NCGS 160D-501(c)), namely newspaper legal ads; this is true for both CP text and map amendments. However, Orange County has a long tradition of providing mailed notification to property owners in the vicinity of a Future Land Use Map amendment so staff is recommending the notification timeframe follow the same timeframe as zoning map amendments.

[26] State Statutes have long allowed for an alternative method of public notice for large-scale rezonings but Orange County's regulations have not included the option. Staff is recommending that the alternative option be included in the regulations, particularly for Future Land Use Map amendments which do not require mailed notice under State statutes.

(ii) The advertisement shall be effective only for property owners who reside in the area of general circulation of the newspaper that publishes the notice. Property owners that reside outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified according to the provisions of subsection (2).

(B) The Planning Director shall provide public notice for any Comprehensive Plan amendment to be heard at a Public Hearing. The notice shall include the time and location of the public hearing.

(C) For all proposed amendments, notice of the public hearing shall be given by publishing said notice at least twice in a newspaper of general circulation in the County, stating the time and place of such hearing and the substance of the proposed amendment.

(1) This notice shall appear in said newspaper once a week[27] for two consecutive weeks with the first notice appearing not less than ten days nor more than 25 days before the date set for the public hearing. In computing the notice period, the day of publication is not to be included, but the day of the hearing is to be included.

~~**(2)** The minimum published size of the notice shall be 25 square inches.~~[28]

2.3.6 Consideration of Amendments

(A) A proposed amendment may be considered in conjunction with a rezoning request for the same property.

2.3.7 Application Requirements

(A) Generally

(1) All applications for amendments to the Comprehensive Plan shall be submitted on forms supplied by the Planning Department and shall be signed.

(2) Three copies of the application shall be submitted to the Planning Director.

(3) Before accepting any amendment application, the Planning Director shall ensure that it contains all required information, as specified in this Ordinance. Applications which are not complete, or otherwise do not comply with the provisions of this Ordinance, shall not be accepted by the Planning Director, but shall be returned to the applicant, with a notation by the Planning Director of the deficiencies in the application.

(B) Contents of Application

Applications for amendments to the Comprehensive Plan, without limiting the right to file additional material, shall contain at least the following:

(1) For amendments to the Future Land Use Map within the Land Use Element, a map at a legible scale adequately illustrating the land which would be covered by the proposed map amendment, and a complete list of Property Identification Numbers (PIN) for the properties;

(2) For amendments to the Comprehensive Plan text, a copy of the existing text provision(s) which the applicant proposes for amendment, and a written statement which describes in detail changes which the applicant proposes to make to the text of the Comprehensive Plan and the rationale for the proposed amendment consistent with the standards established in this Ordinance; and

[27] Clarification on number of times a notice is published.
[28] This minimum size is not required by statutes and staff is recommending its removal. As a point of fact, the amount of text included in the published legal ad precludes a notice less than 25 square inches in size.

elements associated with obtaining a Zoning Compliance, Erosion Control, and Stormwater permit as detailed herein.

(2) Interior renovation or repair of an existing structure, provided the use of the lot and/or structure has not changed.

(C) Issuance of a Zoning Compliance Permit is required prior to beginning the excavation for the construction, moving, alteration, or repair, except ordinary repairs, of any building or other structure, including an accessory structure. The Zoning Compliance Permit shall include a determination that plans, specifications and the intended use of the structure conforms to the provisions of this Ordinance.

(D) Issuance of a Zoning Compliance Permit is required to change the type of use or type of occupancy of any building, or to expand any use on any lot on which there is a non-conforming use. The Zoning Compliance Permit shall include a determination that the proposed use conforms to the provisions of this Ordinance.

2.4.2 Requirements and Conditions

(A) In cases where the development and/or commencement of a land use requires the issuance of a Special Use ~~or a Conditional Use~~ Permit, a Zoning Compliance Permit shall not be issued until the aforementioned permit has been issued by the ~~responsible board~~Board of Adjustment in accordance with the review and approval procedures detailed herein.

(B) Issuance of a Special Use ~~or Conditional Use~~ Permit does not negate the requirement for a Zoning Compliance Permit.

(C) Issuance of a Zoning Compliance Permit does not establish a vested right to begin and complete construction or change the use/occupancy of a lot or building should regulations change subsequent to issuance of said permit.

(D) Application for Zoning Compliance Permit shall specify the method of disposal of trees, limbs, stumps and construction debris associated with the permitted activity. Open burning of trees, limbs, stumps, and/or construction debris associated with the permitted activity is expressly prohibited.

(E) No building, structure, or zoning lot for which a Zoning Compliance Permit has been issued shall be used or occupied until the Building Inspector has, after final inspection, issued a Certificate of Occupancy indicating compliance with all the provisions of this Ordinance.

(F) No building, structure, or zoning lot for which a Zoning Compliance Permit has been issued shall be used or occupied until the Orange County Health Department has approved the water supply and sewage disposal systems serving that use.

(G) Issuance of a Certificate of Occupancy by the Building Official or the approval of a water supply and sewage disposal system by the Health Department shall in no case be construed as waiving any provision of this Ordinance.

(H) Zoning Compliance Permits shall become null and void after 18 months from the date of issuance if a building permit is not applied for or land disturbing activities are not commenced in accordance with the provisions of this Ordinance.

2.4.3 Plot Plan Specifications

(A) For development types requiring a plot plan rather than a site plan, the plot plan shall contain the following:

(1) A scaled drawing denoting the length of all property lines,

(2) A north arrow denoting the orientation of the lot and all proposed structures,

(3) The location of all existing structures, driveways, and areas of impervious surface,

(4) The location of the proposed structure(s) and distances from all property lines,

(5) The location of the proposed driveway,

(6) The location of the proposed septic system and proposed drain lines on the property,

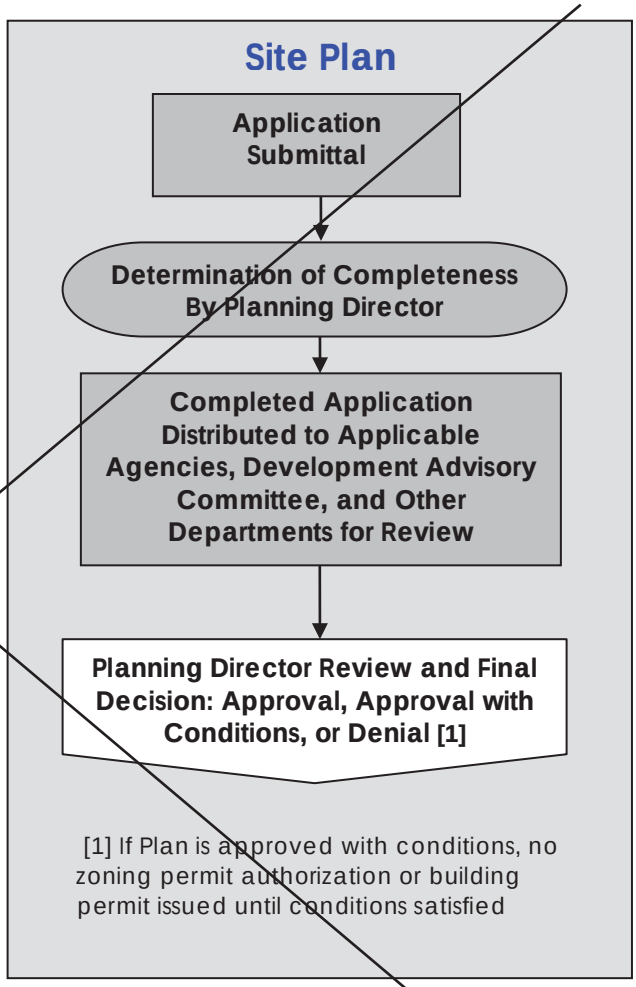
(7) The location of the proposed well, and

(8) The location of any protected features on the property (i.e. stream buffers, flood plain, wetlands, etc), and

(9) The location and dimensions of proposed parking areas.

(B) Base plot plans are available from the Planning Department and can be printed for a fee in accordance with the established fee schedule. Applicants may also use other sources of base plot plans provided the requirements of this Section are met.

(1) Planning staff is available to discuss compliance matters but shall not complete plot plans.



SECTION 2.5: SITE PLAN REVIEW

2.5.1 Review and Approval Flow Chart

The review and approval process for a Site Plan is shown in the procedure's flowchart.

2.5.2 Application Requirements

(A) Each site plan shall be prepared and sealed by an appropriately licensed professional. The following are exempt from this requirement but must provide a plot plan pursuant to Section 2.4.3:

(1) Proposed additions to existing permitted non-residential structures where the use of the structure and lot has not changed and the floor area is not increased more than 25%.

(2) Accessory structures to existing permitted non-residential structures where vehicular use area is not extended and changes to existing grade are not more than one foot in elevation.

(3) ~~Large day care homes, as defined in Article 10, Definitions~~Center in a Residence.[29].

[29] Although not related to "160D" revisions, this use type was renamed in a 2019 amendment but was missed for revision in this section. Staff recommends correcting the term at this time.

(4) ~~Rural Guest Establishments with three guestrooms or less - Bed & Breakfasts~~Short Term Rental – Host Occupied[30].

(5) Cooperative Farm Stand.

(6) Rural Special Events.

(7) Non-Farm Use of Farm Equipment.

(B) The applicant shall submit to the Planning and Inspections Department:

(1) Three copies of the site plan prepared in accordance with the provisions detailed in this Section. Additional copies may be required depending on the nature and location of the proposed development);.

(2) The completed site plan application form;

(3) A copy of the Orange County tax map with the subject property identified;

(4) Legal documentation, to be approved by the County Attorney, establishing entities responsible for control over common areas and facilities.

(5) Three copies of the Environmental Assessment and/or Environmental Impact Statement, if required under Section 6.16 of this Ordinance.

(6) A statement regarding the method of disposal of trees, limbs, stumps and construction debris associated with the permitted activity. Open burning of trees, limbs, stumps, and/or construction debris associated with the permitted activity is expressly prohibited.

(C) Other items which should be submitted simultaneously, but are not required as part of the site plan application are:

(1) Erosion control and grading plans as necessary to be approved by the Erosion Control Officer for a grading permit, and

(2) Stormwater management plans as necessary to be approved by the Erosion Control Officer prior to the issuance of a Zoning Compliance Permit, and

(3) Building construction plans to be approved by the Building Official prior to issuance of a building permit.

2.5.3 Plan Specifications

Each site plan shall be drawn at a scale adequate to show required detail and shall contain the following information:

(A) The boundary of the lot(s) to be developed labeled with bearings and distances;

(B) The name, address, and phone number of the applicant and the property owner;

(C) Name of project, vicinity map, north arrow, scale, tax map reference number, date of plan preparation, and subsequent revision dates;

(D) Zoning of the property to be developed and all adjacent zoning and existing adjacent land uses;

(E) Adjacent right-of-way widths with road names and numbers;

(F) A development summary including total acres, proposed use(s), total building square footage, required and proposed parking spaces.

(G) Demonstrated compliance with all applicable performance standards contained in Articles 3, 4, 5, and 6 of this Ordinance;

[30] Although not related to "160D" revisions, this use type was renamed in a 2019 amendment but was missed for revision in this section. Staff recommends correcting the term at this time.

(a) The Agricultural Preservation Board shall have 30 calendar days to provide comments. If comments are not received within this timeframe, the application review process shall not be delayed.

(b) For purposes of this subsection, agricultural support enterprise uses shall be defined as those permitted in the ASE-~~CZ~~ CD zoning district, as detailed within Section 5.2~~.3~~[31] of this Ordinance.

(D) The Planning Director shall review the plan(s) based on, but not limited to, the following general criteria:

(1) Compliance with all applicable County ordinances;

(2) Extent and intensity of impacts to the surrounding area;

(3) Respect for existing site conditions, including slope, vegetation, drainage patterns, etc.;

(4) Efficient use of the land to minimize disturbance and grading and to conserve energy;

(5) Safe and efficient vehicular and pedestrian circulation;

(6) Logical placement of structures and other site functions;

(7) No open burning of trees, limbs, stumps and construction debris associated with the permitted activity; and

(8) Compliance with any previously issued Special Use or Conditional Use Permit(s) ~~(a permit type no longer issued as of January 1, 2021)~~ associated with the project.

(E) Following review of the site plan, the Planning Director shall take final action on the application within 21 days of acceptance of a complete application. Final action shall be one of the following:

(1) Approval,

(2) Approval with conditions, or

(3) Denial.

Failure to meet the criteria for site plan approval listed herein, and/or to address all review comments solicited during plan review, will result in denial of the application.

(F) If a plan is approved with conditions, no zoning authorization allowing land disturbing activity or subsequent building permit shall be issued until all conditions of approval have been met to the satisfaction of Orange County.

(G) Site plan approval and the issuance of a Zoning Compliance Permit does not establish a vested right to develop the property should zoning regulations change subsequent to plan approval.

2.5.5 Vesting of Site Plan[32]

(A) At the option of the Applicant, a site plan may be vested for a period of not less than two nor more than five years. Multi-phased developments, as defined in NCGS 160D-108, shall be vested for a period of seven years from the time a site plan approval is granted for the initial phase of the multi-phased development.

(B) To become vested, a site specific ~~development~~ vesting plan must be approved by the Board of County Commissioners ~~as a Special Use Permit, in accordance with Section 2.7 of this Ordinance~~through either the normal project approval process if the Board of County Commissioners is the approval authority, or, in the case the Board of

[31] Correct a section referenced missed in a 2019 amendment.
[32] The revisions in this section are necessary based on changes made to state statutes in Section 160D-108.

County Commissioners is not the normal approval authority, by the Board of County Commissioners after a legislative hearing.

(1) Said legislative hearing shall follow the public notification procedures set forth in Section 2.8.7

(2) The Board of County Commissioners may approve the site specific vesting plan with such terms and conditions as may reasonably be necessary to protect the public health, safety, and welfare. Such conditional approval shall result in a vested right. Failure to abide by such terms and conditions shall result in a forfeiture of vested rights.

~~(A)~~**(C)** An approved site specific ~~development~~ vesting plan shall contain the following statement: "Approval of this plan establishes a zoning vested right under ~~G.S.~~NCGS ~~153A-344.1~~160D-108. Unless terminated at an earlier date, the zoning right shall be valid until _____."

~~(B)~~**(D)** The site specific ~~development~~ vesting plan for a project which requires the preparation of an Environmental Impact Statement (EIS) in accordance with Section 6.16 of this Ordinance shall not be approved until the EIS has been made available for public review, and has been presented to the Board of County Commissioners in accordance with Section 2.23 of this Ordinance.

2.5.6 Guarantee of Improvements

(A) If a guarantee of improvements is required as a condition of site plan approval, the applicant shall provide Orange County with a security bond, escrow agreement, or irrevocable letter of credit by an approved institution.

(B) The guarantee shall be effective for 12 months and shall include the cost of the improvements plus 10%.

(C) Prior to issuance of any site plan approval, the guarantee shall be approved by the County Attorney.

(D) If a guarantee is not submitted, the developer must install all required improvements to the satisfaction of the County prior to issuance of the zoning compliance permit.

2.5.7 Additional Requirements for Overlay Districts

(A) Efland-Cheeks Highway 70 Corridor Overlay District

(1) Approval Requirements

Within the Efland-Cheeks Highway 70 Corridor Overlay District (ECOD), no construction activity shall begin nor shall any conversion of existing single-family residence to a non-residential land use, excavation, soil removal, grading or disturbance of vegetation including trees, land disturbing activity associated with a non-residential land use, be commenced, nor any sign erected until such time as a site plan has been approved and a permit issued by the Planning Director in accordance with this Section and Section 2.4 of this Ordinance.

(B) Efland Interstate Overlay District

(1) Approval Requirements

Within the Efland Interstate Overlay District, no construction activity shall begin nor shall any excavation, soil removal, filling, grading or disturbance of vegetation, including trees, be commenced, nor any sign erected for any use subject to the requirements of the overlay district until such time as a site plan has been approved and a permit issued by the Planning Director in accordance with this Section and Section 2.4 of this Ordinance.

(C) Efland Village Overlay District

(1) Approval Requirements

Within the Efland Village Overlay District, no construction activity shall begin nor shall any excavation, soil removal, filling, grading or disturbance of vegetation, including trees, be commenced, nor any sign erected for any use subject to the requirements of the overlay district until such time as a site plan has been approved and a permit issued by the Planning Director in accordance with this Section and Section 2.4 of this Ordinance.

(D) Major Transportation Corridor Overlay District

(1) Approval Requirements

Within the Major Transportation Corridor District, no construction activity shall begin nor shall any excavation, soil removal, filling, grading or disturbance of vegetation, including trees, be commenced, nor any sign erected until such time as a site plan has been approved and a permit issued by the Planning Director in accordance with this Section and Section 2.4 of this Ordinance.

2.5.8 Additional Requirements for Economic Development Districts

(A) Prior to submission of an application for site plan approval, applicants shall meet with representatives of the Planning and Inspections, and Economic Development Departments to identify policies, procedures, regulations, and fees applicable to development proposals.

(B) Any proposed subdivision in an Economic Development District shall follow the approval procedures as specified in Section 2.16.

(C) In addition to the submittal requirements contained in this Section, a complete application shall also include:

(1) Building elevation drawings for each proposed structure; and

(2) A minimum of two drawings of sections through the site illustrating existing and proposed grades, as well as the relationship of different site features.

SECTION 2.6: FLOODPLAIN DEVELOPMENT APPLICATION PERMIT AND CERTIFICATE REQUIREMENTS

2.6.1 Requirements for Special Flood Hazard Area

(A) All projects proposing the development of property located within a Special Flood Hazard Area (SFPA) shall be required, regardless of the proposed land use, to submit a site plan prepared by a registered engineer, landscape architect, or land surveyor in accordance with the provisions of Section 2.5.

(B) ~~(A)(B)~~ Flood damage prevention regulations contained herein shall apply to all Special Flood Hazard Areas within the jurisdiction of Orange County, including properties located within the Extra-Territorial Jurisdictions (ETJs) of local municipalities used for bona fide farm purposes in accordance with ~~Part 1, Article 19 of Chapter 160A~~Sections 160D-201 and 160D-202 of the North Carolina General Statutes.

2.6.2 Plans and Application Requirements

Application for a floodplain development permit shall be made to the Floodplain Administrator on forms furnished by the Planning Department prior to any development activities proposed to be located within flood prone areas.

The following items/ information shall be presented to the Floodplain Administrator to apply for a floodplain development permit:

(A) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:

(1) The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, driveways, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;

(2) The boundary of the SFHA as delineated on the FIRM or other flood map as determined in Section 1.1.3 of this Ordinance or a statement that the entire lot is within the SFHA;

(3) Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Section 1.1.3 of this Ordinance;

(4) The boundary of the floodway(s) or non-encroachment area(s) as determined in Section ~~Section~~ 1.1.3 of this Ordinance;

(5) The Base Flood Elevation (BFE) where provided as set forth in Section(s) 1.1.3, 1.10.2, and 6.21;

(6) The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and

(7) Preparation of the plot plan by or under the direct supervision of a North Carolina licensed professional Land Surveyor or Professional Engineer and certified by them.

(B) Proposed elevation, and method thereof, of all development within a SFHA including but not limited to:

(1) Elevation in relation to NAVD 1988 of the proposed reference level (including basement) of all structures;

(2) Elevation in relation to NAVD 1988 to which any non-residential structure in Zone AE will be flood-proofed; and

(3) Elevation in relation to NAVD 1988 to which any proposed utility systems will be elevated or flood proofed.

(C) If flood-proofing, a flood-proofing[33] certificate (FEMA Form 086-0-34) with supporting data, an operational plan, and an inspection and maintenance plan that includes, but is not limited to, installation, exercise, and maintenance of floodproofing measures completed by a registered professional engineer or architect shall be required certifying that the non-residential flood proofed development will meet the flood-proofing criteria in Section 6.21.

(D) A Foundation Plan drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this Ordinance are met. These details include but are not limited to:

(1) Proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear wall); and

(2) Openings to facilitate equalization of hydrostatic flood forces on walls according to Section 6.21(B), when solid foundation perimeter walls are used in Zones.

(E) Usage details of any enclosed space below the regulatory flood protection elevation.

(F) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage;

[33] Conforming language to how it is used by FEMA.

(G) Copy of all other Local, State and Federal permits required prior to floodplain development permit issuance (i.e. Wetlands, Erosion and Sedimentation Control, Riparian Buffers, Mining, etc.);

(H) If the application is for placement of recreational vehicles and/or temporary structures, documentation to ensure compliance with Section 6.21(B)(5) and (7) of this Ordinance.

(I) If a watercourse is proposed to be altered and/or relocated, a description of the extent of watercourse alteration or relocation, an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map, drawn to scale, (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

2.6.3 Data Requirement

The following information shall be provided at a minimum on the floodplain development permit to ensure compliance with this Ordinance.

(A) A complete description of all the development to be permitted under the floodplain development permit (e.g. house, garage, pool, septic, bulkhead, cabana, pier, bridge, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, etc.).

(B) The SFHA determination for the proposed development per available data specified in Section 1.1.3 of this Ordinance.

(C) The regulatory flood protection elevation required for the reference level and all attendant utilities.

(D) The regulatory flood protection elevation required for the protection of all public utilities.

(E) All certification submittal requirements with timelines.

(F) A statement that no fill material shall encroach into the floodway or non-encroachment area of any watercourse, if applicable.

(G) If in an AE zone, specify the minimum foundation opening requirements.

(H) State limitations of below BFE enclosure uses (if applicable) such as, parking, building access and limited storage only).

(I) ~~(H)(I)~~ A statement indicating that all materials below BFE and/or Regulatory Flood Protection Elevation (RFPE) must be flood resistant materials.

2.6.4 Certification Requirements

(A) An Elevation Certificate (FEMA Form 086-0-33)

(1) Is required within 7 calendar days of establishment of the reference level elevation,

(2) It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the reference level, or flood proofing elevation, whichever is applicable, in relation to NAVD 1988.

(a) Said certification shall be prepared by, or under the direct supervision of, a North Carolina licensed professional Land Surveyor or Professional Engineer and certified by them.

(b) Any work done within the 7 day calendar period and before submission of the certification shall be at the permit holder's risk.

(3) The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and before further work being permitted to proceed.

(4) Failure to submit the certification or failure to make required corrections shall be cause to deny the floodplain development permit and/or issue a stop-work order for the project.

(5) A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance.

(a) It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities.

(i) Elevation certification shall be prepared by, or under the direct supervision of, a North Carolina licensed professional Land Surveyor or Professional Engineer and certified by the same.

(b) The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance.

(c) In some instances, another certification may be required to certify corrected as-built construction.

(d) Failure to submit the certification or failure to make said corrections required shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(e) The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided within the Finished Construction Elevation Certificate. These photographs should show the entire building, including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable

(B) Floodproofing Certificate (FEMA Form 086-0-34)

(1) In those instances where non-residential floodproofing is used to meet the Regulatory Flood Protection Elevation requirements, a Floodproofing Certificate (FEMA Form 086-0-34) with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction.

(2) It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to NAVD 1988

(a) Floodproofing certification shall be prepared by, or under the direct supervision of, a North Carolina licensed professional Land Surveyor or Professional Engineer and certified by the same and shall be accompanied by all documentation as detailed in Section 2.6.2 of this Ordinance.

(3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and

(4) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the NC Building Code and this ordinance is required

(F) Certification Exemptions

The following structures, if located within Zone AE, are exempt from the elevation/flood proofing certification requirements specified in items (A) and (B) above:

(1) Recreational vehicles meeting requirements of Section 6.21(B)(5);

(2) Temporary structures meeting requirements of Section 6.21(B)(7); and

(3) Accessory Structures with any dimension that is 12 feet or greater in height, width, or depth, meeting requirements of Section 6.21(B)(8).

SECTION 2.7: SPECIAL USE PERMITS

2.7.1 Generally

(A) Any use or development designated by applicable zoning district regulations contained within Article 5 as a special use, or as allowed only pursuant to a special use permit ~~(either Class A or Class B),~~ [34] may be established in that district only after the use or development is authorized by a validly issued and recorded special use permit.

[34] As footnoted in Article 1, staff is recommending that Special Use Permits (quasi-judicial process) be heard only by the Board of Adjustment. Former Class A SUP uses (formerly heard by the BOCC) have been revised to be allowed in a conditional district, reviewed/approved by the BOCC through a legislative process.

(B) This section sets forth required review and approval procedures for submittal, review, and approval of applications for a special use permit.

(C) A special use permit authorizes its holder to use or develop a particular parcel of land in a particular way, as specified by the terms and conditions of the special use permit.

(D) A special use permit imposes on its holder the responsibility of ensuring that the authorized use or development continues to comply with the terms and conditions of approval.

(E) Issuance of a special use permit does not relieve the holder of the special use permit of the additional responsibility of obtaining a building permit or any other permit or approval required by any other applicable law.

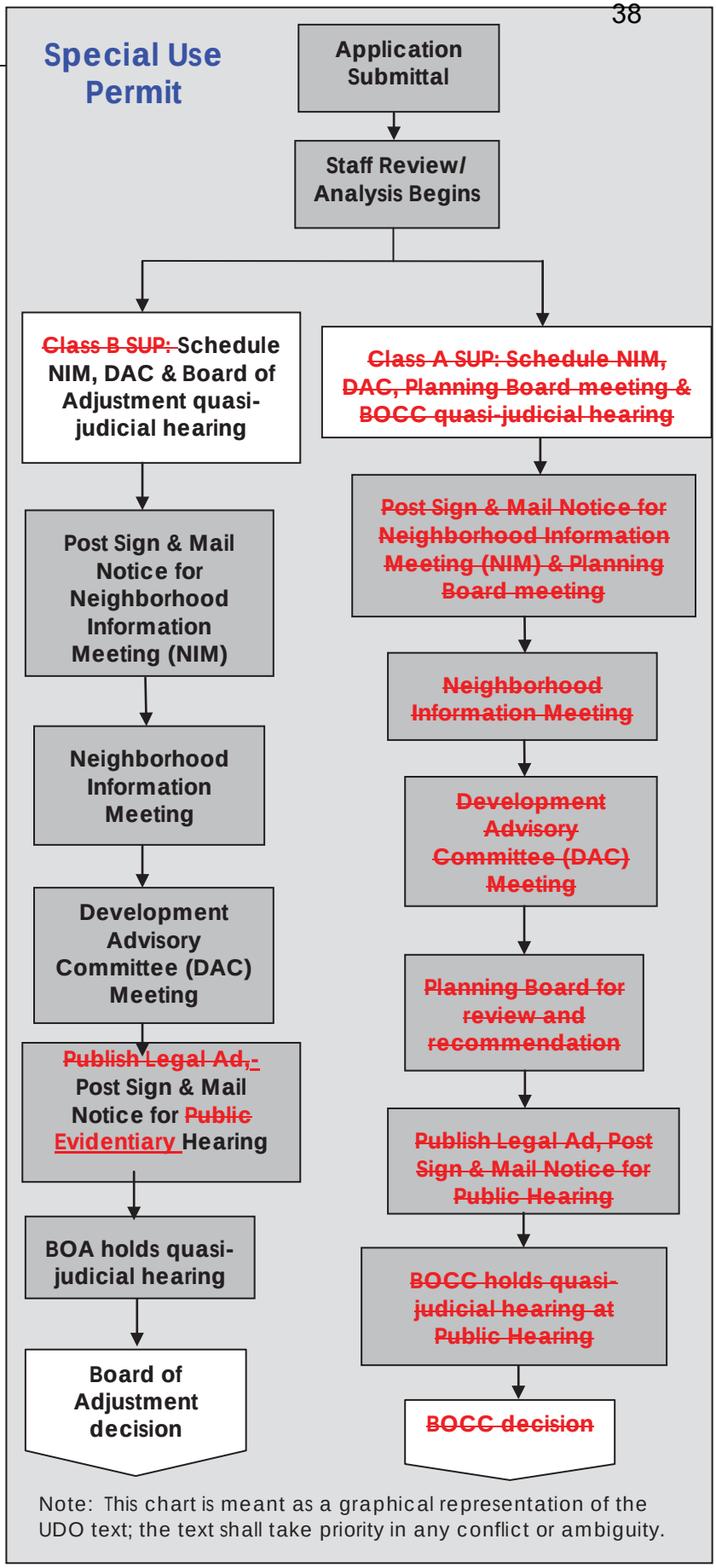
2.7.2 Review and Approval Flow Chart

The review and approval process for Special Use Permits is shown in the procedure's flowchart.

2.7.3 Application Requirements

(A) Applications for a Special Use shall be submitted on forms provided by the Planning Department in accordance with Section 2.2 of this Ordinance.

(B) Applications shall include:



(1) A full and accurate description of the proposed use, including its location, appearance, and operational characteristics.

(2) The name(s) and address(es) of the owner(s) of the property involved.

(3) Relevant information needed to show compliance with the general and specific standards governing the Special Use (See Articles 5 and 6).

(4) ~~For Class A Special Uses 26 copies of the site plan, and for Class B Special Uses 10~~Ten copies of the site plan, prepared by a registered North Carolina land surveyor, landscape architect, architect, or engineer, which shall contain the information listed in Section 2.5.

~~**(5)** If the application involves a Preliminary Subdivision Plat, 26 copies of the Plat prepared in accordance with Section 7.14 shall be provided.~~[35]

~~**(6)**~~**(5)** A list of all parcels located within ~~500~~ 1,000[36] feet of the subject parcel and the name and address of each property owner, as currently listed in the Orange County tax records.

~~**(7)**~~**(6)** Elevations of all structures proposed to be used in the development.

~~**(8)**~~**(7)** ~~For Class A Special Uses 26 copies and for Class B Special Uses 10~~Ten copies of the Environmental Assessment and/or Environmental Impact Statement, if required by Section 6.16.

~~**(9)**~~**(8)** Method of disposal of trees, limbs, stumps and construction debris associated with the permitted activity, which shall be by some method other than open burning.

~~**(10)**~~**(9)** Statement from the applicant indicating the anticipated development schedule for the build-out of the project.

~~**(11)**~~**(10)** Statement from the applicant in justification of any request for vesting for a period of more than two years (five years maximum or up to seven years for multi-phase developments, as defined in Article 10).

2.7.4 Staff Review

(A) The Planning Director shall cause an analysis to be made of the application by qualified representatives of the County and other agencies or officials as appropriate.

(1) Applications for agricultural support enterprise uses located within the Rural Buffer land use classification, as depicted on the Future Land Use Map of the adopted Comprehensive Plan, shall be forwarded to the County's Agricultural Preservation Board for review and comment.

(a) The Agricultural Preservation Board shall have 30 calendar days to provide comments. If comments are not received within this timeframe, the application review process shall not be delayed.

(b) For purposes of this subsection, agricultural support enterprise uses shall be defined as those permitted in the ASE-~~CZ~~ CD zoning district, as detailed within Section 5.2~~.3~~[37] of this Ordinance.

(B) The Planning Director shall submit the analysis to the ~~Board of County Commissioners and the Planning Board, in the case of Class A Special Uses, or the~~ Board of Adjustment~~, in the case of Class B Special Uses~~.

[35] Subdivisions that were formerly approved through a Class A SUP will be reviewed legislatively through a conditional district process.
[36] Revision to reflect notification requirements in Sections 2.7.5 and 2.7.6.
[37] Correct Section reference that should have been part of amendments made in 2019.

(C) The ~~appropriate~~ Board of Adjustment ~~reviewing the application~~ shall receive and enter the analysis into evidence during the ~~public~~ evidentiary[38] hearing. The analysis shall be subject to examination by all interested parties and the Planning Director shall be subject to cross-examination regarding the analysis.

2.7.5 Neighborhood Information Meeting

(A) Before an ~~Public~~ Evidentiary Hearing may be held for a Special Use the applicant is required to schedule a minimum of one neighborhood information meeting. The purpose of the meeting is to obtain surrounding property owner input and comments on the proposed development project and allow staff an opportunity to explain the review process associated with the request.

(B) The applicant shall obtain property owner mailing address information from the Orange County Planning Department, which shall utilize Orange County Land Records data, and shall mail notices of the meeting date and time via first class mail to each property owner within one thousand feet of the property for which a Special Use has been requested.

(C) The applicant shall mail notice of the Neighborhood Information Meeting a minimum of 14 days prior to the date of the meeting.

(D) The applicant shall post a sign on the property advertising the date, place, and time of the meeting a minimum of 10 days prior to the date of the meeting.

(E) The meeting shall be held a minimum of 45 days prior to the date of the Evidentiary Hearing.~~:~~

~~**(1)** 14 days prior to the date of the Planning Board meeting where the application is scheduled for review (Class A Special Use Permit applications).~~

~~**(2)** 45 days prior to the date of the Public Hearing (Class B Special Use Permit applications).~~

(F) Neighborhood information meetings for telecommunication facilities shall be held in accordance with the provisions of Section 5.10.8 (B) (2).

2.7.6 Notice Requirements for ~~Class A~~ Special Use Permits

~~**(A)** The Planning Director shall give notice of the date, time and place of the Planning Board meeting at which the Planning Board is scheduled to review a Special Use Permit application.~~

~~**(1)** Written notice shall be sent by first class mail to all adjacent property owners not less than ten days before the Planning Board meeting date. Adjacent property owners are those whose property lies within one thousand feet of the affected property and whose names and addresses are currently listed in the Orange County tax records. The outside of the envelope or postcard shall be marked "Notice of Planning Board Meeting."~~

~~**(2)** The Planning Director shall post on the affected property a notice of the Planning Board meeting at least ten days prior to the date of said meeting.~~

~~**(3)** Notices may be combined with notice of the Neighborhood Information Meeting required in Section 2.7.5.~~

~~**(B)**~~**(A)** The Planning Director shall give notice of the date, time and place of the ~~public hearing~~Evidentiary Hearing to be held to receive evidence in the form of testimony and exhibits pertaining to the application for a Special Use.

[38] 160D now uses the term "evidentiary hearing" to be more clear about what type of hearing is necessary for SUPs.

(1) Written notice shall be sent by first class mail to all adjacent property owners at least ten days but not more than 25 days before the hearing date. Adjacent property owners are those whose property lies within one thousand feet of the affected property and whose names and addresses are currently listed in the Orange County tax records. The outside of the envelope or postcard shall be marked "Notice of ~~Public~~ Evidentiary Hearing."

(2) The Planning Director shall post on the affected property a notice of the ~~public~~ Evidentiary ~~h~~Hearing at least ten days but not more than 25 days prior to the date of said hearing.

~~**(3)** Notice of the public hearing shall be published in a newspaper of general circulation in Orange County once a week for two successive weeks, with the first notice to be published not less than ten days nor more than 25 days prior to the date of the hearing. In computing the notice period, the day of publication is not to be included, but the day of the hearing is to be included.~~ [39]

~~2.7.7 Notice Requirements for Class B Special Use Permits~~

~~Notice Requirements for Class B Special Use Permits shall follow the procedures in Section 2.12.6.~~

~~2.7.8~~2.7.7 Nature of Proceedings

(A) The review of Special Use Permit applications shall be conducted during an Evidentiary ~~public~~ ~~h~~Hearing ~~by the decision-making board~~.

(B) The review of a Special Use Permit application is a quasi-judicial process, where the Board of Adjustment ~~responsible for rendering a decision~~ acts much like a panel of judges. The Board hears factual evidence and sworn testimony presented at an evidentiary hearing, and then makes findings of fact supported by competent, substantial, and material evidence.

~~**(B)**~~**(C)** The applicant, Orange County staff, and any person who would have standing to appeal the decision under NCGS 160D-1402 shall have the right to participate as a party at the Evidentiary Hearing. [40]

~~**(C)**~~**(D)** The chair or presiding officer of the hearing shall swear all parties intending to present evidence or testimony during the Evidentiary ~~h~~Hearing.

~~**(D)**~~**(E)** The chair or presiding officer may take whatever action is necessary to limit testimony to the presentation of new factual evidence that is material to the application, to ensure fair and orderly proceedings, and to otherwise promote the efficient and effective gathering of evidence. Such actions may include:

(1) Barring the presentation of obvious hearsay evidence,

(2) Barring the presentation of non-expert opinion,

(3) Interrupting digressions into immaterial testimony,

(4) Interrupting repetitive testimony,

(5) Reasonably limiting the time allotted each witness or cross-examination,

[39] Staff is suggesting the discontinuation of advertising SUP hearings in the newspaper because only the testimony of persons with legal standing may be considered in quasi-judicial proceedings. The County's mailed notification boundary of 1,000 feet already far exceeds statutory requirements (which require mailings to only abutting property owners) and it is questionable as to whether any party other than abutting property owners has legal standing in quasi-judicial proceedings..

[40] Recommended addition to be clear on which parties definitely have the right to participate in an Evidentiary Hearing, per 160D-406.

(6) Providing for the selection of spokespersons to represent groups of persons with common interests,

(7) Interrupting personal attacks, and/or

(8) Ordering an end to disorderly conduct.

~~(E)~~(F) Where the Board finds compliance with the general standards, specific rules governing the specific use, and that the use complies with all required regulations and standards, the application must be approved unless the Board shall also find, in some specific manner, that:

(1) the use will not maintain or promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted.

~~(F)~~(G) Those opposing approval of the application on the grounds that the use will not promote the public health, safety and general welfare shall have the burden of establishing, by competent material and substantial evidence, the specific manner in which the proposed use does not satisfy the requirements for approval of the application for a Special Use.

~~2.7.9~~2.7.8 Review and Decision

~~(A) For Class A Special Use Permits, the following shall apply:~~

~~(1) All applications shall be referred to the Planning Board for review and recommendation after the Neighborhood Information Meeting but prior to the public hearing.~~

~~(2) The Planning Board shall make a recommendation and proposed findings of fact on the application, including the findings required in Section 5.3.2 of this Ordinance. The Planning Board's action on an application shall be one of the following:~~

~~(a) Recommend approval based on proposed findings of fact,~~

~~(b) Recommend denial based on proposed findings of fact,~~

~~(c) Recommend approval based on proposed findings of fact but with specified conditions.~~

~~(3) Should the Planning Board fail to make a recommendation prior to the public hearing, the application shall be forwarded to the Board of County Commissioners without a Planning Board recommendation.~~

~~(4) The Board of County Commissioners shall review the application during a Public Hearing.~~

~~(5) All evidence shall be submitted during the public hearing. If additional evidence is requested by the Board of County Commissioners during a hearing which must be submitted at a later date, the hearing shall be continued to a date/time certain in order to receive the additional evidence.~~

~~(6) After closing the public hearing, the Board of County Commissioners shall do one of the following:~~

~~(a) Defer action to a later Board of County Commissioners meeting date, or~~

~~(b) Act upon the application.~~

~~(7) Board of County Commissioner action on the application shall include making appropriate findings of fact pursuant to Section 2.7.11, stating whether the board concludes each of the applicable standards have been met and one of the following:~~

~~(a) Approval;~~

~~(b) Approval but with specified conditions as provided in Section 2.7.12; or~~

~~(c) Denial.~~

~~**(B)** For Class B Special Use Permits, the following shall apply:~~ The following shall apply to all Special Use Permit applications:

~~(1)~~**(A)** The Board of Adjustment shall review the application during a regularly scheduled ~~public~~ Evidentiary ~~h~~Hearing.

~~(2)~~**(B)** The Board of Adjustment shall conduct the Evidentiary ~~h~~Hearing in accordance within the provisions detailed in this Section as well as those contained within Section 2.12.

~~(3)~~**(C)** After closing the ~~public~~ Evidentiary ~~h~~Hearing, the Board of Adjustment shall take action upon the application. This action shall include making appropriate findings of fact pursuant to Section 2.7.~~11~~10, stating whether the board concludes each of the applicable standards have been met and one of the following:

~~(a)~~**(1)** Approval;

~~(b)~~**(2)** Approval but with specified conditions as provided in Section 2.7.~~12~~11; or

~~(c)~~**(3)** Denial.

~~2.7.10~~2.7.9 Standards of Evaluation

The following specific standards shall be used in deciding on an application:

(A) The project meets all applicable design standards and other requirements of this Ordinance.

(B) The development can reasonably be completed within the vesting period requested, if any.

(C) Where vesting in excess of two years is requested, the project is located in an area where current issues under study do not involve potential amendments to the Comprehensive Plan and/or this Ordinance.

~~2.7.11~~2.7.10 Required Findings

(A) A resolution or motion to approve the application must include the findings of fact and conclusions of law that support the decision. Any proposed conditions of approval must also be included in the resolution or motion to approve the application.

(B) A resolution or motion to deny the application must state findings of fact and conclusions of law that support the decision.

(C) If a resolution or motion to approve the application fails, the application is deemed denied. Those members voting against the resolution or motion must state which of the conclusions of law they could not reach as well as findings of fact on which their inability to reach the conclusions is based.

~~2.7.12~~2.7.11 Conditions of Approval

(A) The ~~Board of County Commissioners or the~~ Board of Adjustment~~, as appropriate,~~ may impose such reasonable conditions upon approval of a Special Use as will afford protection of the public health, safety and general welfare, ensure that substantial justice is done, and equitable treatment provided.

(B) Conditions shall run with the land and use, and shall be binding on the original applicant(s) as well as all successors, assigns and heirs.

(C) The Special Use Permit shall include a statement that if any condition of a Special Use Permit shall be held invalid or void, then the permit itself shall be void and of no effect.

(D) It shall be stated in the Special Use Permit that the Permit shall automatically expire ~~within~~ 12 months ~~of~~ from the date of approval if the use has not commenced or construction has not commenced or proceeded, unless a timely application for extension of this time limit is approved by the Board of ~~County Commissioners~~Adjustment as provided in Section 2.7.13.

~~2.7.13~~2.7.12 Notification of Board Action

(A) The Planning Director shall send a notice of the ~~relevant~~ Board's action on the application within a reasonable time by personal delivery, ~~certified~~electronic mail and/or first-class mail to the applicant, landowner, and to any person who has submitted a written request for a copy prior to the date the decision becomes effective. ~~A copy of the decision shall be filed in the Planning Department within five business days of the relevant Board's action.~~[41]

(B) The Planning Director, in the case of approval or approval with conditions, shall issue the necessary permit in accord with the Board's action.

(C) The Planning Director, but not a designee, shall certify that the Special Use Permit with any imposed conditions is as approved by the ~~Board of County Commissioners or~~ Board of Adjustment~~, as appropriate,~~ with a report provided to the County Manager.

(D) Once the Special Use Permit has been certified, the applicant shall record the permit with the Orange County Register of Deeds in a format prepared by the Planning Director. Failure to do so within 90 days from certification shall invalidate the Special Use Permit.

~~2.7.14~~2.7.13 Time Limits and Extensions

(A) If a request is received before the Special Use permit expires, the Board of ~~County Commissioners~~Adjustment, for good cause shown, may extend the expiration deadline six months ~~upon the favorable recommendation of the Planning Board~~.

(B) The application for an extension request shall be submitted a minimum of ~~six~~ three months prior to the expiration of the Special Use Permit.

(C) No changes shall be made to the terms and/or conditions of approval.

(D) Only one approval of a time extension is permitted, and it shall be based on evidence presented by the applicant showing that permits have been pursued in a timely manner, and that delays have resulted from factors beyond the control of the applicant.

(E) ~~For developments which require approval of a Special Use Permit, the~~The applicant may request that the Special Use Permit be vested as a Site Specific Vesting Plan in accordance with the requirements of Section 2.5.5. ~~for a period of not less than two nor more than five years. For vesting purposes, Site Plans and Preliminary Plats may also be approved as a Special Use Permit at the request of the applicant. See Section 2.5 for information regarding site plans.~~

~~(E)~~(1) The required legislative hearing by the Board of County Commissioners to establish vested rights shall be held after approval of the Special Use Permit by the Board of Adjustment.

[41] The existing language in this section has been a source of confusion in the past. The proposed language conforms to NCGS 160D-406(j).

~~2.7.15~~2.7.14 ~~Changes~~ Modifications to Approved Plans[42]

(A) After a Special Use Permit has been issued, no deviations from the terms of the approved permit shall be made until written approval of proposed changes or deviations has been obtained.

(B) The Planning Director ~~is authorized to~~shall approve minor ~~changes~~ modifications in the approved permit if requested by the applicant except where the Special Use Permit includes a condition explicitly prohibiting such a modification. ~~plans of Special Uses, as long as they are in harmony with action of the approving Board of Adjustment, but shall not have the power to approve changes that constitute a modification of the approval. A modification shall require approval of the Board having jurisdiction~~of Adjustment.Minor modifications are as follows:

(1) A change (increase or decrease) of no more than 5% in the amount of open space, recreation facilities, or landscape screening.

(2) A change of ~~25~~100-feet or less in the location of open space, recreation facilities, or landscape screening.

(3) A change (increase or decrease) of no more than of 5% in the number of parking spaces approved.

(4) A change in pedestrian and/or vehicular access or circulation that moves such facilities less than 25-feet.

(5) For telecommunication facilities, a minor modification shall also include the following:

(a) An increase in the existing vertical height of the structure by less than:

(i) 10% of the height of the tower, or

(ii) The height of 1 additional antenna with separation from the nearest existing antenna not to exceed 20 feet

(b) The addition of an appurtenance to the body of the telecommunication facility that protrudes horizontally from the edge of the wireless support structure the lesser of:

(i) 20 feet, or

(ii) Less than the width of the wireless support structure at the level of the appurtenance.

(c) Increasing the square footage of the existing equipment compound by less than 2,500 square feet

(C) For minor modifications, the applicant shall file an amended site plan, or written statement, outlining in detail the minor modification(s) proposed. The Planning Director shall state the findings in writing to the applicant and file the amended site plan or written statement with the approved site plan.

(D) A modification that is not listed as a minor modification in (B) above is considered a major modification and shall require approval of the Board of Adjustment.

~~**(A)** The following criteria shall constitute a modification:~~

~~**(1)** Any change in a condition imposed during the approval of a special use permit.~~

[42] The County Attorney's office has opined that NCGS 160D-403(d) requires that minor modifications be defined/listed rather than the County's existing language of defining major modifications. Staff has listed minor modification by "reversing" the existing list of major modifications. The proposed language also more closely aligns to language in 160D-403(d).

~~**(2)** Any change in use or enlargement of approved use.~~

~~**(3)** Any increase in intensity of use. An increase in intensity of use shall be considered to be an increase in usable floor area and/or an increase in the number of dwelling or lodging units.~~

~~**(4)** Structural alterations which significantly affects the basic size, form, style, ornamentation, and/or character of the building as shown on the approved site plan or described in the applicant's narrative.~~

~~**(5)** Substantial change in the amount and/or location of open space, recreation facilities or landscape screening.~~

~~**(6)** Any increase in the size or number of approved signs.~~

~~**(7)** Any change in parking areas resulting in an increase or reduction of 5% or more in the number of spaces approved.~~

~~**(8)** Substantial changes in pedestrian and/or vehicular access or circulation.~~

~~**(9)** Any change in a setback required by the provisions of this Ordinance or imposed as a condition of approval.~~

~~**(10)** Any change in the location or extent of street and utility improvements or rights-of-way, including water, sewer and storm drainage facilities, which would provide a different level of service.~~

~~**(11)** For telecommunication facilities, a modification shall also include the following:~~

~~(a) An increase in the existing vertical height of the structure by more than:~~

~~(i) 10% in the height of the tower, or~~

~~(ii) The height of 1 additional antenna with separation from the nearest existing antenna not to exceed 20 feet~~

~~(b) A substantial change to the physical dimensions of the wireless support structure which alters facts or conditions relied upon by the County when granting the original permit. It shall be the County's burden to demonstrate that such a scenario constitutes a substantial change to the physical dimensions of the wireless support structure.~~

~~(c) The addition of an appurtenance to the body of the telecommunication facility that protrudes horizontally from the edge of the wireless support structure the greater of:~~

~~(i) More than 20 feet or~~

~~(ii) More than the width of the wireless support structure at the level of the appurtenance.~~

~~Except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable.~~

~~(d) Increasing the square footage of the existing equipment compound by more than 2,500 square feet~~

~~**(B)** The Planning Director shall, before making a determination as to whether a proposed action is a minor change or a modification, review the record of the proceedings on the original application for approval of the Special Use. The determination shall be based upon the request of the applicant, the review of the record of the approval of the original request and the Planning Director's findings under the criteria of subsection (B) above.~~[43]

[43] No longer relevant since minor modifications are defined in (B).

~~**(C)** The Planning Director shall, if it is determined that the proposed action is a minor change, state the findings in writing to the applicant. The applicant shall file an amended site plan, or written statement, outlining in detail the minor change(s) proposed. The Planning Director shall file the amended site plan or written statement with the approved site plan.~~[44]

~~**(D)**~~**(E)** ~~If it is determined that the proposed action is a modification, the Planning Director shall require the applicant to submit a request for modification of the approved special use permit. The~~For major modifications, the applicant shall adhere to the following procedures ~~shall be adhered to in the case of a modification~~:

(1) The applicant shall provide an amended site plan and written narrative outlining the specific changes requested.

(2) The Planning Director shall submit the request to the Board ~~that approved the original application~~of Adjustment.

(3) The Board shall set an ~~public~~ Evidentiary ~~h~~Hearing to receive testimony concerning the modification request. Any ~~public~~ Evidentiary ~~h~~Hearing called pursuant to a modification of an approved special use permit shall be held in conformity with the relevant public notification requirements contained in this Article.

(4) The Board may approve, approve with conditions, or deny the application for a modification.

(5) The Planning Director shall file the Board's action in the Planning Department as an amendment request to the original application and shall notify the applicant in writing of the Board's action.

SECTION 2.8: ZONING ATLAS AND UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS

2.8.1 Review and Approval Flow Chart

The review and approval process for a Zoning Atlas and Unified Development Ordinance Amendment is shown in the procedure's flowchart.

2.8.2 Amendment Initiation

(A) An amendment to this Ordinance or the Zoning Atlas may be initiated by:

(1) The Board of County Commissioners on its own motion;

(2) The Planning Board;

(3) Application, by any person or agency authorized by Ordinance, downzonings applied for by a third party require the written consent of the property owner;[45] or

(4) The Planning Director.

(B) If a request for consideration of an amendment proposal is submitted directly to the Board of County Commissioners, said Board may decline to consider the request or may refer the amendment proposal to the Planning Director for preparation of an amendment application.

(C) Once initiated, all amendments shall be referred to the Planning Board.

[44] Moved to (C) above.

[45] Third party downzonings are prohibited by SL2019-111. Although Orange County has always required the consent of the property owner on a rezoning application files by a third-party, the County Attorney's office has opined that the regulations should be clear that a third party cannot apply to downzone property.

2.8.3 Contents of Application

Applications shall contain the following:

(A) For amendments to the Zoning Atlas:

(1) A map at a legible scale showing the land which would be covered by the proposed amendment, and

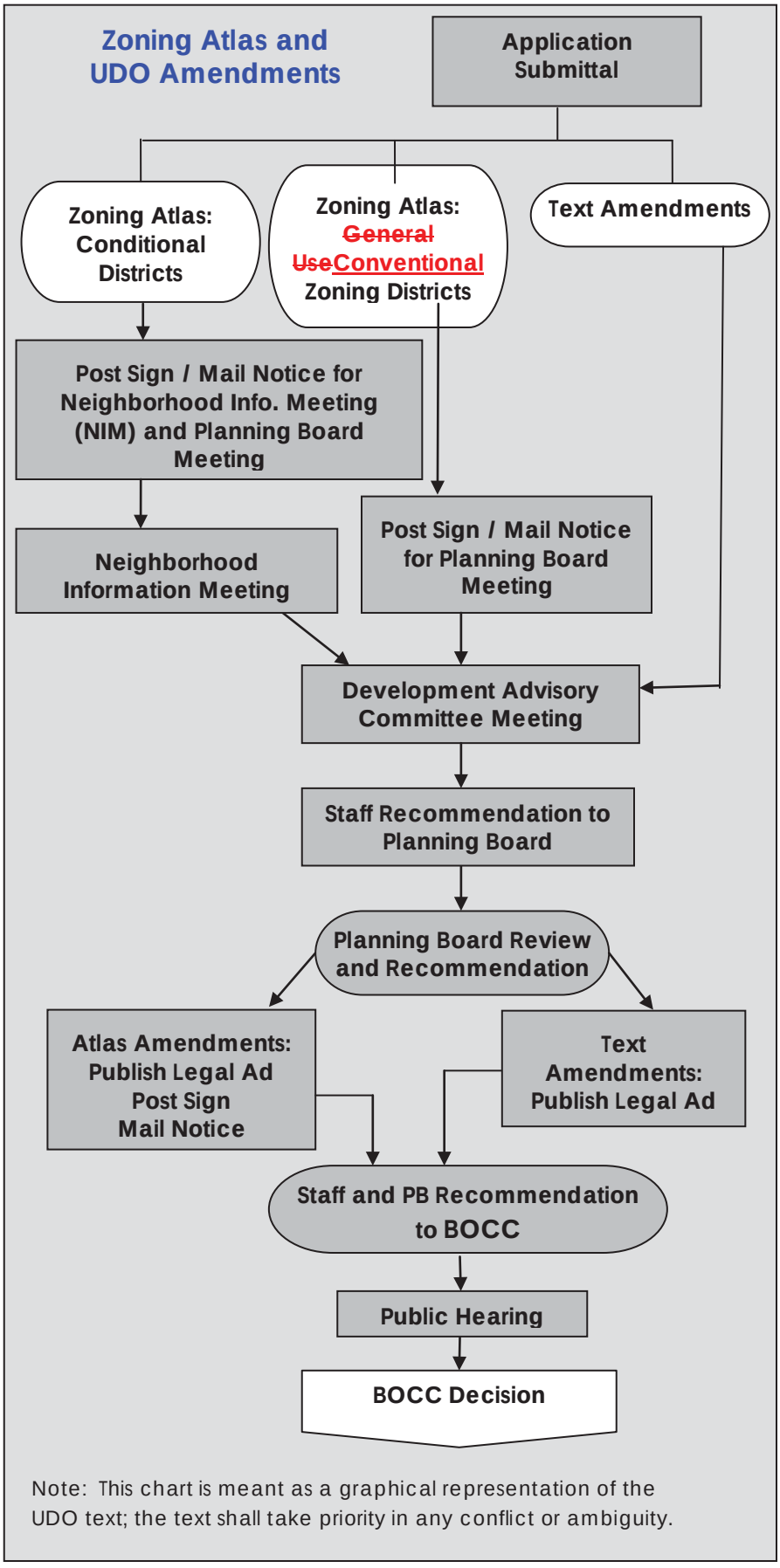
(2) A legal description of the land.

(B) For amendments to the Unified Development Ordinance text:

(1) A copy of the existing text provision(s) which the applicant proposes for amendment, and

(2) A written statement which describes in detail the changes the applicant proposes to make.

(C) The alleged error in the Zoning Atlas and/or Unified Development Ordinance text that would be corrected by the proposed amendment with a detailed explanation of such error in the Zoning Atlas and/or Unified



Development text and detailed reasons how the proposed amendment will correct the alleged error;

(D) The changed or changing conditions, if any, in the area or in the County generally, which makes the proposed Zoning Atlas and/or Unified Development Ordinance text amendment reasonably necessary to promote the public health, safety and general welfare;

(E) The manner in which the proposed Zoning Atlas and/or Unified Development Ordinance text amendment will carry out the intent and purpose of the adopted Comprehensive Plan or part thereof; and

(F) A traffic impact study as required by Section 6.17.

(G) All other circumstances, factors and reasons that the applicant offers in support of the proposed Zoning Atlas and/or Unified Development Ordinance text amendment.

2.8.4 Applications for Amendment – Joint Planning Area

Applications for amendments to the Orange County Unified Development Ordinance and Zoning Atlas for the purpose of incorporating the provisions of the Chapel Hill Land Development Ordinance (and Zoning Maps) and/or the Carrboro Land Use Ordinance (and Zoning Maps) shall be processed as specified herein and as specified in the Joint Planning Agreement adopted November 2, 1987, and as amended from time to time.

Any text amendments adopted by Orange County shall be adopted by reference as though fully set forth herein. Any map amendments adopted by Orange County shall be officially denoted on the County Zoning Atlas. Where there is inconsistency between the amendment procedures contained herein and those contained in the Joint Planning Agreement, the provisions of the Joint Planning Agreement shall apply.

2.8.5 Review, Analysis and Recommendation

(A) The Planning Director shall cause an analysis to be made of the application and, based upon that analysis, prepare a recommendation for consideration by the Planning Board and the Board of County Commissioners.

(B) Applications for agricultural support enterprise uses located within the Rural Buffer land use classification, as depicted on the Future Land Use Map of the adopted Comprehensive Plan, shall be forwarded to the County's Agricultural Preservation Board for review and comment.

(1) The Agricultural Preservation Board shall have 30 calendar days to provide comments. If comments are not received within this timeframe, the application review process shall not be delayed.

(2) For purposes of this subsection, agricultural support enterprise uses shall be defined as those permitted in the ASE-~~CZ~~ CD zoning district, as detailed within Section 5.2.~~3~~[46] of this Ordinance.

2.8.6 Public Hearing Required

A public hearing shall be held before adoption of any proposed Zoning Atlas Amendment and/or text amendment to this Ordinance. The Board of County Commissioners shall hear applications and receive public comment for Zoning Atlas amendments and/or text amendments to this Ordinance in a Public Hearing.

[46] Correct reference that should have been part of amendments made in 2019.

2.8.7 Notice Requirements for Planning Board Meetings and Public Hearings

(A) The Planning Director shall provide notification of Planning Board meetings at which the Planning Board is to review and make a recommendation on Zoning Atlas amendments. Notifications shall be mailed and posted for the Planning Board meeting in the same manner as for the public hearing, as detailed in (C) and (D) below. The notice shall include the time and location of the Planning Board meeting. The outside of the envelope or postcard shall be marked "Notice of Planning Board Meeting."

(B) The Planning Director shall cause notice of the public hearing to review the application and receive public comment to be published at least twice in a newspaper of general circulation in the county, stating the time and place of the hearing and the substance of the proposed amendment.

(1) Said notice shall appear in said newspaper once a week[47] for two successive weeks with the first notice appearing not less than ten days nor more than 25 days before the date set for the public hearing. In computing the notice period, the day of publication is not to be included, but the day of the hearing is to be included.

(C) For amendments to the Zoning Atlas, the Planning Director shall post on the affected property a notice of the public hearing at least ten days prior to the date of said hearing.

(D) For amendments to the Zoning Atlas, written notice shall be sent by certified mail to the affected property owner and by first class mail to ~~all adjacent~~ abutting property owners and all property owners whose property lies within 1,000 feet of the affected property at least ~~15~~ ten[48] days, but not more than 25 days, before the public hearing date. ~~Adjacent p~~Property owners ~~are those whose~~ names and addresses shall be obtained from the current listing ~~are currently listed~~ in the Orange County tax records ~~and whose property lies within one thousand feet of the affected property~~[49]. The outside of the envelope or postcard shall be marked "Notice of Public Hearing."

(1) Alternative option to mailed notice for large-scale Zoning Atlas amendments[50]

The first class mail notice required by subsection (D) shall not be required if a Zoning Atlas amendment proposes to change the zoning designation of more than 50 properties, owned by at least 50 different property owners, and Orange County elects to use the expanded public notice described as follows:

(a) An advertisement published as described in (B) above, provided that the advertisement is not less than one-half of a newspaper page in size.

(b) The advertisement shall be effective only for property owners who reside in the area of general circulation of the newspaper that publishes the notice. Property owners that reside outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified according to the provisions of subsection (D) above.

~~(D)~~**(E)** The Planning Director shall certify the mailing of all notices to the Board of County Commissioners.

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[47] Clarify publication frequency.
[48] Conform County's regulations to statutory requirements.
[49] Revision necessary to properly address 160D-602 requirement that "abutting" property owners are noticed versus Orange County's requirement that property owners within 1,000 feet are noticed.
[50] State Statutes have long allowed for an alternative method of public notice for large-scale rezonings but Orange County's regulations have not included the option. Staff is recommending that the alternative option be included in the regulations.

2.8.8 Planning Board Review

(A) The Planning Board shall allow public comments at its meeting and those comments shall be taken into consideration by the Planning Board in making its recommendation.

(B) The Planning Board's action on an application shall be one of the following:

(1) Recommend approval,

(2) Recommend denial,

(3) Recommend approval but with specified changes, or

(4) Recommend the Planning Board be given extended time to consider the matter.

(C) In making its recommendation, the Planning Board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan or any other officially adopted plan that is applicable, and briefly explain why the board considers the action taken to be reasonable and in the public interest.

(D) Should the Planning Board fail to make a recommendation prior to the Public Hearing, the application shall be forwarded to the Board of County Commissioners without a Planning Board recommendation.

2.8.9 Action by Board of County Commissioners

(A) The Board of County Commissioners shall hold a public hearing after the Planning Board either makes its recommendation or takes no action on the application within 30 days of its referral.

(B) After the Board of County Commissioners closes the public hearing, the Board of County Commissioners shall do one of the following:

(1) defer a decision to a later Board of County Commissioners meeting date, or

(2) make a decision.

(C) In making its decision, the Board of County Commissioners shall consider adopted plans, comments made at the public hearing, the Planning Board's recommendation, and the Planning Director's recommendation. In accordance with NCGS 160D-605, the~~The~~ Board of County Commissioners shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan or any other officially adopted plan that is applicable, and briefly explain why the board considers the action taken to be reasonable and in the public interest.

2.8.10 Text Revisions Pertaining to Soil Erosion and Sedimentation Control Provisions

(A) The Erosion Control Officer shall review all of the North Carolina Sedimentation Control Commission's revisions to the State's Model Soil Erosions and Sedimentation Control Ordinance and, within 90 days of receipt of the recommended revisions, submit draft amendments to the North Carolina Sedimentation Control Commission for its consideration and comments.

(B) Within 150 days after receipt of the North Carolina Sedimentation Control Commission's comments, Orange County shall formally consider proposed amendments and, to the extent deemed necessary by the Board of County Commissioners, incorporate the amendments into this Ordinance.

(C) Text amendments to this Ordinance for soil erosion and sedimentation control provisions shall comply with the requirements in effect for any other text amendment.

2.8.11 Text Revisions Pertaining to Stormwater Provisions

(A) The Erosion Control Officer shall review all of the State Environmental Management Commission's revisions to the State's Model Stormwater Ordinance and, within 90

days of receipt of the recommended revisions, submit draft amendments to the State Environmental Management Commission for its consideration and comments.

(B) Within 150 days after receipt of the State Environmental Management Commission's comments, Orange County shall formally consider proposed amendments and, to the extent deemed necessary by the Board of County Commissioners, incorporate the amendments into this Ordinance.

(C) Text amendments to this Ordinance for stormwater provisions shall comply with the requirements in effect for any other text amendment.

SECTION 2.9: CONDITIONAL DISTRICTS

2.9.1 Conditional Use District (CUD)[51]

(A) Generally

(1) Any use permitted under the CUD process shall conform to all applicable development regulations for the corresponding general use zoning district as well as any specific development standards outlined within this Ordinance.

(2) The Board of County Commissioners, in reviewing a CUD application, may impose such reasonable conditions upon approval of a CUD request as will afford protection of the public health, safety, and general welfare, ensure that substantial justice is done, and ensure equitable treatment.

(3) Only those conditions mutually agreed to by the applicant and the Board of County Commissioners may be imposed on a CUD application.

(4) Within the Economic Development Districts (EDDs), there are specific uses that require approval of a CUD. These uses are noted on the Table of Permitted Uses – Economic Development Districts (Section 5.2).

(B) Applications

Applications to establish a CUD shall be submitted to the Planning Director and shall be processed in accordance with the procedure(s) for:

(1) Zoning Atlas amendment (Section 2.8),

(2) Class A Special Use Permit (Section 2.7), and

(3) The provisions of this Section.

(C) Submittal Requirements

(1) In addition to the CUD application form, an applicant shall also submit the following information:

(a) A site plan prepared in accordance with the provisions of Section 2.5 including the following:

(i) A detailed description of the proposed use of property including an outline of the proposed operational characteristics of the proposed development,

(ii) A detailed traffic survey, regardless of the estimated number of trips per day, prepared in accordance with all applicable North Carolina Department of Transportation (NC DOT) requirements or standards as well as Section 6.17 of this Ordinance,

[51] One of the primary outcomes of "160D" legislation is conditional use districts are no longer authorized for use in the State. The process, which included quasi-judicial and legislative components, was difficult to successfully navigate and, with the authorization in the mid-2000s for conditional zoning districts, became obsolete.

(iii) The appropriate environmental document prepared in accordance with Section 6.16; and

(iv) A landscape plan showing the location of on-site significant trees; proposed screening, buffers, and landscaping; and any proposed treatment of any existing natural features.

(b) A summary of utility services, including processing of wastewater.

(c) A schedule of construction of all elements of the proposal; and

(d) Any other information identified during the pre-application conference deemed essential to demonstrate the project's compliance with these regulations.

(2) 26 copies of the application package required in (1) above shall be submitted by the applicant.

(3) The Planning Board and/or Board of County Commissioners may request additional information in order to evaluate and properly process the application for a CUD.

(D) Neighborhood Information Meeting

(1) Before a Public Hearing may be held on an accepted application for a CUD, the applicant is required to schedule, with the assistance of the Planning Department, a minimum of one neighborhood information meeting. The purpose of this meeting is to obtain surrounding property owner input and comments on the proposed development project.

(2) The applicant shall obtain property owner mailing address information from the Orange County Planning Department and shall mail notices of the meeting date and time via first class mail to each property owner within one thousand feet of the property for which a CUD has been requested.

(3) The notices shall be mailed a minimum of 14 days prior to the date of the proposed Neighborhood Information Meeting.

(4) The applicant shall post a sign on the property advertising the date, place, and time of the meeting a minimum of 10 days prior to the date of the meeting.

(5) The meeting shall be held a minimum of 14 days prior to the date of the Planning Board meeting where the application is scheduled for review.

(E) Review and Evaluation of Application

(1) All CUD applications shall be reviewed and acted upon in accordance with the review procedures for Class A Special Use Permits (Section 2.7).

(2) The following shall be considered when evaluating an application for a CUD:

(a) The policies and objectives of the Orange County Comprehensive Plan, particularly in relation to the use, proposed site, and surrounding area;

(b) The policies and objectives of any adopted Small Area Plan(s) relating to the area; and

(c) The potential impacts to the surrounding area including, but not limited, to: traffic, storm water drainage, compatibility of land use activities, and land values.

(3) The Board of County Commissioners may attach reasonable and appropriate conditions to the location, nature, and extent of the proposed use. Such conditions may address the following:

(a) The characteristics of the proposed use and its relationship to surrounding property and existing land uses,

(b) The proposed support facilities, such as parking, screening and buffer areas,

(c) The timing of the proposed development,

(d) Architectural review and controls,

(e) The Permitted and Special Uses allowed under the existing zoning classification, and,

(f) Other matters that the BOCC may find appropriate or the applicant may propose.

(F) Approval and Conditions

(1) The Board of County Commissioners shall take action on the application in the following manner:

(a) Approve or deny the application to change the zoning designation of the parcel to the appropriate CUD designation,

(b) Approve or deny the Special Use Permit application, and

(c) Approve or deny the CUD permit application.

(2) Specific conditions may be proposed by the applicant or the County, or its agencies, but only those conditions mutually agreed upon by the County and the petitioner may be incorporated into the SUP and/or CUD permit requirements.

(3) The applicant shall have a reasonable opportunity to consider and respond to any requirements/conditions requested by the County prior to final action by the Board of County Commissioners on the disposition of the CUD application. The applicant shall agree in writing to any conditions prior to a final decision on the application.

(G) Issuance of Permit

If an application for a CUD is approved, the Planning Director shall issue a CUD permit authorizing the development of the approved use. The CUD permit, including any conditions, shall become effective after being duly recorded by the applicant in the Orange County Register of Deeds.

Failure by the applicant to record the CUD permit within 180 days from the date of approval shall cause the permit to be deemed null and void.

(H) Effect of Approval

Once approved, the CUD that is established, and any conditions attached to the approval, is binding on the property. All subsequent development and use of the property shall be in accordance with the approved plan and conditions.

(I) Zoning Atlas Designation

Following approval of a CUD application/permit by the Board of County Commissioners, the property shall be identified on the zoning atlas by the appropriate parallel CUD designation. This designation is the general zoning district designation plus the letters "CU".

(J) Timeline for Development of Approved Uses

(1) Construction of the approved project must begin within 12 months of the approval of the permit. If no construction has started within the stated time frame the permit becomes null and of no effect.

(2) The property owner may request only one 6-month extension from the Board of County Commissioners upon the favorable recommendation of the Planning Board if the request is received before the permit expires.

~~**(3)** The application for an extension request shall be submitted a minimum of six months prior to the expiration of the permit.~~

~~**(K) Alterations to an Approved CUD**~~

~~**(1)** Changes to approved plans and conditions of development shall be treated as changes to the zoning atlas and shall be processed as an amendment to such as contained in Section 2.8.~~

~~**(2)** The Planning Director may approve minor changes without going through the amendment process. The Planning Director, at his/her discretion, may elect not to allow any proposal as a minor change and will forward the detailed application for changes to the Planning Board and Board of County Commissioners for consideration in accordance with the procedures outlined herein.~~

~~**(3)** A minor change is one that will not:~~

~~(a) Alter the basic relationship of the proposed development to adjacent property,~~

~~(b) Alter the approved land uses,~~

~~(c) Increase the density or intensity of development, and/or~~

~~(d) Decrease the off-street parking ratio or reduce the buffer yards provided at the boundary of the site.~~

~~2.9.2~~2.9.1 Conditional ~~Zoning~~ Districts ~~(CZD)~~

(A) Generally

Only those uses listed on the Table of Permitted Uses in Section 5.2 for a specific Conditional ~~Zoning~~ District and detailed in Section 3.8 of this Ordinance shall be developed.

(B) Applications

Applications to rezone property to a ~~CZD~~ Conditional District shall be submitted to the Planning Director and shall be processed in accordance with the procedure(s) for:

(1) Zoning Atlas amendment (Section 2.8),

(2) Site plans (Section 2.5) for ~~CZDs~~ Conditional Districts that require a site plan, and

(3) The provisions of this Section.

(C) Submittal Requirements

(1) In addition to the ~~CZD~~ Conditional District application form, an applicant shall also submit the following information:

(a) A site plan prepared in accordance with the provisions of Section 2.5 of this Ordinance, except for Master Plan Development (MPD)-~~CZD~~ CD applications (see (C)(2) below).

(b) A detailed description of the proposed use of property including an outline of the proposed development.

(c) A detailed traffic survey, regardless of the estimated number of trips per day, prepared in accordance with all applicable North Carolina Department of Transportation (NC DOT) requirements or standards as well as Section 6.17 of this Ordinance.

(d) The appropriate Environmental Document prepared in accordance with Section 6.16.

(e) A landscape plan showing the location of on-site significant trees; proposed screening, buffers, and landscaping; and any proposed treatment of any existing natural features.

(f) A summary of utility services, including processing of wastewater. For Home Park (HP) ~~CZD~~CD, the utility service plan shall specify if the proposed services are temporary or permanent connections.

(g) A schedule of construction of all elements of the proposal.

(h) Any other information identified during the pre-application conference deemed essential to demonstrate the project's compliance with these regulations.

(2) In lieu of the requirements in (1)(a) above, an application for a Master Plan Development (MPD) ~~CZD~~ CD shall include the requirements in Section 6.7. The requirements of (1)(b) through (1)(h) above are applicable for MPD-~~CZ~~ CD applications.

(3) 26 copies of the application package required in (1) and (2) above shall be submitted by the applicant.

(4) The Planning Board and/or Board of County Commissioners may request additional information in order to evaluate and properly process the application for a ~~CZD~~Conditional District.

(D) Neighborhood Information Meeting

(1) Before a Public Hearing may be held on an accepted application for a ~~CZD~~Conditional District, the applicant is required to schedule, with the assistance of the Planning Department, a minimum of one neighborhood information meeting. The purpose of this meeting is to obtain surrounding property owner input and comments on the proposed development project.

(2) The applicant shall obtain property owner mailing address information from the Orange County Planning Department and shall mail notices of the meeting date and time via first class mail to each property owner within one thousand feet of the property for which a ~~CZD~~ Conditional District has been requested.

(3) The notices shall be mailed a minimum of 14 days prior to the date of the proposed Neighborhood Information Meeting.

(4) The applicant shall post a sign on the property advertising the date, place, and time of the meeting a minimum of 10 days prior to the date of the meeting.

(5) The meeting shall be held a minimum of 14 days prior to the date of the Planning Board meeting where the application is scheduled for review.

(E) Review and Evaluation of Application

The review, processing, and evaluation of a ~~CZD~~ Conditional District application is a legislative process subject to judicial review using the same procedures and standards of review that apply to ~~general use~~conventional district zoning decisions.

(F) Approval and Conditions

(1) The Board of County Commissioners shall take action on the application to rezone the property in accordance with the procedures outlined within Section 2.8.

(2) The applicant or the County may recommend that reasonable and appropriate conditions be attached to the approval of the application.

(3) Conditions and site-specific standards shall be limited to those that address the conformance of the development to County ordinances, the adopted Comprehensive Plan, or any other relevant plans that address the impacts reasonably expected to be generated by the proposed development. Any such conditions may address:

(a) The compatibility of the proposed development with surrounding property,

(b) Proposed support facilities (i.e. roadways and access points, parking areas and driveways, pedestrian and vehicular circulation systems, screening and buffer areas, the timing of development, street and right-of-way improvements, storm water drainage, the provision of open space, etc), and/or

(c) All other matters the County may find appropriate or the petitioner may propose.

(4) Conditions of approval may include dedication to the County or State, as appropriate, of any rights-of-way or easements for streets, water, sewer, or other public utilities necessary to serve the proposed development.

(5) The applicant shall have a reasonable opportunity to consider and respond to any requirements/conditions requested by the County prior to final action by the Board of County Commissioners on the disposition of the application. The applicant shall agree in writing to any conditions prior to a final decision on the application.

(G) Effect of Approval

(1) Approval of a ~~CZD~~ Conditional District is binding on the property and the development and use of the subject property shall be governed by the Ordinance requirements applicable to the specific ~~CZD~~ Conditional District ~~district~~ and all approved conditions.

(2) The applicant shall comply with all requirements established in the ~~CZD~~ Conditional District approval Ordinance. Only those uses and structures included in the ~~CZD~~ Conditional District approval Ordinance and approved site plan shall be allowed on the subject property.

(H) Zoning Atlas Designation

Following approval of the ~~CZD district~~Conditional District by the Board of County Commissioners, the subject property shall be identified on the Zoning Atlas by the appropriate district designation.

(I) Alterations to an Approved ~~CZD~~Conditional District

(1) Except as provided in Section 6.7.2 for MPD-~~CZ~~ CD projects, changes to approved plans and conditions of development shall be treated as changes to the zoning atlas and shall be processed as an amendment to such as contained in this Article.

(2) The Planning Director may approve minor changes without going through the amendment process. The Planning Director, at his/her discretion, may elect not to allow any proposal as a minor change and will forward the detailed application for changes to the Planning Board and Board of County Commissioners for consideration in accordance with the procedures outlined herein.

(3) A minor change is one that will not:

(a) Alter the basic relationship of the proposed development to adjacent property,

(b) Alter the approved land uses,

(c) Increase the density or intensity of development, and/or

(d) Decrease the off-street parking ratio or reduce the buffer yards provided at the boundary of the site.

~~2.9.3~~2.9.2 Public Hearing and Notification Requirements ~~– CUD and CZD~~

The requirement for a public hearing shall follow the procedures for a Zoning Atlas Amendment in Section 2.8.6. Notice of the public hearing shall follow the procedures in Section 2.8.7.

SECTION 2.10: VARIANCES

2.10.1 Purpose

The procedures of this section authorize the Board of Adjustment to modify or vary regulations of this Ordinance when strict compliance with the regulation or standard would result in unnecessary hardships upon the subject property.

2.10.2 Application Requirements

(A) Applications for a Variance shall be submitted on forms provided by the Planning Department in accordance with Section 2.2 of this Ordinance. Ten copies of the application and supporting documentation shall be submitted.

(B) Applications shall include:

(1) The section reference, and copy of the existing regulatory language, that is the subject of the application,

(2) A description of the specific modification sought by the applicant. For example, if the request is for a modification of a corner lot setback requirement, the applicant shall provide the exact reduction of the established corner lot setback requested as part of the application,

(3) A plot plan, site plan, or other similar document(s) denoting the physical impact of the proposed request on the parcel,

(4) A narrative outlining the answers to the five required findings detailed within Section 2.10.4 of the Ordinance justifying the issuance of the variance, and

(5) Copies of any additional information deemed essential by the applicant justifying the approval of the request.

2.10.3 Burden of Proof

Applicants shall have the burden of establishing by competent material and substantial evidence, in the form of testimony, exhibits, documents, models, plans, and other materials, that the application meets the requirements for approval of a Variance

2.10.4 Authorized Variances

A variance may be approved by the Board of Adjustment in cases where unnecessary hardships would result from carrying out the strict letter of the Ordinance, when substantial evidence in the official record of the application supports all of the following findings:

(A) Unnecessary hardship would result from the strict application of the Ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

(B) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or general public, may not be the basis for granting a variance.

(B) The Board of Adjustment is not authorized to grant a variance that would permit a use in a district where that use is neither a Permitted Use nor a Special Use.

2.10.9 Review Procedures

(A) Applications for a Variance shall be reviewed and acted upon by the Board of Adjustment in accordance with the procedures contained in Section 2.12 of this Ordinance.

(B) The Planning Director shall complete an assessment of the application and provide a recommendation on the disposition of the application.

(C) The assessment shall be introduced at the hearing and become part of the record.

2.10.10 Findings of Fact

(A) Required findings of fact, as listed in Section 2.10.4, shall be made in the indicated order by the Board of Adjustment.

(B) The Board of Adjustment is not empowered to grant a variance without an affirmative finding of fact supported by substantial evidence in the record of proceedings before the Board.

2.10.11 Conditions of Approval

The Board of Adjustment may impose appropriate conditions provided that such conditions are reasonably related to the variance.

2.10.12 Notice Requirements

Notice of matters before the Board of Adjustment shall follow the procedures in Section 2.12.6.

SECTION 2.11: INTERPRETATIONS

2.11.1 Generally

An appeal from an order, requirement, decision or determination of the Planning Director shall be decided by the Board of Adjustment based upon its findings of fact and to achieve the intent of this Ordinance. In exercising this power, the Board of Adjustment shall act in a prudent manner so that the purposes of this Ordinance shall be served. The effect of the decision shall not be to vary the terms of this Ordinance nor add to the list of Permitted Uses in the districts.

2.11.2 Application Requirements

(A) Applications for an appeal of an interpretation of a decision, file determination, directive, Notice of Violation, or other similar determination shall be submitted on forms provided by the Planning Department in accordance with Section 2.2 of this Ordinance. Ten copies of the application and supporting documentation shall be submitted.

(B) Applications must be received by the Planning Director no later than 30 days after the decision, file determination, directive, Notice of Violation, or other similar determination was made.

2.11.3 Burden of Proof

Applicants shall have the burden of establishing by competent material and substantial evidence, in the form of testimony, exhibits, documents, models, plans, and other materials, that the application meets the requirements for approval of an ~~Variance~~appeal ~~of~~from an order, requirement, decision, or determination of the Planning Director. ~~interpretation.~~[52]

[52] Correct existing error in the text.

(B) The Board shall act on any appeal of a Stop Work Order issued by the Planning Director at its next regularly scheduled meeting or at a special meeting called for that purpose.

2.12.2 Quasi-Judicial Proceedings

(A) The Board of Adjustment acts in a quasi-judicial capacity. However, it is not intended that its proceedings be conducted as formally as those before courts.

(B) The rules of procedure and evidence set forth in this Ordinance shall be followed to protect the interests of all parties and the public.

(C) The presiding officer shall administer oaths to all witnesses and shall make rulings necessary to preserve fairness, order, or proper decorum in any matter before the Board of Adjustment. Any person who, while under oath during a proceeding before the Board, willfully swears falsely is guilty of a Class I misdemeanor.

(D) Any member of the Board of Adjustment or any interested party may object to, and the presiding officer may exclude, any evidence, testimony, or statement that is deemed incompetent, irrelevant, immaterial, or unduly repetitious and therefore fails to reasonably address the issues before the Board of Adjustment.

2.12.3 Evidence and Testimony

(A) Interested Party and Objections

(1) Any interested party ~~may~~ shall be permitted to[53] present evidence or testimony, cross-examine witnesses, inspect documents, and offer evidence or testimony in explanation or rebuttal.

(2) Any member of the Board of Adjustment may question any interested party.

(3) Persons other than interested parties may ~~make~~ offer competent, relevant, and material ~~comments~~testimony or evidence that is not repetitive as allowed by the ~~b~~Board.

(4) Administrative materials such as applications, staff reports, and other relevant administrative materials shall become part of the hearing record and may be provided in written or electronic form.[54]

(a) Administrative materials shall be distributed to the applicant and to the landowner, if that person is not the applicant, at the same time they are distributed to the Board.

(b) Objections to inclusion or exclusion of administrative materials may be made before or during the hearing. Rulings on unresolved objections shall be made by the Board at the hearing.

~~(3)~~**(5)** Objections regarding jurisdictional and evidentiary issues, including but not limited to, the timeliness of an appeal or the standing of a party, may be made to the Board. The Board chair shall rule on any objections and the chair's ruling may be appealed to the full Board.[55]

(B) Subpoenas

(1) The Board of Adjustment may subpoena witnesses and compel the production of evidence.

[53] Conform language to NCGS 160D-406(d). Note the definition of Interested Party in Article 10: it is a person who has legal standing to appeal the decision, as further defined in NCGS 160D-1402(d).
[54] Conform language to NCGS 160D-406(c).
[55] New provision in NCGS 160D-406(d).

(2) To request issuance of a subpoena, persons with standing as detailed under NCGS ~~160A-939(d),~~ 160D-1402(c), shall make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas in those cases where testimony or evidence is deemed to be relevant, reasonable in nature and scope, and not oppressive.

(3) The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be appealed to the full Board.

(4) If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the Board of Adjustment, or the party seeking the subpoena, may apply to the General Court of Justice for an order requiring that its order be obeyed, and the Court will have jurisdiction to issue those orders after notice to all proper parties.

(5) No testimony of any witness before the Board of Adjustment, pursuant to a subpoena issued in exercise of the power conferred by this subsection, may be used against the witness in any civil or criminal action, other than a prosecution for false swearing committed on the examination.

(6) Anyone who, while under oath during a proceeding before the Board of Adjustment, willfully swears falsely, is guilty of a Class 1 misdemeanor.

2.12.4 Quorum and Vote Required

(A) A quorum of the Board is necessary to conduct any business and shall consist of four members.

(B) The affirmative vote of four of the members of the Board shall be necessary in order to effect any variation in this Ordinance.

(C) A majority of the members shall be required to decide on the issuance of a ~~Class B~~ Special Use Permit or an appeal application.

2.12.5 Notification of Board Action

(A) Within five working days after Board action, the Planning Director shall have available in the Planning Department's office a notice of decision of the Board's action.

(B) The Planning Director shall notify the parties to an application or appeal of the Board's disposition. This includes the applicant, the property owner if different from the applicant, or any individual who has submitted a written request for a copy prior to the date the decision becomes effective. This notice shall be made by registered or certified mail within five working days of the Board's actions.

(C) The Planning Director shall keep a copy of the Board's action on file.

2.12.6 Notice Requirements for Matters Before the Board[56]

~~**(A)** The Board shall give notice of matters coming before it by causing notice to be placed in a newspaper of general circulation in Orange County. The notice shall appear once a week for two consecutive weeks, the first insertion to be not less than ten days nor more than 25 days prior to the meeting date. In computing the notice period, the day of publication is not to be included, but the day of the hearing is to be included.~~

~~**(B)**~~**(A)** Notice for Special Use Permit or Variance applications shall follow the process in Section 2.7.6. ~~In the case of application for a Class B Special Use permit or variance the Planning Director shall give written notice by first class mail to adjacent property owners. This notice shall be mailed at least ten days but not more than 25 days prior~~

[56] Notice requirements for Special Use Permits are covered in Section 2.7.6 and do not need to be repeated here.

~~to the meeting date. Adjacent property owners are those whose property lies within one thousand feet of the affected property and whom are currently listed as property owners in the Orange County tax records. The outside of the envelope or postcard shall be marked "Notice of Public Hearing."~~

~~(C)~~(B) ~~The Planning Director shall post on the affected property a notice of the Board meeting at least ten days but not more than 25 days prior to the meeting date.~~

~~(D)~~(C) In the case of an appeal of a Stop Work Order issued by the Planning Director, the Planning Director shall give written notice by certified mail to the property owner, and/or person(s) engaged in the alleged violation. Notification of adjacent property owners, posting of property, and publication of a hearing notice is not required.

SECTION 2.13: EXEMPT SUBDIVISIONS

2.13.1 Generally

(A) Persons proposing divisions of land that do not constitute a subdivision must request a determination of an exempt subdivision status with the Planning Director. Activities that do not constitute a subdivision are found in Section 7.2.1.

(B) One copy of the final mylar plat and three paper copies of the plat shall be submitted with the request for a determination for an exempt subdivision.

(C) Exempt subdivisions shall comply with all applicable non-plat requirements of this Ordinance.

2.13.2 Review and Action

(A) Following receipt of a request for a determination of an exempt subdivision status, the Planning Director shall make a determination of the land division's exempt or nonexempt status.

(B) If the Planning Director determines that the proposed land division does not constitute a subdivision, the Planning Director shall certify the proposed land division as exempt and include the necessary statement on the plat certifying same.

(C) If the Planning Director determines that the proposed land division constitutes a subdivision, the applicant shall be informed of such in writing and shall be required to submit the appropriate Subdivision application.

SECTION 2.14: MINOR SUBDIVISIONS

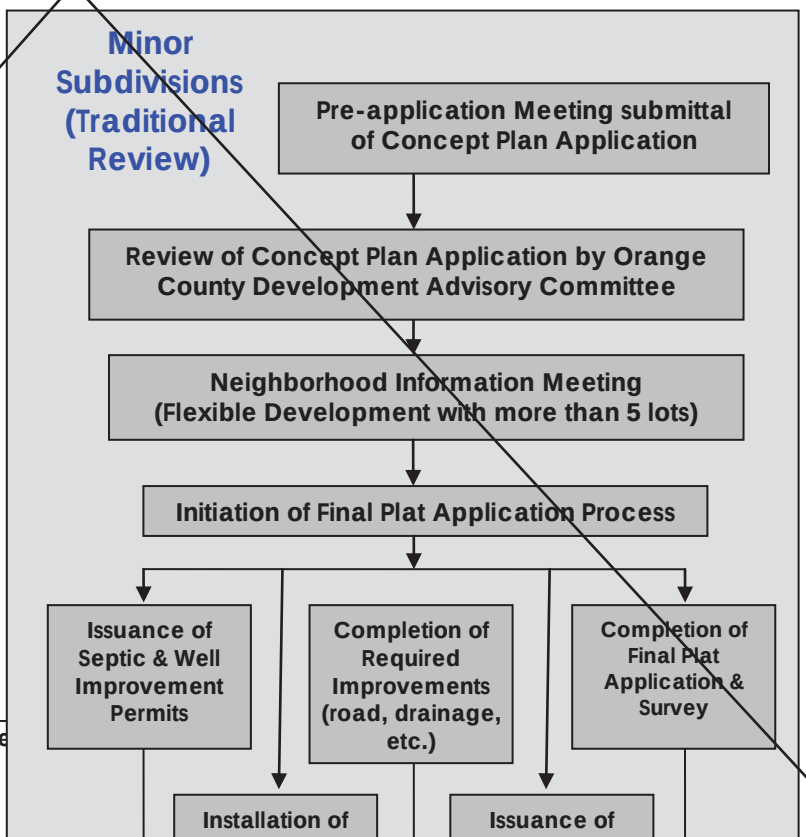
2.14.1 Review and Decision Processes and Flow Charts

Review and approval of Minor Subdivision applications shall adhere to the process detailed herein. The applicant shall demonstrate compliance with the development standards contained in Article 7 of this Ordinance.

2.14.2 Types of Review

(A) Traditional Review

Minor subdivisions that do not qualify for Expedited Review under Section 7.2.2 of this Ordinance, shall adhere to the



traditional review process comprised of a Concept Plan and Final Plat Application.

(B) Expedited Review

Subdivisions qualifying for Expedited Review under Section 7.2.2 of this Ordinance shall require only an application and plat for recordation.

2.14.3 Expedited Review

(A) Review and Action

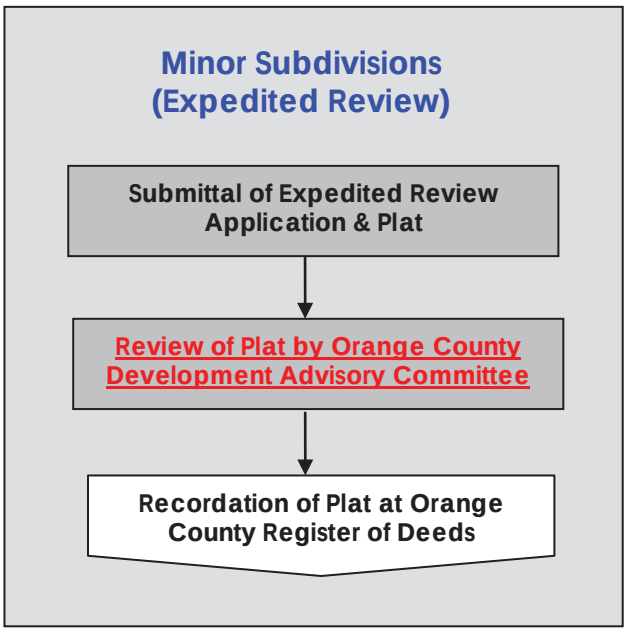
(1) The Planning Director shall determine if the plat and application conform with the requirements of Section 7.2.2 of this Ordinance.

(2) A completed application shall be entered into the permit record.

(3) The Planning Director shall make a final determination on the approval or denial of the application within five business days from the submittal of the application.

(4) If the application is approved, the Planning Director shall notify the applicant.

(5) If the application is denied, the Planning Director shall issue a letter to the applicant detailing the reasons for denial and identifying modifications necessary for potential approval.



(B) Action Subsequent to Approval

(1) The Planning Director shall sign the plat and accompany the applicant to the Office of the Register of Deeds for recording.

2.14.4 Concept Plan

The applicant shall prepare a sketch plan of the proposed subdivision and schedule an appointment with the Planning Department for initial review and consultation. During this initial meeting the Planning Department shall advise the subdivider or his/her authorized agent of the regulations pertaining to the proposed subdivision, of any obvious changes required in order to comply with the provisions of this Ordinance, and the procedures to be followed in the preparation and submission of the Concept Plan.

(A) Application Requirements

(1) Applications shall be submitted on forms provided by the Planning Department in accordance with Section 2.2 of this Ordinance.

(2) Applications shall include:

(a) Two copies of the scaled Concept Plan, drawn to the specifications outlined in Section 7.14.1.

(b) A vicinity map showing the location of the subdivision in relation to the existing street or highway system.

(c) A soils classification map for the property.

(d) A topography map of the property.

(e) A map showing any environmentally sensitive areas on the property (i.e. streams, wetlands, special flood hazard areas, zoning overlay districts, conservation easements, etc.).

(f) For Minor Subdivisions utilizing the Flexible Development Option, a Plan illustrating proposed lots for residential use and Common Open Space (Primary and Secondary) as well as the treatment of passive and active open space areas (e.g., natural/undisturbed areas, trails, recreational amenities).

(B) Neighborhood Information Meeting for Minor Subdivisions utilizing the Flexible Development Option ~~with more than 5 lots~~

(1) A minor subdivision application using the Flexible Development Option shall require a Neighborhood Information Meeting if it proposes more than five lots, excluding open space.[57]

~~(1)~~(2) Upon acceptance of a Concept Plan application, the Planning Director shall schedule a Neighborhood Information Meeting (NIM) and mail notices of the meeting to each owner of property within one thousand feet of the property proposed to be subdivided.

~~(2)~~(3) Notices of the NIM shall be mailed by first class mail at least ten days prior to the date of the meeting.

~~(3)~~(4) The Planning Director shall place a sign on the affected property indicating the total number of lots proposed, the date, time, and location of the NIM; and the Planning Department telephone number. The sign shall be posted on the affected property at least seven days prior to the NIM. The NIM shall be held ~~a~~ prior to Final Plat Application submittal.

~~(4)~~(5) At the NIM, the applicant shall be available to answer questions about the proposed subdivision, and to receive comments from neighboring property owners for the purpose of improving the proposed subdivision design.

~~(5)~~(6) The Planning Director shall explain the subdivision approval process and neighboring property owners may speak with regard to specific concerns and/or issues.

(C) Review and Action

(1) The Planning Department shall review the Concept Plan for general compliance with the requirements of this Ordinance.

(2) A completed Concept Plan application shall be entered into the permit record and placed on the agenda of the next available meeting of the Development Advisory Committee (DAC).

(3) The DAC shall review the Concept Plan for general compliance with established Subdivision development standards detailed in Article 7 of this Ordinance as well as compliance with other applicable local and State regulations.

(a) The review shall include determining the presence of any sites identified in "An Inventory of Sites of Cultural, Historic, Recreational, Biological and Geological Significance in the Unincorporated Portions of Orange County" and "Inventory of the Natural Areas and Wildlife Habitats of Orange County, North Carolina".

(4) The DAC shall make a recommendation to the Planning Director regarding the application no later than five business days after the DAC meeting.

(5) The Planning Director shall make a final determination on the approval or denial of the application within five business days from the submittal of the DAC recommendation.

[57] Although not related to 160D, staff is suggesting this clarifying language be added in response to recent questions that were asked about the process.

There are no changes on this page - it's included to give context to the deletion of the next page.

(d) County Attorney,

(e) Orange County Environmental Health,

(f) Orange County Erosion Control,

(g) Orange County Engineering,

(h) Public Utility Companies, and

(i) Orange County Department of Environment, Agriculture, Parks and Recreation (DEAPR).

(4) Reviewers shall provide a certification to the Planning Director of the suitability, provisional suitability, or unsuitability of the proposal. Recommendations of the reviewers may be incorporated as conditions of approval of the subdivision.

(5) The Planning Director shall take action on an application solely on his/her findings as to compliance with applicable regulations and conditions and shall either:

(a) Approve the application; or

(b) Approve the application with conditions; or

(c) Deny the application.

(6) The Planning Director shall notify the applicant of the action in writing.

(C) Action Subsequent to Approval

(1) The applicant shall submit a reproducible mylar original of the Final Plat to the Planning Director for endorsement within one year of Final Plat approval.

(2) The Planning Director may grant an extension of this time limit to one-year from the original date of expiration if the applicant files an extension application in accordance with Section 2.2.

(3) The Planning Director shall obtain all required certification signatures and shall endorse approval of the approved Final Plat on a reproducible mylar original after all other certification signatures have been obtained. The Planning Director shall prepare the Declaration of Restrictions.

(4) The Planning Director shall notify the applicant when all required certification signatures have been obtained and County Attorney review is complete. The applicant shall then make an appointment with the Planning Director to have the approved plat and any associated documents necessary to assure conformance with regulations recorded in the Officer of the Register of Deeds. The approved plat and any associated documents must be recorded within 90 days after the Planning Director's endorsement of approval.

(5) The Planning Director shall accompany the applicant to the Register of Deeds Office to ensure the approved plat and any required documents are recorded in the correct order and to fill in the book and page references, where applicable. Documents shall be numbered in the order they are to be recorded. The order is as follows:

(a) Approved plat

(b) Road Maintenance Agreement, if required

(c) Declaration of Restrictions

(d) Homeowners/Property Owners' Association documents, if required

(6) If the approved plat is not recorded within the specified time period, the plat is void.

~~(7) Any plat or portion thereof not receiving final plat approval within the time period set forth in (5) above shall be null and void except under the following conditions:~~

~~(a) The subdivision is built in sections or phases, and a phasing plan was approved as part of the Preliminary Plat;~~

~~(b) The period between the approval date of the Preliminary Plat and the approval date of the Final Plat for the first phase does not exceed one year; and~~

~~(c) The period between the approval date of the Final Plat of the first phase and the approval date(s) of the Final Plat(s) of any subsequent phase(s) does not exceed the time limits specified in the phasing plan of the Preliminary Plat. If no phasing plan is indicated, then the period between Final Plat approvals shall not exceed six months.~~

~~(8) If a phasing plan for construction of the subdivision is approved, the expiration date of the Preliminary Plat shall be governed by the time period(s) approved as part of the phasing plan.~~[58]

~~(9)~~(7) The Planning Director may extend the deadline for recordation provided the applicant can demonstrate a good faith effort to comply with the deadline, but for reasons beyond his/her control, fails to meet the requirements for recordation within the specified period.

~~(10)~~(8) All final plats shall conform to drawing specifications and certification requirements for Final Plats contained in Section 7.14.3 of this Ordinance.

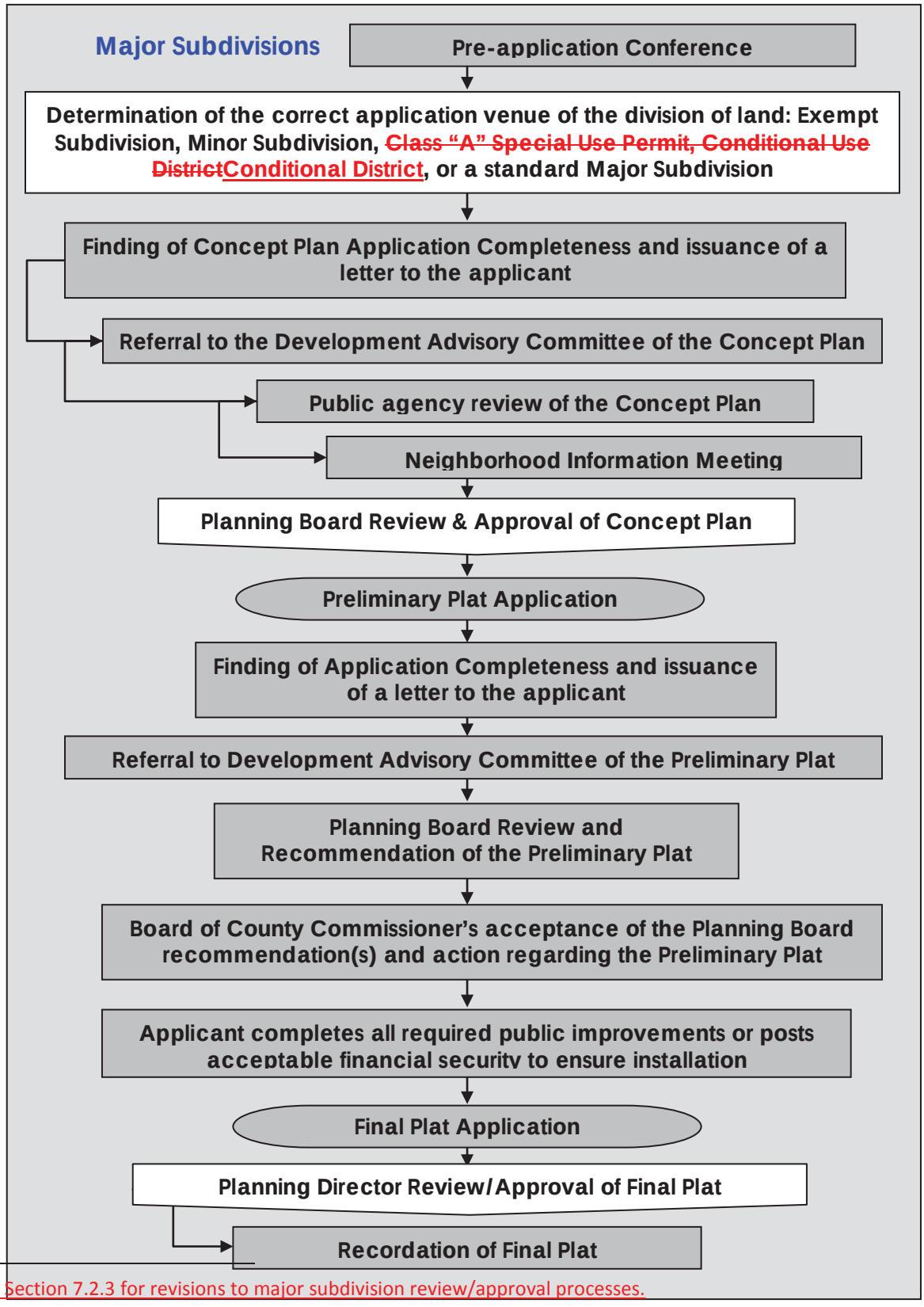
~~(11)~~(9) Recordation of the approved final plat, and any required auxiliary documentation shall be with the advice and consent of the Planning Director.

[58] The requirements of (7) and (8) are long-standing errors from the former "Subdivision Regulations" since neither preliminary plats nor phasing is applicable to minor subdivisions. Staff suggests correcting this error at this time.

SECTION 2.15: MAJOR SUBDIVISIONS

2.15.1 Review and Decision Process Flow Chart[59]

The review and approval process for a Major Subdivision is shown in the procedure's flowchart.



[59] See Section 7.2.3 for revisions to major subdivision review/approval processes.

(6) Number 10 (business) sized envelopes with first class postage affixed addressed to each owner of property within ~~500~~1,000[60] feet of the property proposed to be subdivided. The names and addresses of property owners shall be based on the current listing as shown in the Orange County Land Records System.

(D) Neighborhood Information Meeting

(1) Upon acceptance of a Concept Plan application, the Planning Director shall schedule a Neighborhood Information Meeting (NIM) and mail notices of the meeting to each owner of property within one thousand feet of the property proposed to be subdivided.

(2) Notices of the NIM shall be mailed by first class mail at least ten days prior to the date of the meeting.

(3) The Planning Director shall place a sign on the affected property indicating the total number of lots proposed, the date, time, and location of the NIM; and the Planning Department telephone number. The sign shall be posted on the affected property at least seven days prior to the NIM. The NIM shall be held a minimum of 14 days prior to the Planning Board meeting at which the concept plan is scheduled to be reviewed.

(4) At the NIM, the applicant shall be available to answer questions about the proposed subdivision, and to receive comments from neighboring property owners for the purpose of improving the proposed subdivision design.

(5) The Planning Director shall explain the subdivision approval process and shall identify meeting dates of the Planning Board and Board of Commissioners at which neighboring property owners may speak with regard to specific concerns and/or issues.

(E) Planning Director Review Procedures

(1) The Planning Director shall prepare and submit a recommendation to the Planning Board which shall include the following:

(a) A written analysis of the Concept Plan;

(b) The Concept Plan's general compliance with the requirements of this Ordinance, the Comprehensive Plan, and other applicable codes and ordinances; and

(c) The comments of neighboring property owners expressed at the Neighborhood Information Meeting.

(d) Which Development Option Plan is recommended for eventual Preliminary Plat processing.

(2) The Planning Director shall be permitted to defer the application and recommendation for one meeting beyond the Planning Board meeting at which the application is scheduled to be heard.

(F) Planning Board Review and Approval Procedures

(1) After receiving the Planning Director's report and recommendation, the Planning Board shall consider the Concept Plans and take action on the proposals.

(2) The Planning Board shall base its action on its findings as to the conformity of the proposals with all applicable regulations and shall:

(a) Approve one Development Option;

(b) Approve one Development Option subject to conditions; or

(c) Deny the Development Options.

[60] Correct distance requirement. See (D)(1) below.

(3) The Planning Board shall vote on whether the development should proceed as a Conventional Development Option or as a Flexible Development Option.

(a) If that vote approves the Development Option recommended by the Planning Director, the vote by the Planning Board is the final decision on whether the development proceeds as a Conventional Development Option or as a Flexible Development Option.

(b) If the Planning Board vote is other than one approving the Development Plan Option recommended by the Planning Director, the application shall be forwarded to the Board of County Commissioners for a decision on whether the development shall proceed as a Conventional Development Option or as a Flexible Development Option.

(4) If the Planning Board approves a Development Option subject to conditions, such conditions shall be reasonable and shall seek to ~~insure~~ ensure compliance with applicable regulations.

(5) If the Planning Board denies both Development Options, the reasons for the denial shall be stated in writing to the applicant and entered into the minutes of the meeting at which such action was taken.

(6) If the Planning Board fails to take action within two regularly scheduled meetings, or extension thereof to a date certain, if such extension is agreed to by the applicant, the application shall be forwarded to the Board of County Commissioners with the Planning Board minutes and the Planning Director's recommendation.

(G) Actions Subsequent to Approval

(1) If a Concept Plan Development Option is approved or approved with conditions, the Planning Board Chair shall endorse the approval on three copies of the approved Development Option. Two copies of the approved Development Option shall be retained by the Planning Department, and one copy shall be returned to the subdivider or his/her authorized agent. One copy of the unapproved Development Option shall be retained by the Planning Department for its files. The unapproved Development Option shall be stamped "NOT APPROVED".

(2) Upon approval of a Concept Plan Development Option by the Planning Board, the subdivider may then proceed with the preparation of a Preliminary Plat that is consistent with the approved Concept Plan.

(3) The applicant shall have two years from the date of approval of the Concept Plan Development Option by the Planning Board to prepare and file an application for Preliminary Plat approval. If a Preliminary Plat for subdivision has not been submitted within the specified time limit, the Concept Plan Development Option shall become null and void.

2.15.3 Preliminary Plat

(A) Generally

(1) Application and approval procedures specified in this sub-section apply to all Preliminary Plats except and to the extent that applicable Unified Development Ordinance application and approval procedures pertain.

(2) The applicant of a major subdivision ~~not otherwise classified as a Major Subdivision, Class A Special Use (Rural Designated or Urban Designated) or a Major Subdivision, Conditional Use (Rural Designated or Urban Designated)~~ may choose to vest the Preliminary Plat for a longer time period than is otherwise provided by this Section. If the applicant wishes to exercise this option, the application approval procedures ~~required for Class A Special Uses shall apply as specified in Section 2.5 of this Ordinance for a Site Plan Special Use~~in Section 2.5.5 shall apply.

~~**(3)** Those subdivisions of land which are a Class A Special Use shall comply with all applicable requirements of this Ordinance.~~

(B) Application Requirements

For every subdivision within the territorial jurisdiction established by Article 1 of this Ordinance, and which does not qualify for exempt or minor subdivision approval procedures, the subdivider shall submit a Preliminary Plat which shall be reviewed by the Planning Board and approved by the Board of Commissioners before any site disturbance, construction or installation of improvements may begin.

(1) Applications shall be submitted on forms provided by the Planning Department in accordance with Section 2.2 of this Ordinance.

(2) Applications shall include:

(a) Major subdivision checklist form as prescribed by the Planning Department;

(b) 25 copies of the Preliminary Plat of the proposed subdivision prepared in accordance with Section 7.14.2(B) of this Ordinance;

(c) An Orange County Tax Map showing the location of the parcel to be subdivided;

(d) A copy of the Preliminary Plat indicating the Health Department's soils analysis approval/denial for each lot shown thereon;

(e) A written statement by the applicant or his/her authorized representative which sets forth the justification for a private road, if applicable;

(f) Auxiliary documents, in draft form, prepared in accordance with Article 7 of this Ordinance which assure completion and/or maintenance of improvements required by this Ordinance, including, but not limited to: private road maintenance agreement, homeowner's association articles of incorporation, and homeowner's association restrictive covenants;

(g) A statement describing the methods proposed to protect environmental resources identified in "An Inventory of Sites of Cultural, Historic, Recreational, Biological and Geological Significance in the Unincorporated Portions of Orange County" and "Inventory of the Natural Areas and Wildlife Habitats of Orange County, North Carolina"; and

(h) An Orange County Floodplain Development Permit, if applicable.

(C) Planning Director Review Procedures

(1) Upon acceptance of a preliminary plat application, the Planning Director shall determine if the plat and application conform with all applicable regulations, including any applicable conditions of an approved Special Use Permit.

(2) Any required auxiliary documents shall be submitted by the Planning Director to the County Attorney for review and recommendation.

(3) Upon receipt of a complete Preliminary Plat application, the Planning Director shall submit copies of the Preliminary Plat and any accompanying material to the following officials and agencies for review and comment:

(2) All interested persons shall be given the opportunity to speak and ask questions regarding the application at the meeting. The Planning Board may place reasonable and fair limitations on comments, arguments and questions to avoid undue delay.

(3) The Planning Board shall take action on the application solely on its findings of compliance with applicable regulations and conditions and shall recommend:

(a) approval of the application;

(b) approval with conditions; or

(c) denial of the application.

(4) If the Planning Board fails to take action within two regularly scheduled meetings, or extension thereof, if agreed to by the applicant, the application shall be forwarded to the Board of County Commissioners with the Planning Board minutes, and the Planning Director's recommendation, and any conditions.

(5) If the Planning Board approves the application with conditions, such conditions shall be reasonable and shall seek to ~~insure~~ ensure compliance with applicable regulations and the provision of utilities and/or other facilities needed to serve the proposed development.

(6) If the Planning Board recommends approval with conditions, the applicant may amend his/her application to conform to all or some of the conditions, provided the Planning Director reviews the amended application for compliance with applicable regulations and certifies that the amendments conform to the conditions of the Planning Board recommendation. In such cases, the Planning Director may amend his/her report to conform to any or all of the Planning Board's recommendations. The Planning Director shall then forward his/her report and the Planning Board's recommendation to the Board of County Commissioners for consideration at its next available ~~regularly scheduled~~ business[61] meeting.

(7) The Planning Board shall also make a recommendation regarding a Resolution of Approval. The Resolution of Approval shall contain items on which clarity and direction to the applicant and/or developer may be necessary. These items include, but are not limited to:

(a) Sewage disposal issues,

(b) Roads and access issues,

(c) Land use buffers and landscaping issues,

(d) Drainage issues,

(e) Parkland and recreation issues, and

(f) Other environmental issues.

(E) Board of County Commissioners Review and Approval Procedures

(1) The Board of County Commissioners shall receive the Planning Director's report and the Planning Board's recommendation.

(2) Preliminary Plat applications shall be placed on a Board of County Commissioners ~~regularly scheduled~~ business meeting agenda within 90 days of the Planning Board recommendation. The Board of County Commissioners shall act upon the application within a reasonable amount of time. During deliberations and consideration of the application the Board of County Commissioners may include the reasons for the need for additional analysis and review.

[61] Necessary to clarification on BOCC meeting s which were modified in recent years.

(3) All interested persons shall be given the opportunity to speak and ask questions regarding the application at a ~~regularly scheduled~~business meeting. The Board of County Commissioners may place reasonable and fair limitations on comments, arguments and questions to avoid undue delay. The Board of Commissioners shall base its action on its findings of conformity with all applicable regulations and shall:

(a) Approve the application;

(b) Approve the application with conditions; or

(c) Deny the application.

(4) If the Board of County Commissioners approves the application with conditions, such conditions shall be reasonable and shall seek to ~~insure~~ ensure compliance with applicable regulations and the provision of utilities and/or other facilities needed to serve the proposed development.

(5) If the Board of County Commissioners approves the application with conditions or denies the application, the reasons for such decision shall be stated in writing to the applicant and entered into the minutes of the meeting at which such action was taken.

(6) The Board of County Commissioners shall also take action on the Resolution of Approval.

(F) Actions Subsequent to Approval

(1) Upon approval of the Preliminary Plat by the Board of County Commissioners, the subdivider may proceed with the preparation of the Final Plat, and the installation of or arrangement for required improvements in accordance with the approved Preliminary Plat and the requirements of this Ordinance.

(2) If the application is approved or approved with conditions, the Planning Director may issue applicable development permits required to construct, install, and use improvements approved as part of the Preliminary Plat approval.

(3) No building permits shall be issued to develop any lot or parcel shown on the approved Preliminary Plat until a Final Plat showing such lot or parcel is approved and recorded in compliance with Section 2.15.4.

(4) If the applicant proposes to substantially amend or modify his/her application Preliminary Plat after the Board of County Commissioners have has approved the Preliminary Plat, the applicant shall submit an amended application for review as a new application.

(5) The approval of a Preliminary Plat shall be effective for a period of one year from the date of approval by the Board of County Commissioners. By the end of said time period, approval of the Final Plat must have been obtained from the Planning Director, although the plat need not have been recorded in the Office of the Register of Deeds.

(6) Any plat or portion thereof not receiving final plat approval within the time period set forth in (5) above shall be null and void except under the following conditions:

(a) The subdivision is built in sections or phases, and a phasing plan was approved as part of the Preliminary Plat;

(b) The period between the approval date of the Preliminary Plat and the approval date of the Final Plat for the first phase does not exceed one year; and

(E) Review and Approval Procedures

(1) Upon acceptance of a Final Plat application, the Planning Director shall determine if the plat and application conform with all applicable regulations, including any applicable conditions of an approved Special Use Permit.

(2) Auxiliary documents as required by Article 7 shall be submitted by the Planning Director to the County Attorney for review and recommendation.

(3) Upon receipt of the recommendation of the County Attorney, the Planning Director shall take action on an application solely on findings of conformity with all applicable regulations and shall:

(a) Approve the application;

(b) Approve the application with conditions; or

(c) Deny the application.

(4) If the Planning Director approves the application with conditions, such conditions shall be reasonable and shall seek to ~~insure~~ ensure compliance with applicable regulations.

(5) If the Planning Director approves the application with conditions or denies the application, the reasons for such decision shall be stated in writing to the applicant.

(F) Actions Subsequent to Approval

(1) If the application is approved or approved with conditions, the applicant shall submit a reproducible mylar original of the Final Plat to the Planning Director for endorsement within one year of Final Plat approval.

(2) The Planning Director shall obtain all required certification signatures and shall endorse approval of the approved Final Plat on the reproducible mylar original after all other certification signatures have been obtained. The Planning Director shall prepare the Declaration of Restrictions.

(3) The Planning Director shall notify the applicant when all required certification signatures have been obtained and County Attorney review is complete. The applicant shall then make an appointment with the Planning Director to have the approved plat and any associated documents necessary to ~~assure~~ ensure conformance with regulations recorded in the Office of the Register of Deeds. The approved plat and any associated documents must be recorded within 90 days after the Planning Director's endorsement of approval.

(4) The Planning Director shall accompany the applicant to the Register of Deeds Office to ensure the approved plat and any required documents are recorded in the correct order and to fill in the book and page references, where applicable. Documents shall be numbered in the order they are to be recorded. The order is as follows:

(a) Approved plat,

(b) Road Maintenance Agreement, if required,

(c) Declaration of Restrictions,

(d) Homeowners/Property Owners' Association documents, if required, and

(e) Any other associated documents.

(5) If the Final Plat is not recorded within the specified time period, the Final Plat is void.

(6) The Planning Director may extend the deadline for recordation, provided the applicant can demonstrate a good faith effort to comply with the deadline, but for reasons beyond his/her control, fails to meet the requirements for recordation within the specified period.

(7) All Final Plats shall conform to drawing specifications and certification requirements for Final Plats contained in Section 7.14.3 of this Ordinance.

(8) Recordation of the approved final plat, and any required auxiliary documentation shall be with the advice and consent of the Planning Director.

2.15.5 Certificate of Adequacy of Public School Facilities

No approval of a major subdivision preliminary plat or a minor subdivision final plat for a residential development shall become effective unless and until a Certificate of Adequacy of Public School Facilities (CAPS) for the project has been issued by the relevant School District.

See Section 6.19 for standards related to CAPS.

SECTION 2.16: SUBDIVISIONS IN THE ECONOMIC DEVELOPMENT, COMMERCIAL, AND/OR COMMERCIAL-INDUSTRIAL NODES

(A) All subdivisions in the Economic Development, Commercial and/or Commercial-Industrial Nodes, as identified in the Comprehensive Plan, shall submit an application in accordance with the requirements specified in Section 2.15.3(B).

(B) Initial review of all subdivisions in the Economic Development, Commercial and/or Commercial-Industrial Nodes shall be performed by the Planning Department.

(C) Following review by the Planning Department all subdivisions shall follow the major subdivision preliminary plat approval procedures specified in Section 2.15.3.

(D) All roads in the Nodes identified in (A) above are required to be public and constructed to North Carolina Department of Transportation standards.

(E) Final plat approvals shall follow the final plat approval procedures in Section 2.15.4.

(F) Additional Requirements for Hillsborough Economic Development District:[62]

(1) When a ~~MPD-CZ~~Conditional District rezoning petition is approved, and the tract that is subject of said rezoning is proposed to be subdivided, all provisions of Article 7 shall be satisfied.

(a) The applicant may obtain approval of the subdivision simultaneously with the approval of the rezoning if sufficient information (i.e. lot lines, lot size, etc) is shown on the site plan or at a later time.

(b) The subdivision shall be consistent with the terms of the ~~MPD-CZ and Special Use Permit, Class A (as applicable) that is~~ approved ~~along with the rezoning~~Conditional District petition.

(c) If the ~~Master Plan and Special Use Permit, Class A (as applicable) that is approved along with the MPD-CZ~~approved Conditional District rezoning petition establishes density, floor area, impervious surface, or similar limitations on the tract that is rezoned or any portion thereof, the subdivision final plat that creates lots out of any portion of the tract so encumbered shall indicate on the face of the plat with respect to each lot such limitations or restrictions as are necessary to ensure compliance with the ~~Master Plan and MPD-CZ~~Conditional District rezoning approval.

[62] The revisions in the subsection are necessary to conform the requirements to revisions in Article 3 (Hillsborough EDD districts) and revisions to the SUP process (see Section 2.7).

(i) For example, if the Master Plan or Site Plan associated with a ~~MPD-CZ~~Conditional District approval shows a ten-acre portion of the tract approved for retail development with a maximum floor area of 100,000 square feet, then if that ten acre area is subdivided, each lot so created shall show on the face of the plat the maximum building area that can be constructed on that lot.

SECTION 2.17: VACATION OF RECORDED PLATS AND ROAD ABANDONMENT

2.17.1 Generally

(A) Lots Unsold

The owner of a parcel subject to an approved plat may vacate the plat at any time before any lot in the plat is sold. The plat is vacated when a signed, acknowledged instrument declaring the plat vacated is approved and recorded in the manner prescribed for the original plat.

(B) Lots Sold

If lots in the plat have been sold or built upon, the plat, or any part of the plat, may be vacated on the application of all the owners of lots in the plat with approval obtained in the manner prescribed for the original plat.

2.17.2 Initiation

The owner or owners of lots in any approved subdivision must initiate a plat vacation by filing an application with the Planning Director.

2.17.3 Application Requirements

(A) Applications shall be submitted on forms provided by the Planning Department in accordance with Section 2.2 of this Ordinance.

(B) Applications shall include:

(1) Copy of the approved/recorded plat,

(2) A narrative outlining the reason(s) for the request,

(3) A legal description of the total area sought to be altered or vacated,

(4) A legal description of any easements or other similar restrictions affecting the property,

(5) A list of those individuals, corporations, or other entities holding an ownership interest in the property,

(6) Documentation denoting all encumbrances, including delinquent taxes or assessments, on the property at the time of application submittal,

(7) If there is a street that has been dedicated to NC DOT for maintenance, the application shall contain a copy of a petition for abandonment of the street,

(8) The legal documentation, including a revised development agreement and deed(s), necessary to complete the vacation process,

(9) If the subdivision is subject to restrictive covenants, the applicant(s) will need to submit either revised covenants, including signed statements from property owner's agreeing to the change, denoting the lot(s) being vacated or legal documents extinguishing the existing covenants in the event the development as a whole is being abandoned,

(10) Five copies of a plat denoting the lot(s) intended to be vacated, and

SECTION 2.22: HOME OCCUPATIONS

2.22.1 Application Requirements

(A) An application for a Home Occupation Permit shall be filed with the Planning Director on forms provided by the Planning Department.

(B) Application forms shall be prepared so that when completed a full and accurate description of the proposed use, including its location, appearance, and operational characteristics are disclosed.

(C) An application for a minor home occupation shall include a plot plan that adheres to the requirements of Sections 2.4.3 and 5.5.~~3~~4.

(D) An application for a major home occupation shall require a ~~Class B~~ Special Use Permit and adhere to the requirements of Sections 2.5.3, 2.7, and 5.5.4~~3~~.

2.22.2 Conditions of Approval

(A) If conditions are attached to the approval of a permit, they may address deficiencies in meeting specific Ordinance requirements or they may address specific impacts which result from the operation of the home occupation.

(B) If conditions address specific impacts which result from the operation of the home occupation, the conditions may include, but not be limited to the following limitations:

(1) Hours of operation;

(2) Number of vehicles to be parked on the premises;

(3) The location of an accessory building, storage area or parking on the property.

(C) The Planning Director may require greater setbacks and/or additional landscaping or screening to adequately screen the home occupation from adjoining properties.

2.22.3 Application Approval

(A) If the application is approved, either with or without conditions, the Planning Director shall send the applicant a permit letter informing him/her of the approval and of the requirements of the Ordinance that apply to the home occupation.

(B) The permit letter must be signed by the applicant to indicate his/her willingness to operate the home occupation in conformance with the requirements and conditions set forth in the permit letter.

(C) Each permit letter shall be kept on file by the Planning Director and shall constitute the Home Occupation Permit for the particular use in question.

(D) The home occupation may be operated by the applicant as long as it is operated in conformance with the requirements and conditions set forth in the permit letter.

2.22.4 Application Denial

If the application is denied, the Planning Director shall notify the applicant of the denial and shall state the reasons for denial in writing.

2.22.5 Appeals

The applicant may appeal the decision of the Planning Director to the Board of Adjustment as set forth in Section 2.27.

(1) The decision of the Planning Director regarding a Major Subdivision Final Plat application may be appealed to the Board of Commissioners.

(2) The Board of Commissioners shall have final approval authority, and where applicable, all Final Plats shall contain information and/or conditions approved by the Board of Commissioners.

(3) The Board of Commissioners in all such appeals shall make findings of fact in support of its decision.

(4) The applicant shall be notified, in writing, of the Board of Commissioners' decision.

2.26.3 Planning Board Decisions

(A) Major Subdivisions – Concept Plan

(1) The decision of the Planning Board regarding Concept Plan Development Options may be appealed to the Board of Commissioners.

(2) Any notice of appeal shall be filed, in writing, with the Planning Director within 15 days after the date of the Planning Board's decision.

(3) If the appeal involves a plan/map approval, 16 copies of the plan/map shall be submitted along with the written appeal.

(4) The Board of Commissioners shall have final approval authority, and, where applicable, all Concept Plan Development Options shall contain information and/or conditions approved by the Board of Commissioners.

(5) The Board of Commissioners in all such appeals shall make findings of fact in support of its decision. The applicant shall be notified, in writing, of the Board of Commissioners' decision within ten days after said decision is made.

2.26.4 Board of Adjustment Decisions

(A) Every decision of the Board shall be subject to review at the request of any person who has standing as detailed within NCGS 160D-1401(c)~~160A-393(d)~~ by the Superior Court by proceedings in the nature of certiorari. The appeal to Superior Court must be filed within 30 days of the availability of the notice of decision (2.12.5(A)).

2.26.5 Board of County Commissioners Decisions

~~**(A) Quasi-Judicial Decisions**~~[63]

~~**(1)** Quasi-judicial decisions made by the Board of County Commissioners pursuant to the Ordinance shall be subject to review at the request of any person who has standing as detailed within NCGS 160A-393(d) by the Superior Court by proceedings in the nature of certiorari.~~

~~**(2)** The appeal to the Superior Court must be filed within 30 days of the filing of the decision of the Board of County Commissioners by the Planning Director or the delivery of the notice of the decision to the applicant, whichever is later.~~

~~**(B)**~~**(A) Legislative Decisions**

(1) Legislative decisions made by the Board of County Commissioners pursuant to the Ordinance shall be subject to review at the request of any aggrieved party by the Superior Court.

[63] Staff is recommending that the BOCC no longer make quasi-judicial decisions so this sub-section is no longer applicable.

(2) The appeal to the Superior Court must be filed from the date of adoption of said Ordinance within the prescribed period below:

(a) 60 days in cases involving the appeal of an Ordinance amending the Zoning Atlas,

(b) 1 year (365 days) in cases involving the appeal of an Ordinance ~~amendment~~ amending the UDO,

(c) 3 years (1,035 days) in cases involving an appeal based on an alleged defect in the adoption process of an Ordinance amending the UDO.

2.26.6 Water Supply Watershed Critical Area Boundary Line

Appeal applications disputing the Planning Director's decision regarding the location of a Water Supply Watershed Critical Area boundary line shall be accompanied by:

(A) A survey prepared by a North Carolina registered land surveyor or professional engineer depicting the differences between:

(1) The locational criteria in Section 4.2,

(2) The official Watershed map on file in the Planning Department, and

(3) The boundary line the applicant asserts is correct.

(B) A detailed explanation describing the differences in the three boundary lines contained in (A) above.

2.26.7 Flood Regulations

(A) Any property owner who has received an order to take corrective action in accordance with Section 9.7 may appeal the order to the local elected governing body by giving notice of appeal in writing to the Floodplain Administrator and the clerk within ten business days following issuance of the final order.

(B) The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

2.26.8 Soil Erosion and Sedimentation Control

(A) Appeal of Erosion Control Plan

Except as provided in subsection (D) below, the appeal of a disapproval, approval with modifications, or approval with conditions of an Erosion Control Plan shall be governed by the following provisions:

(1) The disapproval of, modification of, or conditions of approval attached to any proposed Erosion Control Plan by the Erosion Control Officer shall entitle the person submitting the plan to an appeal of the decision to the Orange County Planning Director.

(2) If the Planning Director upholds the decision, the person shall be entitled to a public hearing if such person submits written demand for a hearing within 15 days after receipt of written notice of disapproval, modification, or conditions of approval.

(B) Hearings

(1) Orange County

(a) This sub-subsection pertains to appeals for land-disturbing activities occurring outside the corporate limits of the Towns of Chapel Hill, Carrboro, and Hillsborough, and the City of Mebane.

(b) Hearings held pursuant to this sub-subsection shall be conducted by the Orange County Planning Board within 30 days after receipt of written demand, as provided for in (A)(2) above.

(c) The Orange County Planning Board shall make recommendations to the Board of County Commissioners within 30 days after the date of the hearing on such Erosion Control Plan.

(d) The Board of County Commissioners will render its final decision on any Erosion Control Plan appeal within 30 days of receipt of the Planning Board recommendation.

(2) Other than Orange County

(a) This sub-subsection pertains to appeals for land-disturbing activities occurring within the corporate limits of the Towns of Chapel Hill, Carrboro, and Hillsborough, and the City of Mebane.

(b) Hearings held pursuant to this sub-subsection shall be conducted by a designated agency of the appropriate town or city board within 30 days after receipt of written demand, as provided for in (A)(2) above.

(c) The said designated agency shall make recommendations to the appropriate town or city board within 30 days after the date of the hearing on such Erosion Control Plan.

(d) The said appropriate town or city board will render its final decision on any Erosion Control Plan appeal within 30 days of the receipt of the recommendations from the said designated agency conducting the hearing.

(C) Appeal from Local Government's Decision

If the local governing body upholds the disapproval, modification, or conditions of approval of a proposed Erosion Control Plan following the public hearing, the applicant shall be entitled to appeal the local government's action to the North Carolina Sedimentation Control Commission as provided in Section 113A-61(c) of the General Statutes and Title 15A NCAC 4B.0118.

(D) Appeal of Erosion Control Plan if Disapproval Based on Applicant's Past Performance

The applicant may appeal disapprovals issued under the provisions of Section 2.19.11 of this Ordinance directly to the North Carolina Sedimentation Control Commission.

(E) Appeal of Land-Disturbing Stop Work Order

(1) The person conducting the land-disturbing activity may appeal a stop work order to the Board of County Commissioners within a period of five days after the order is issued.

(2) Notice of the appeal shall be given in writing to the Board of County Commissioners, with a copy to the Erosion Control Officer.

(3) The Board of County Commissioners shall conduct a hearing at their next scheduled ~~regular~~ business[64] meeting at which the appellant and the Erosion Control Officer or Inspector shall be permitted to submit relevant evidence, and shall rule on the appeal as expeditiously as possible.

(4) Pending the ruling by the Board of County Commissioners on an appeal, no further work shall take place in violation of a stop work order.

[64] Conforming to updated term for BOCC meetings.

2.26.9 Stormwater Management Plan

(A) Appeals of the Erosion Control Officer's decision on a Stormwater Management Plan shall be made to the Orange County Planning Director.

(B) If the Planning Director upholds the decision, the applicant shall be entitled to a public hearing if the applicant submits written demand for a hearing within 15 days after receipt of written notice of disapproval, modification, or conditions of approval.

(C) The hearing shall be conducted by the Orange County Planning Board within 30 days after receipt of written demand for a hearing.

(D) The Orange County Planning Board shall make recommendations to the Board of County Commissioners within 30 days after the date of the hearing.

(E) The Board of County Commissioners shall render its final decision on any stormwater management plan upon which a hearing is requested within 30 days of receipt of the recommendations from the Planning Board.

2.26.10 Appeal of Stop Work Orders Regarding Stormwater Management Provisions

(A) The person conducting the development activity may appeal a stop work order to the Board of County Commissioners within a period of five days after the order is issued.

(B) Notice of the appeal shall be given in writing to the Board of County Commissioners, with a copy to the Erosion Control Officer.

(C) The Board of County Commissioners shall conduct a hearing at their next scheduled ~~regular~~ business[65] meeting at which the appellant and the Erosion Control Officer or Inspector shall be permitted to submit relevant evidence, and shall rule on the appeal as expeditiously as possible.

(D) Pending the ruling by the Board of County Commissioners on an appeal, no further work shall take place in violation of a stop work order.

2.26.11 Appeals from Final Decisions Regarding Soil Erosion and Sedimentation Control Civil Penalties

(A) Appeal from Board of County Commissioners or Other Governing Body Decisions

Appeal from the final decision of the governing body regarding civil penalties assessed for violations of the soil erosion and sedimentation control provisions of this Ordinance shall be to the Superior Court of the county where the violation occurred, or in the county where the violator's residence or principal place of business is located.

[65] Conforming to updated term for BOCC meetings.

ARTICLE 3: BASE ZONING DISTRICTS

SECTION 3.1: INTENT

Division of lands under Orange County planning jurisdiction is intended to implement the policies contained in the Orange County 2030 Comprehensive Plan, adopted on November 18, 2008, and amended from time to time. The previous Orange County Comprehensive Plan was adopted on September 2, 1981, and amended from time to time.

The Land Use Element of the 2030 Comprehensive Plan identifies land use categories in which specific types of development are encouraged and a map depicting the geographic locations of the various land use categories. The 2030 Comprehensive Plan contains a matrix identifying which zoning districts are compatible with each land use category.

SECTION 3.2: REQUIRED CONFORMANCE TO DISTRICT REGULATIONS AND PROJECTS APPROVED AS PLANNED DEVELOPMENTS

3.2.1 Required Conformance to District Regulations

Except as otherwise provided in this Ordinance, no structure or land shall hereafter be used or occupied, and no structure, or part thereof, shall be altered, moved, erected, or built except in conformity with the regulations herein specified for the Zoning District in which the structure or land is located.

3.2.2 Projects Approved as Planned Developments or Conditional Use Districts

(A) Projects approved as one of the Planned Development (PD) zoning districts (zoning districts included in the former Zoning Ordinance but no longer used) or as a Conditional Use District may continue to function under the terms and conditions approved in the Class A Special Use Permit issued as part of the Planned Development or Conditional Use District approval.

(B) Planned Development (PD) and Conditional Use districts shall continue to be depicted on the Zoning Atlas but in no case shall lands be rezoned to PD or CUD in the future.

SECTION 3.3: RESIDENTIAL DISTRICTS

RB
RURAL BUFFER

PURPOSE

The purpose of the Rural Buffer (RB) District is to provide locations for rural residential developments and agricultural, silvicultural or horticultural uses which serve to buffer or separate more intensively planned and/or developed portions of Orange County. Development within the Rural Buffer (RB) District is at very low densities (the minimum lot size per dwelling unit is two acres) and relies on individual wells and ground absorption systems for domestic water supply and sewage disposal, respectively.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Designated by the adopted Comprehensive Plan as Rural Buffer or by the adopted Joint Planning Area Land Use Plan as Rural Residential or both.

2. Urban services, including water distribution and sewage collection mains, are not likely within 10-20 years.

DIMENSIONAL STANDARDS NOTES:
[1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~
[5] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	Conventional Subdivision Process (Article 7)	87,120
	Flexible Development Subdivision Process (Section 7.12)	40,000
Lot Width, min. (feet)	130	
Front Setback from ROW, min. (feet)	40 [1]	
Corner Side Setback, min. (feet)	40 [2]	
Side Setback, min. (feet)	20 [1]	
Rear Setback, min. (feet)	20 [1]	
Height, max. (feet)	25 [3]	
Floor Area Ratio, max.[66]	~~R-CU [4][67]~~	~~.058~~
	NR [4]	.088 [5]
	~~NR-CU~~	~~.100 [5]~~
Required Open Space Ratio, min.	~~R-CU~~ NR ~~NR-CU~~	.84
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.75~~
Required Recreation Space Ratio, min.	R	.028
	~~R-CU~~	~~.031~~
~~Gross Land Area, min. (square feet)~~	~~R-CU~~	~~.174~~
	~~NR-CU~~	~~.240~~

[66] Staff recommends that the necessity of all of the ratios in the charts in this Article be studied as part of a future project. Many, if not all, of the ratios are obsolete, given other development requirements in the UDO.
[67] Throughout the charts in this Article, references to the former CU district are being deleted. Project review/approval will now be processed as a new conditional district (see Section 3.8).

	Required Pedestrian/ Landscape Ratio, min.	NR ~~NR-CU~~	.21

RB DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the RB District in Section 5.2, unless a Conditional ~~Use (CU) or MPD CZ~~ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 87,120 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. Regardless of subdivision process and reductions allowed in Section 7.12, of this Ordinance, lot(s) within the RB ~~general use~~conventional zoning district shall not be reduced below 1 acre in area. For Subdivisions utilizing the Flexible Development Option, the required wastewater system area may be contained either within the residential lot or within dedicated easement and/or septic lot that is recorded and maintained within allowed open space areas, and as further defined in NC DHHS DPH Innovative Waste Water System Approval IWWS 2016-01. Under the Flexible Development Option required minimum lot size shall be based on proposed wastewater disposal and percentage of open space.
6. With the exception of Orange County government development projects, wastewater treatment facilities with a design capacity of 3,000 gallons per day or more and package treatment plants for sanitary sewage disposal are prohibited in the RB zoning district unless approved through ~~the Special Use Permit (SUP) process or as a Conditional Use (CU)~~a Conditional District.
7. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided. The “Village Option” for a flexible development is not permitted in the RB district.
8. Subdivisions utilizing the conventional design process and/or proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
9. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

AR
AGRICULTURAL RESIDENTIAL

PURPOSE

The purpose of the Agricultural Residential (AR) District is to assist in the preservation of land suitable, as a result of location, existing farming operations, soils and topography, for agricultural, silvicultural or horticultural uses and to protect such uses from the adverse effects of incompatible land uses.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Designated by the adopted Comprehensive Plan as Agricultural Residential.

2. Urban services, including water distribution and sewage collection mains, are not likely within 10-20 years.

DIMENSIONAL STANDARDS NOTES:
[1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~
[5] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	Conventional Subdivision Process (Article 7)	40,000	
	Flexible Development Subdivision Process (Section 7.2)	Proposed Open Space within subdivision	Allowable Lot Size (sq. ft.)
		33%	40,000
		40%	30,000
		45%	20,000
		50%	15,000
		60% and over	10,000
Lot Width, min. (feet)	Conventional Subdivision Process (Article 7)	150	
	Flexible Development Process (Section 7.12)	100	
Front Setback from ROW, min. (feet)	40 [1] [6]		
Corner Side Setback, min. (feet)	40 [2] [6]		
Side Setback, min. (feet)	20 [1] [6]		
Rear Setback, min. (feet)	20 [1] [6]		
Height, max. (feet)	25 [3]		
Floor Area Ratio, max.	~~R-CU [4]~~	~~.058~~	
	NR [4]	.088 [5]	
	~~NR-CU~~	~~.100 [5]~~	
Required Open Space Ratio, min.	~~R-CU~~ NR ~~NR-CU~~	.84	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.75~~	
Required Recreation Space Ratio, min.	R	.028	
	~~R-CU~~	~~.031~~	

the RB, AR, R-1, R-2, R-3, and R-4 zoning districts. [6] Required setbacks for lots created through the Flexible Development design process as detailed in Section 7.12 of this Ordinance may be reduced by 25% with the preservation of more than 33% open space for the project. Under no circumstances shall any required setback be less than 10 feet.	~~Gross Land Area, min. (square feet)~~	~~R-CU NR-CU~~	~~80,000~~
	Required Pedestrian/ Landscape Ratio, min.	NR ~~NR-CU~~	.21

AR DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the AR District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 40,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet. For Subdivisions utilizing the Flexible Development Option, the required wastewater system area may be contained either within the residential lot or within dedicated easement and/or septic lot that is recorded and maintained within allowed open space areas, and as further defined in NC DHHS DPH Innovative Waste Water System Approval IWWS 2016-01. Under the Flexible Development Option required minimum lot size shall be based on proposed wastewater disposal and percentage of open space. Please refer to Section 7.12 for more information.
6. With the exception of Orange County government development projects, wastewater treatment facilities with a design capacity of 3,000 gallons per day or more and package treatment plants for sanitary sewage disposal are prohibited in the AR zoning district unless approved through ~~the Special Use Permit (SUP) process or as a Conditional Use (CU)~~a Conditional District.
7. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
8. Subdivisions utilizing the conventional design process and/or proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
9. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

R-1
RURAL RESIDENTIAL

PURPOSE

The purpose of the Rural Residential (R-1) District is to provide locations for rural non-farm residential development, at very low intensities, in areas where the short and long-term solutions to domestic water supply and sewage disposal shall be individual wells and ground absorption system.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Designated by the adopted Comprehensive Plan as Rural Residential.

2. Urban services, including water distribution and sewage collection mains, are not likely within 10-20 years.

DIMENSIONAL STANDARDS NOTES:
[1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~
[5] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts.
[6] Required setbacks for lots created through the Flexible Development design process as detailed in Section 7.12 of this Ordinance may be reduced by 25% with the preservation of more than 33% open space for

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	Conventional Subdivision Process (Article 7)	40,000	
	Flexible Development Subdivision Process (Section 7.12)	Proposed Open Space	Allowable Minimum Lot Size
		33-39%	40,000
		40-44%	30,000
		45-49%	20,000
		50-59%	15,000
		60% and over	10,000
Lot Width, min. (feet)	Conventional Subdivision Process (Article 7)	130	
	Flexible Development Subdivision Process (Section 7.12)	100	
Front Setback from ROW, min. (feet)	40 [1] [6]		
Corner Side Setback, min. (feet)	40 [2] [6]		
Side Setback, min. (feet)	20 [1] [6]		
Rear Setback, min. (feet)	20 [1] [6]		
Height, max. (feet)	25 [3]		
Floor Area Ratio, max.	~~R-CU [4]~~	~~.058~~	
	NR [4]	.088 [5]	
	~~NR-CU~~	~~.100 [5]~~	
Required Open Space Ratio, min.	~~R-CU~~ -NR ~~NR-CU~~	.84	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.75~~	
Required Recreation Space Ratio, min.	R	.028	
	~~R-CU~~	.031	
~~Gross Land Area, min. (square feet)~~	~~R-CU~~ ~~NR-CU~~	~~80,000~~	
Required Pedestrian/ Landscape Ratio, min.	NR ~~NR-CU~~	.21	

the project. Under no circumstances shall any required setback be less than 10 feet.			

R-1 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the R-1 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 40,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet. For Subdivisions utilizing the Flexible Development Option, the required wastewater system area may be contained either within the residential lot or within dedicated easement and/or septic lot that is recorded and maintained within allowed open space areas, and as further defined in NC DHHS DPH Innovative Waste Water System Approval IWWS 2016-01. Under the Flexible Development Option required minimum lot size shall be based on proposed wastewater disposal and percentage of open space. Please refer to Section 7.12 for more information.
6. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
7. Subdivisions utilizing the conventional design process and/or proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
8. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

R-2
LOW INTENSITY RESIDENTIAL

PURPOSE

The purpose of the Low Intensity Residential (R-2) District is to provide locations for low intensity residential development and supporting recreational, community service and educational uses in areas where urban services are available or are to be provided as part of the development process.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Designated by the adopted Comprehensive Plan as a Transition Area, which can reasonably be expected to be annexed by a municipality in the ensuing 10-20 years.

2. Water and sewer lines should exist at site or be assured of installation as part of the development process.

3. Vehicular access must consist of direct access to a street classified as either arterial or collector as designated by the adopted Comprehensive Plan.

DIMENSIONAL STANDARDS NOTES:
[1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use.~~
[5] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts.
[6] Required setbacks for lots created through the Flexible

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	Conventional Subdivision Process (Article 7)	20,000	
	Flexible Development Subdivision Process (Section 7.12)	Proposed Open Space	Allowable minimum lot size
		33-49%	20,000
		50-59%	15,000
		60% and over	10,000
Lot Width, min. (feet)	Conventional Subdivision Process (Article 7)	100	
	Flexible Development Subdivision Process (Section 7.12)	70	
Front Setback from ROW, min. (feet)	30 [1] [6]		
Corner Side Setback, min. (feet)	30 [2] [6]		
Side Setback, min. (feet)	15 [1] [6		
Rear Setback, min. (feet)	15 [1] [6]		
Height, max. (feet)	25 [3]		
Floor Area Ratio, max.	~~R-CU [4]~~	~~.076~~	
	NR [4]	.088 [5]	
	~~NR-CU~~	~~.100 [5]~~	
Required Open Space Ratio, min.	~~R-CU~~ ~~NR-CU~~	~~.82~~	
	NR	.83	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.70~~	
Required Recreation Space Ratio, min.	R	.056	
	~~R-CU~~	~~.059~~	
~~Gross Land Area, min. (square feet)~~	~~R-CU~~ ~~NR-CU~~	~~45,000~~	

Development design process as detailed in Section 7.12 of this Ordinance may be reduced by 25% with the preservation of more than 33% open space for the project. Under no circumstances shall any required setback be less than 10 feet.	Required Pedestrian/ Landscape Ratio, min.	NR	.208
		~~NR-CU~~	~~.205~~

R-2 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the R-2 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 20,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet. For Subdivisions utilizing the Flexible Development Option, the required wastewater system area may be contained either within the residential lot or within dedicated easement and/or septic lot that is recorded and maintained within allowed open space areas. Under the Flexible Development Option required minimum lot size shall be based on proposed wastewater disposal and percentage of open space. Please refer to Section 7.12 for more information.
6. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
7. Subdivisions utilizing the conventional design process and/or proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
8. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

R-3
MEDIUM INTENSITY RESIDENTIAL

PURPOSE

The purpose of the Medium Intensity Residential (R-3) District is to provide locations for moderate intensity residential development and supporting recreational, community service and educational uses in areas where urban services are available or are to be provided as part of the development process.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Designated by the adopted Comprehensive Plan as a Transition Area, which can reasonably be expected to be annexed by a municipality in the ensuing 10-20 years.

2. Water and sewer lines should exist at site or be assured of installation as part of the development process.

3. Vehicular access must consist of direct access to a street classified as either arterial or collector as designated by the adopted Comprehensive Plan.

DIMENSIONAL STANDARDS NOTES:
[1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use.~~
[5] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts.
[6] Required setbacks for lots created through the Flexible Development design process as detailed in Section 7.12 of this Ordinance may be reduced by 25% with the preservation of more than 33% open space for the project.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	Conventional Subdivision Process (Article 7)	15,000	
	Flexible Development Subdivision Process (Section 7.12)	Proposed Open Space	Allowable Minimum Lot Size
		33-59%	15,000
		60% and over	10,000
Lot Width, min. (feet)	Conventional Subdivision Process (Article 7)	100	
	Flexible Development Subdivision Process (section 7.12)	70	
Front Setback from ROW, min. (feet)	30 [1] [6]		
Corner Side Setback, min. (feet)	30 [2] [6]		
Side Setback, min. (feet)	15 [1] [6]		
Rear Setback, min. (feet)	15 [1] [6]		
Height, max. (feet)	25 [3]		
Floor Area Ratio, max.	~~R-CU [4]~~	~~.100~~	
	NR [4]	.088 [5]	
	~~NR-CU~~	~~.100 [5]~~	
Required Open Space Ratio, min.	~~R-CU~~ ~~NR-CU~~	~~.80~~	
	NR	.81	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.65~~	
Required Recreation Space Ratio, min.	R	.074	
	~~R-CU~~	~~.077~~	
~~Gross Land Area, min. (square feet)~~	~~R-CU~~ ~~NR-CU~~	~~30,000~~	

Under no circumstances shall any required setback be less than 10 feet.	Required Pedestrian/ Landscape Ratio, min.	NR	.203
		~~NR-CU~~	~~.20~~

R-3 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the R-3 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 15,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
6. Subdivisions utilizing the conventional design process and/or proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
7. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

R-4
MEDIUM INTENSITY RESIDENTIAL

PURPOSE

The purpose of the Medium Intensity Residential (R-4) District is to provide locations for moderate intensity residential development and supporting recreational, community service and educational uses in areas where urban services are available or are to be provided as part of the development process.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Designated by the adopted Comprehensive Plan as a Transition Area, which can reasonably be expected to be annexed by a municipality in the ensuing 10-20 years.

2. Water and sewer lines should exist at site or be assured of installation as part of the development process.

3. Vehicular access must consist of direct access to a street classified as either arterial or collector as designated by the adopted Comprehensive Plan.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)		10,000
Lot Width, min. (feet)		75
Front Setback from ROW, min. (feet)		25 [1]
Corner Side Setback, min. (feet)		25 [2]
Side Setback, min. (feet)		10 [1]
Rear Setback, min. (feet)		10 [1]
Height, max. (feet)		25 [3]
Floor Area Ratio, max.	~~R-CU [4]~~	~~.141~~
	NR [4]	.123[5]
	~~NR-CU~~	~~.141 [5]~~
Required Open Space Ratio, min.	~~R-CU NR-CU~~	~~.78~~
	NR	.79
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.54~~
Required Recreation Space Ratio, min.	R	.111
	~~R-CU~~	~~.114~~
~~Gross Land Area, min. (square feet)~~	~~R-CU NR-CU~~	~~15,000~~
Required Pedestrian/ Landscape Ratio, min.	NR	.198
	~~NR-CU~~	~~.195~~

DIMENSIONAL STANDARDS NOTES:
[1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use.~~
[5] Permitted non-residential uses existing as of 5/6/98 shall be limited to a maximum floor area ratio of .141 in the RB, AR, R-1, R-2, R-3, and R-4 zoning districts.

R-4 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the R-4 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 10,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is

located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.

5. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
6. Subdivisions utilizing the conventional design process and/or proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
7. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

R-5
HIGH INTENSITY RESIDENTIAL

PURPOSE

The purpose of the High Intensity Residential (R-5) District is to provide locations for high intensity residential development and supporting recreational community, service, or educational uses in areas where the full range urban services are available.

It is further intended that these districts be used to promote economically mixed housing developments and to contribute to the provision of a range of housing types for lower income households.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Designated by the adopted Comprehensive Plan as a Transition Area which can reasonably be annexed by a municipality in the ensuing 10-20 years, or within the Chapel Hill Joint Planning Area located at an Activity Node designated by the adopted Comprehensive Plan.

2. Water and sewer lines should exist at site or be assured of installation as part of the development process.

3. Vehicular access must consist of direct access to a street certified either arterial or collector as designated by the adopted Comprehensive Plan.

4. The full range of urban services exist or are proposed at the time of the development including fire, police, recreation, education, commercial and cultural activities.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)		7,500
Lot Width, min. (feet)		50
Front Setback from ROW, min. (feet)		20 [1]
Corner Side Setback, min. (feet)		20 [2]
Side Setback, min. (feet)		10 [1]
Rear Setback, min. (feet)		10 [1]
Height, max. (feet)		25 [3]
Floor Area Ratio, max.	R [4] NR	.174 ~~R-CU NR-CU~~ ~~.200~~
Required Open Space Ratio, min.	R NR	.77 ~~R-CU NR-CU~~ ~~.76~~
Required Livability Space Ratio, min.	R ~~R-CU~~	.52
Required Recreation Space Ratio, min.	R ~~R-CU~~	.197 ~~.200~~
~~Gross Land Area, min. (square feet)~~	~~R-CU NR-CU~~	~~10,000~~
Required Pedestrian/ Landscape Ratio, min.	NR ~~NR-CU~~	.195 ~~.19~~

DIMENSIONAL STANDARDS NOTES:
[1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use.~~

R-5 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the R-5 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-~~

~~CZ~~ District is approved (see Section 3.8).

2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. While the Minimum Lot Size may be 7,500 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
6. Subdivisions utilizing the conventional design process and/or proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
7. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

R-8
HIGH INTENSITY RESIDENTIAL

PURPOSE

The purpose of the High Intensity Residential (R-8) District is to provide locations for high intensity residential development and supporting recreational community, service, or educational uses in areas where the full range urban services are available.

It is further intended that these districts be used to promote economically mixed housing developments and to contribute to the provision of a range of housing types for lower income households.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Designated by the adopted Comprehensive Plan as a Transition Area which can reasonably be annexed by a municipality in the ensuing 10-20 years, or within the Chapel Hill Joint Planning Area located at an Activity Node designated by the adopted Comprehensive Plan.

2. Water and sewer lines should exist at site or be assured of installation as part of the development process.

3. Vehicular access must consist of direct access to a street certified either arterial or collector as designated by the adopted Comprehensive Plan.

4. The full range of urban services exist or are proposed at the time of the development including fire, police, recreation, education, commercial and cultural activities.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	5,000	
Lot Width, min. (feet)	50	
Front Setback from ROW, min. (feet)	20 [1]	
Corner Side Setback, min. (feet)	20 [2]	
Side Setback, min. (feet)	8[1]	
Rear Setback, min. (feet)	8 [1]	
Height, max. (feet)	25 [3]	
Floor Area Ratio, max.	R [4] NR	.246 ~~R-CU~~ ~~NR-CU~~ ~~.283~~
Required Open Space Ratio, min.	R NR	.75 ~~R-CU~~ ~~NR-CU~~ ~~.74~~
Required Livability Space Ratio, min.	R ~~R-CU~~	.49 ~~.48~~
Required Recreation Space Ratio, min.	R ~~R-CU~~	.296 ~~.299~~
~~Gross Land Area, min. (square feet)~~	~~R-CU~~ ~~NR-CU~~	~~7,000~~
Required Pedestrian/ Landscape Ratio, min.	NR ~~NR-CU~~	.088 ~~.185~~

DIMENSIONAL STANDARDS NOTES:
[1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use.~~

R-8 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the R-8 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8).
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all

applicable development standards detailed in Article 6 of this Ordinance.

3. While the Minimum Lot Size may be 5,000 square feet, the density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
5. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
6. Subdivisions utilizing the conventional design process and/or proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
7. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

R-13
HIGH INTENSITY RESIDENTIAL

PURPOSE

The purpose of the High Intensity Residential (R-13) District is to provide locations for high intensity residential development and supporting recreational community, service, or educational uses in areas where the full range urban services are available.

It is further intended that these districts be used to promote economically mixed housing developments and to contribute to the provision of a range of housing types for lower income households.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Designated by the adopted Comprehensive Plan as a Transition Area which can reasonably be annexed by a municipality in the ensuing 10-20 years, or within the Chapel Hill Joint Planning Area located at an Activity Node designated by the adopted Comprehensive Plan.

2. Water and sewer lines should exist at site or be assured of installation as part of the development process.

3. Vehicular access must consist of direct access to a street certified either arterial or collector as designated by the adopted Comprehensive Plan.

4. The full range of urban services exist or are proposed at the time of the development including fire, police, recreation, education, commercial and cultural activities.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	3,000	
Lot Width, min. (feet)	50	
Front Setback from ROW, min. (feet)	20 [1]	
Corner Side Setback, min. (feet)	20 [2]	
Side Setback, min. (feet)	8[1]	
Rear Setback, min. (feet)	8 [1]	
Height, max. (feet)	25 [3]	
Floor Area Ratio, max.	R [4]	.348
	~~R - CU NR - CU~~	~~.400~~
Required Open Space Ratio, min.	R ~~R-CU NR - CU~~	.72
Required Livability Space Ratio, min.	R	.45
	~~R-CU~~	~~.44~~
Required Recreation Space Ratio, min.	R	.494
	~~R-CU~~	~~.497~~
~~Gross Land Area, min. (square feet)~~	~~R-CU NR-CU~~	~~5,000~~
~~Required Pedestrian/ Landscape Ratio, min.~~	~~NR-CU~~	~~.18~~

DIMENSIONAL STANDARDS NOTES:
[1] Accessory structures shall not be erected in any required front open space and shall also conform to all other regulations.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use.~~

R-13 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the R-13 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8).

~~2. Non-residential uses are permitted only as a Conditional Use (CU) District in the R-13 district.~~
~~3.~~2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
~~4.~~3. The density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
~~5.~~4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.5 for a breakdown of the allowable impervious surface area.
~~6.~~5. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
~~7.~~6. Subdivisions utilizing the conventional design process and/or proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
~~8.~~7. The storage of junked or wrecked motor vehicles is prohibited except if the vehicle is stored in an enclosed building that conforms to applicable building code and zoning regulations or if such building is a legal non-conforming use.

SECTION 3.4: ~~GENERAL~~ CONVENTIONAL COMMERCIAL DISTRICTS

LC-1
LOCAL COMMERCIAL

PURPOSE

The purpose of the Local Commercial-1(LC-1) District is to provide appropriately located and sized sites for limited commercial uses designed to serve a population at the neighborhood and rural level with convenience goods and personal services. Performance standards will be used to insure the absence of adverse impacts beyond the immediate space occupied by the building.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Site is located within areas designated by the adopted Comprehensive Plan as either a Commercial Transition Activity Node (CTAN), a Commercial-Industrial Transition Activity Node (CITAN), a Rural Community Activity Node or a Rural Neighborhood Activity Node.

2. Uses would serve a market area population confined to the immediate area and would generally not serve commuters or persons outside the surrounding neighborhood.

DIMENSIONAL STANDARDS NOTES:
[1] Lot size for individual uses shall be appropriate to the method of water supply and sewage disposal.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use.~~

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	None [1]	
Lot Width, min. (feet)	75	
Front Setback from ROW, min. (feet)	15	
Side Setback, min. (feet)	15 [2]	
Rear Setback, min. (feet)	15 [2]	
Height, max. (feet), if located outside of a CTAN or CITAN	25 [3]	
Height, max. (feet), if located within a CTAN or CITAN	35 [3]	
Floor Area Ratio, max., if located outside of a CTAN or CITAN	~~R-CU~~ [4] NR [4]	.100
	~~NR-CU~~	~~.115~~
Floor Area Ratio, max., if located within a CTAN or CITAN	~~R-CU~~ NR	.40
	~~NR-CU~~	~~.45~~
Required Open Space Ratio, min., if located outside of a CTAN or CITAN	~~R-CU~~ NR	.80
	~~NR-CU~~	~~.79~~
Required Open Space Ratio, min., if located within a CTAN or CITAN	.55	
Required Livability Space Ratio, min.	~~R-CU~~	~~.65~~
Required Recreation Space Ratio, min.	R	.074
	~~R-CU~~	~~.077~~
~~Gross Land Area, min./max. (square feet)~~	~~R-CU~~	~~5,000/ none~~
	~~NR-CU~~	~~none/ 421,344~~
Required Pedestrian/ Landscape Ratio, min. , if located outside of a CTAN or CITAN	NR	.20
	~~NR-CU~~	~~.198~~
Required Pedestrian/ Landscape Ratio, min. , if located within a CTAN or CITAN	NR ~~NR-CU~~	.05

LC-1 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the LC-1 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Sections 4.2.5 and 4.2.6 for a breakdown of the allowable impervious surface area. Additionally, Section 4.2.6 may require a larger lot size for non-residential uses than is contained in the Dimensional and Ratio Standards Table.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
6. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
7. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
8. Subdivisions in the Economic Development, Commercial and/or Industrial Nodes are subject to the procedure outlined in Section 2.16.
9. The maximum amount of land zoned LC-1 within Rural Community Activity Nodes shall be limited to ten acres with a five acre limitation imposed within other Nodes, specifically Rural Neighborhood and Rural Industrial Nodes, as defined within the Orange County Comprehensive Plan. In situations where a Node has reached capacity, additional rezoning may be possible through the submittal, processing, and approval of a Conditional ~~Use~~ District in accordance with the provisions of this Ordinance. Acreage limitations shall not apply to property zoned Existing Commercial-5 (EC-5)~~, Conditional Use (CU), or MPD-CZ~~or as a Conditional District.
10. All sites designated LC-1 shall have direct access to a street classified either as an arterial or collector as designated by the adopted Comprehensive Plan.

NC-2
NEIGHBORHOOD COMMERCIAL

PURPOSE

The purpose of the Neighborhood Commercial-2 (NC-2) District is to provide appropriately located and sized sites for limited commercial uses designed to serve a population at the neighborhood and rural level with convenience goods and personal services. Performance standards will be used to insure the absence of adverse impacts beyond the lot boundaries of the use.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Located within areas designated by the adopted Comprehensive Plan as either a Commercial Transition Activity Node (CTAN), Commercial-Industrial Transition Activity Node (CITAN), Rural Neighborhood Activity Node, or Rural Community Activity Node.

2. Uses would serve a market area population confined to the immediate area and would generally not serve commuters or persons outside the surrounding neighborhood.

DIMENSIONAL STANDARDS NOTES:
[1] Lot size for individual uses shall be appropriate to the method of water supply and sewage disposal.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use.~~

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	2,000 [1]	
Lot Width, min. (feet)	20	
Front Setback from ROW, min. (feet)	50	
Side Setback, min. (feet)	None [2]	
Rear Setback, min. (feet)	None [2]	
Height, max. (feet)	35 [3]	
Floor Area Ratio, max., if located outside of a CTAN or CITAN	~~R CU [4~~] NR [4]	.200
	~~NR-CU~~	~~.230~~
Floor Area Ratio, max., if located within a CTAN or CITAN	~~R CU~~ NR	.40
	~~NR-CU~~	~~.45~~
Required Open Space Ratio, min ., if located outside of a CTAN or CITAN	~~R CU~~ NR	.76
	~~NR-CU~~	~~.75~~
Required Open Space Ratio, min ., if located within a CTAN or CITAN	.55	
Required Livability Space Ratio, min.	~~R-CU~~	~~.52~~
Required Recreation Space Ratio, min.	R	.111
	~~R-CU~~	~~.114~~
~~Gross Land Area, min./max. (square feet)~~	~~R-CU~~	~~5,000/ none~~
	~~NR-CU~~	~~none/ 421,344~~
Required Pedestrian/ Landscape Ratio, min., if located outside of a CTAN or CITAN	NR	.19
	~~NR-CU~~	~~.188~~
Required Pedestrian/ Landscape Ratio, min., if located within a CTAN or CITAN	NR ~~NR-CU~~	.05

NC-2 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the NC-2 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Sections 4.2.5 and 4.2.6 for a breakdown of the allowable impervious surface area. Additionally, Section 4.2.6 may require a larger lot size for non-residential uses than is contained in the Dimensional and Ratio Standards Table.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
6. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
7. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
8. Subdivisions in the Economic Development, Commercial and/or Industrial Nodes are subject to the procedure outlined in Section 2.16.
9. The maximum amount of land zoned NC-2 within Rural Community Activity Nodes shall be limited to ten acres with a five acre limitation imposed within other Nodes, specifically Rural Neighborhood and Rural Industrial Nodes, as defined within the Orange County Comprehensive Plan. In situations where a Node has reached capacity, additional rezoning may be possible through the submittal, processing, and approval of a Conditional ~~Use~~ District in accordance with the provisions of this Ordinance. Acreage limitations shall not apply to property zoned Existing Commercial-5 (EC-5)~~, Conditional Use (CU), or MPD-CZ~~or as a Conditional District.
10. All sites designated NC-2 shall have direct access to a street classified either as an arterial or collector as designated by the adopted Comprehensive Plan.

CC-3
COMMUNITY COMMERCIAL

PURPOSE

The purpose of the Community Commercial-3 (CC 3) District is to provide suitably located and sized sites for commercial, office and service uses designed to serve a county-level market area. Performance standards will be used to insure the absence of adverse impacts beyond the zoning district boundaries of the use.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Existing community commercial type developments on sites that are within areas designated by the adopted Comprehensive Plan as a Commercial Transition Activity Node (CTAN) or Commercial-Industrial Transition Activity Node (CITAN).

2. In the Chapel Hill Joint Planning Transition area, new developments of a CC-3 nature should be ~~controlled by the~~approved as an appropriate Conditional ~~Use designation~~ District.

3. Use would serve a market area population extending to major segments of the county and its municipalities.

4. Generally, for property designated Transition in the adopted Comprehensive Plan urban services such as water supply and sewerage would exist or be made available as part of the development process. For property located in other areas, the water supply and sewage disposal shall be appropriate to the uses proposed and the site conditions.

DIMENSIONAL STANDARDS NOTES:
[1] Lot size for individual uses shall be appropriate to the method of water supply and sewage disposal.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use.~~

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	2,000 [1]	
Lot Width, min. (feet)	20	
Front Setback from ROW, min. (feet)	50	
Side Setback, min. (feet)	None [2]	
Rear Setback, min. (feet)	None [2]	
Height, max. (feet)	45 [3]	
Floor Area Ratio, max., if located outside of a CTAN or CITAN	~~R-CU [4]~~ NR [4]	.400
	~~NR-CU~~	~~.459~~
Floor Area Ratio, max., if located within a CTAN or CITAN	~~R-CU~~ NR	.60
	~~NR-CU~~	~~.65~~
Required Open Space Ratio, min., if located outside of a CTAN or CITAN	~~R-CU~~ NR ~~NR-CU~~	.72
Required Open Space Ratio, min., if located within a CTAN or CITAN	.45	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.44~~
Required Recreation Space Ratio, min.	R	.197
	~~R-CU~~	~~.200~~
~~Gross Land Area, min./max. (square feet)~~	~~R-CU~~	~~5,000/ none~~
	~~NR-CU~~	~~425,600/ 1,273,544~~
Required Pedestrian/Landscape Ratio, min., if located outside of a CTAN or CITAN	NR ~~NR-CU~~	.18
Required Pedestrian/Landscape Ratio, min., if located within a CTAN or CITAN	NR ~~NR-CU~~	.05

CC-3 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the CC-3 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Sections 4.2.5 and 4.2.6 for a breakdown of the allowable impervious surface area. Additionally, Section 4.2.6 may require a larger lot size for non-residential uses than is contained in the Dimensional and Ratio Standards Table.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
6. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
7. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
8. Subdivisions in the Economic Development, Commercial and/or Industrial Nodes are subject to the procedure outlined in Section 2.16.
9. Normally, the maximum amount of land zoned CC-3 at any node shall not exceed 29 acres, but 15 acres shall apply in rural areas where population density is lower and distributed more widely than in the Transition Areas. Acreage limitations shall not apply to property zoned Existing Commercial-5 (EC-5)~~, Conditional Use (CU), or MPD CZ~~or as a Conditional District.
10. All property to be designated for new development under this classification shall have direct access to major collector streets as designated by the adopted Comprehensive Plan.

GC-4
GENERAL COMMERCIAL

PURPOSE

The purpose of the General Commercial-4 (GC 4) District is to provide suitable situated and sized sites that allow a broad range of commercial, office and service uses. Performance standards will be used to insure the absence of adverse impacts beyond the zoning district boundary.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. The site is within an area designated by the adopted Comprehensive Plan as either a Commercial Transition Activity Node (CTAN), or Commercial-Industrial Transition Activity Node (CITAN).

2. Water and sewer mains exist at the site or are to be made available as part of the development process or the lot size for individual uses are appropriate to the method of water supply and sewage disposal.

DIMENSIONAL STANDARDS NOTES:
[1] Lot size for individual uses shall be appropriate to the method of water supply and sewage disposal.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use.~~

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	40,000 [1]	
Lot Width, min. (feet)	75	
Front Setback from ROW, min. (feet)	35	
Side Setback, min. (feet)	None [2]	
Rear Setback, min. (feet)	None [2]	
Height, max. (feet) ., if located outside of a CTAN or CITAN	45 [3]	
Height, max. (feet) ., if located within a CTAN or CITAN	60 [3]	
Floor Area Ratio, max., if located outside of a CTAN or CITAN	NR [4]	.492
	~~NR-CU~~	~~.566~~
Floor Area Ratio, max., if located within a CTAN or CITAN	.75	
Required Open Space Ratio, min., if located outside of a CTAN or CITAN	.71	
Required Open Space Ratio, min., if located within a CTAN or CITAN	.40	
~~Gross Land Area, min./max. (square feet)~~	~~NR-CU~~	~~425,600/ none~~
Required Pedestrian/Landscape Ratio, min., if located outside of a CTAN or CITAN	.178	
Required Pedestrian/Landscape Ratio, min., if located within a CTAN or CITAN	.05	

GC-4 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the GC-4 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on

EC-5
EXISTING COMMERCIAL

PURPOSE

The purpose of the Existing Commercial-5 (EC 5) District is to provide a
district to be used only during the application of zoning to previously unzoned townships to accommodate existing commercial uses or in zoned townships to previously zoned commercial property which is not located in areas designated as Activity Nodes by the adopted Comprehensive Plan.

APPLICABILITY

This district shall be applied to:

1. Existing commercial uses in previously unzoned townships.
2. Previously zoned commercial property located in areas not designated as Activity Nodes in the adopted Comprehensive Plan.

This designation shall only be applied to property used for existing commercial at the time of application of this Ordinance.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	40,000 [1]	
Lot Width, min. (feet)	R [1]	180
	NR	75
Front Setback from ROW, min. (feet)	R	40
	NR	35
Side Setback, min. (feet)	R	20
	NR	None [2]
Rear Setback, min. (feet)	R	20
	NR	None [2]
Height, max. (feet)	R	25 [3]
	NR	45 [3]
Floor Area Ratio, max.	NR	.492
Required Open Space Ratio, min.	NR	.71
Required Pedestrian/Landscape Ratio, min.	NR	.178

DIMENSIONAL STANDARDS NOTES:
[1] R = residential, NR = non-residential.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.

EC-5 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the EC-5 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Sections 4.2.5 and 4.2.6 for a breakdown of the allowable impervious surface area. Additionally, Section 4.2.6 may require a larger lot size for non-residential uses than is contained in the Dimensional and Ratio Standards Table.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
6. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.

O/RM
OFFICE / RESEARCH AND MANUFACTURING

PURPOSE

The purpose of the Office/Research and Manufacturing (O/RM) District is to provide locations for medium and high intensity office, service, research, and light manufacturing land uses in areas where urban services are available or are to be made available as part of the development process. This district is intended to provide for employment centers near transportation routes.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Site is located in areas designated by the adopted Comprehensive Plan as Commercial Transition Activity Node or Commercial-Industrial Transition Activity Nodes.

2. Water and sewer mains are existing at the site or are to be made available during the development process.

DIMENSIONAL STANDARDS NOTES:

[1] R = residential, NR = non-residential~~, CU = conditional use.~~
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min. (square feet)	R [1]	None
	NR ~~NR-CU~~	5,000
Lot Width, min. (feet)	R ~~NR-CU~~	None
	NR	50
Front Setback from ROW, min. (feet)	R ~~NR - CU~~	None
	NR	25
Side Setback, min. (feet)	R	None
	NR	10 [2]
	~~NR - CU~~	~~None [2]~~
Rear Setback, min. (feet)	R	None
	NR	10 [2]
	~~NR - CU~~	~~None [2]~~
Height, max. (feet)	35 [3]	
Floor Area Ratio, max.	~~R - CU~~ NR	.40
	~~NR-CU~~	~~.45~~
Required Open Space Ratio, min.	.55	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.52~~
Required Recreation Space Ratio, min.	R	.111
	~~R-CU~~	~~.114~~
~~Gross Land Area, min./max. (square feet)~~	~~R-CU~~	~~5,000/ none~~
	~~NR-CU~~	~~200,000/ none~~
Required Pedestrian/Landscape Ratio, min.	NR ~~NR-CU~~	.05

O/RM DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the O/RM District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the

AS
AGRICULTURAL SERVICE

PURPOSE

The purpose of the Agricultural Service (AS) District is to provide sites in the rural portion of the County for rural non-farm, non-residential uses which support the horticultural, silvicultural, and agricultural uses of the AR districts.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Site is within areas designated by the adopted Comprehensive Plan as Agricultural Residential.

DIMENSIONAL STANDARDS NOTES:
[1] Lot size for individual uses shall be appropriate to the method of water supply and sewage disposal.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min., per use (square feet)	40,000 [1]
Lot Width, min. (feet)	200
Front Setback from ROW, min. (feet)	50
Side Setback, min. (feet)	20 [2]
Rear Setback, min. (feet)	20 [2]
Height, max. (feet)	45 [3]
Floor Area Ratio, max.	None
Required Open Space Ratio, min.	.83
Required Pedestrian/Landscape Ratio, min.	.208

AS DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the AS District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
3. Residential uses are not permitted in this district.
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.6 for a breakdown of the allowable impervious surface area. Additionally, Section 4.2.6 may require a larger lot size for non-residential uses than is contained in the Dimensional and Ratio Standards Table.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
6. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space provided.
7. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed

SECTION 3.5: INDUSTRIAL DISTRICTS

I-1
LIGHT INDUSTRIAL

PURPOSE

The purpose of the Light Industrial-1 (I-1) District is to provide appropriately located and sized sites for limited industrial uses engaged in manufacturing, processing, creating and assembling of goods, merchandise or equipment. Performance standards will be used to insure the absence of adverse impacts beyond the immediate space occupied by the building.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Site is located within areas designated in the adopted Comprehensive Plan as either a Commercial-Industrial Transition Activity Node (CITAN) or a Rural Industrial Activity Node.

DIMENSIONAL STANDARDS NOTES:
[1] Lot size for individual uses shall be appropriate to the method of water supply and sewage disposal.
[2] R = residential, NR = non-residential~~, CU = conditional use. [3] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.~~
[43] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min., per use (square feet), if outside of a CITAN	80,000 [1]	
Lot Size, min., per use (square feet), if within a CITAN	20,000 [1]	
Lot Width, min. (feet)	NR [2]	200
	~~NR - CU~~	~~None~~
Front Setback from ROW, min. (feet)	NR	50
	~~NR - CU~~	~~None~~
Side Setback, min. (feet)	NR	50
	~~NR - CU~~	~~None [3]~~
Rear Setback, min. (feet)	NR	50
	~~NR - CU~~	~~None [3]~~
Height, max. (feet)	45 [~~43~~]	
Floor Area Ratio, max., if located outside of a CITAN	.200	
Floor Area Ratio, max., if located within a CITAN	.60	
Required Open Space Ratio, min. , if located outside of a CITAN	NR	.80
	~~NR - CU~~	~~.75~~
Required Open Space Ratio, min. , if located within a CITAN	.45	
~~Gross Land Area, min./max. (square feet)~~	~~NR - CU~~	~~80,000 / none~~
Required Pedestrian/Landscape Ratio, min. , if located outside of a CITAN	NR	.20
	~~NR - CU~~	~~.187~~
Required Pedestrian/Landscape Ratio, min. , if located within a CITAN	.05	

I-1 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the I-1 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5

I-2
MEDIUM INDUSTRIAL

PURPOSE

The purpose of the Medium Industrial-2 (I-2) District is to provide locations for enterprises engaged in manufacturing, processing, creating, repairing, renovating, painting, cleaning, and assembling of goods, merchandise or equipment. Performance standards will be used to insure the absence of adverse impact beyond the lot boundaries of the use.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Site is located within areas designated by the adopted Comprehensive Plan as a Commercial-Industrial Transition Activity Node.

2. Water and sewer mains exist at the site or be made available as part of the development process.

DIMENSIONAL STANDARDS NOTES:
[1] R = residential, NR = non-residential~~, CU = conditional use.~~
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min., per use (square feet)	20,000	
Lot Width, min. (feet)	NR [1]	100
	~~NR - CU~~	~~None~~
Front Setback from ROW, min. (feet)	NR	50
	~~NR - CU~~	~~None~~
Side Setback, min. (feet)	None [2]	
Rear Setback, min. (feet)	None [2]	
Height, max. (feet)	45 [3]	
Floor Area Ratio, max.	.65	
Required Open Space Ratio, min.	.40	
~~Gross Land Area, min./max. (square feet)~~	~~NR - CU~~	~~80,000 / none~~
Required Pedestrian/Landscape Ratio, min.	.05	

I-2 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the I-2 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
3. Residential uses are not permitted in this district.
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.6 for a breakdown of the allowable impervious surface area. Additionally, Section 4.2.6 may require a larger lot size for non-residential uses than is contained in the Dimensional and Ratio Standards Table.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
6. Access shall consist of direct vehicular access to streets designated either arterial or collector by the adopted Comprehensive Plan. Access to rail service is desirable but not required.
7. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space

EI
EXISTING INDUSTRIAL

PURPOSE

The purpose of the Existing Industrial (EI) district is to provide a district to be used only during the application of zoning, to previously unzoned townships to accommodate existing industrial uses not located in areas designated as Industrial Transition Activity Node or Rural Industrial Activity Node by the adopted Comprehensive Plan.

APPLICABILITY

This district shall only be applied to accommodate existing (at the time of the application of the Zoning Ordinance to previously unzoned Townships) industrial uses located in areas not designated Commercial-Industrial Transition Activity Node or Rural Industrial Activity Node in the adopted Comprehensive Plan.

It is further intended that this district shall not be applied to any use that has adverse impacts beyond the immediate space occupied by the building.[68]

DIMENSIONAL STANDARDS NOTES:
[1] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[2] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min., per use (square feet)	80,000
Lot Width, min. (feet)	200
Front Setback from ROW, min. (feet)	50
Side Setback, min. (feet)	50 [1]
Rear Setback, min. (feet)	50 [1]
Height, max. (feet)	45 [2]
Floor Area Ratio, max.	.200
Required Open Space Ratio, min.	.80
Required Pedestrian/Landscape Ratio, min.	.20

E-I DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the EI District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
3. Residential uses are not permitted in this district.
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.6 for a breakdown of the allowable impervious surface area. Additionally, Section 4.2.6 may require a larger lot size for non-residential uses than is contained in the Dimensional and Ratio Standards Table.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
6. Proposed subdivisions are subject to all applicable subdivision standards detailed in Article 7. Note that Article 7 provides for different dimensional requirements than those shown in the Dimensional and Ratio Standards table depending upon the type of subdivision proposed and the percentage of open space

[68] This has been an incomplete sentence since the UDO was adopted in 2011. Staff looked up the exact language of the former Zoning Ordinance and added it.

SECTION 3.6: OTHER DISTRICTS

PID
PUBLIC INTEREST DISTRICT

PURPOSE

The purpose of Public Interest District (PID) is to preserve and protect certain public land and private educational lands, deemed environmentally sensitive and of major scientific research significance from the impacts of development. In addition, these lands will be managed in ways that will prevent any intentionally generated adverse impacts from affecting surrounding property.

APPLICABILITY

This district will be applied to the following:
1. All Duke Forest lands, the Eno River State Park, all University of North Carolina lands, and all other public or private educational lands deemed to be environmentally sensitive and of major scientific or research significance.

DIMENSIONAL STANDARDS NOTES:
[1] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[2] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.

DIMENSIONAL AND RATIO STANDARDS

Lot Size, min., per use (square feet)	500,000
Lot Width, min. (feet)	No requirement
Front Setback from ROW, min. (feet)	No requirement
Side Setback, min. (feet)	No requirement [1]
Rear Setback, min. (feet)	No requirement [1]
Height, max. (feet)	25 [2]
Floor Area Ratio, max.	.0125
Required Open Space Ratio, min.	No requirement
Required Pedestrian/Landscape Ratio, min.	No requirement

PID DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the PID District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
3. Residential uses are not permitted in this district.
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.6 for a breakdown of the allowable impervious surface area.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.

EDB-1
ECONOMIC DEVELOPMENT BUCKHORN LOWER INTENSITY

PURPOSE

The purpose of the Economic Development Buckhorn Lower Intensity (EDB-1) District is to provide locations for a range of lower intensity non-residential uses in the designated Buckhorn Economic Development District.

APPLICABILITY

This district will usually be applied where the following conditions exist:
1. Site is located within the designated Buckhorn Economic Development District.
2. Urban services, such as water and sewer mains, are highly desirable, but not required if acceptable alternatives are available. Any proposed use having reasonable access to water or sewer systems shall be required to connect to the systems regardless of the availability of acceptable alternatives.

DIMENSIONAL STANDARDS NOTES:
[1] Evaluated as part of the Site Plan review process.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~

DIMENSIONAL STANDARDS

Lot size, min., per use (square feet)	No requirement [1]	
Lot Width, min. (feet)	No requirement [1]	
Front Setback from ROW, min. (feet)	Buildings/ Structures	25
	Vehicle Use Areas, Storage Areas, Signs	10
Side Setback, min. (feet)	Buildings/ Structures	25 [2]
	Vehicle Use Areas, Storage Areas, Signs	10 [2]
Rear Setback, min. (feet)	Buildings/ Structures	25 [2]
	Vehicle Use Areas, Storage Areas, Signs	10 [2]
Driveway Setback from Property lines, min. (feet)	10	
Setbacks between Buildings, min. (feet)	20	
Height, max. (feet)	60 [3]	
Floor Area Ratio, max.	~~R-CU [4]~~ NR [4]	.60
	~~NR-CU~~	~~.70~~
Required Open Space Ratio, min.	.45	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.45~~
Gross Land Area min./max. (square feet)	None	
Required Pedestrian/Landscape Ratio, min.	NR ~~NR-CU~~	.05

EDB-1 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the EDB-1 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions. Uses Permitted by Right require the approval of a Site Plan as outlined in Section 2.5.
2. Development projects unable to meet all Standards required for Site Plan approval may be submitted as an appropriate Conditional ~~Use~~ District ~~or as a MPD-CZ~~ (see Section 3.8).
3. The impervious surface limit in this district is 70% if detention ponds are provided. Other requirements for impervious surface are located in Sections 4.2.5 and 4.2.6.

EDB-2
ECONOMIC DEVELOPMENT BUCKHORN HIGHER INTENSITY

PURPOSE

The purpose of the Economic Development Buckhorn Higher Intensity (EDB-2) District is to provide locations for a range of light industrial, distribution, retail, office, and services uses in the designated Buckhorn Economic Development District.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Site is located within the designated Buckhorn Economic Development District.

2. Urban services, such as water and sewer mains, are highly desirable, but not required if acceptable alternatives are available. Any proposed use having reasonable access to water or sewer systems shall be required to connect to the systems regardless of the availability of acceptable alternatives.

DIMENSIONAL STANDARDS NOTES:
[1] Evaluated as part of the Site Plan review process.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~

DIMENSIONAL STANDARDS

Lot size, min., per use (square feet)	No requirement [1]	
Lot Width, min. (feet)	No requirement [1]	
Front Setback from ROW, min. (feet)	Buildings/ Structures	25
	Vehicle Use Areas, Storage Areas, Signs	10
Side Setback, min. (feet)	Buildings/ Structures	25 [2]
	Vehicle Use Areas, Storage Areas, Signs	10 [2]
Rear Setback, min. (feet)	Buildings/ Structures	25 [2]
	Vehicle Use Areas, Storage Areas, Signs	10 [2]
Driveway Setback from Property lines, min. (feet)	10	
Setbacks between Buildings, min. (feet)	20	
Height, max. (feet)	60 [3]	
Floor Area Ratio, max.	~~R-CU [4]~~ NR [4]	.65
	~~NR-CU~~	~~.75~~
Required Open Space Ratio, min.	.40	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.45~~
Gross Land Area, min./max. (square feet)	none	
Required Pedestrian/Landscape Ratio, min.	NR ~~NR-CU~~	.05

EDB-2 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the EDB-2 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions. Uses Permitted by Right require the approval of a Site Plan as outlined in Section 2.5.
2. Development projects unable to meet all Standards required for Site Plan approval may be submitted as an

appropriate Conditional ~~Use~~ District ~~or as a MPD-CZ~~ (see Section 3.8).

3. The impervious surface limit in this district is 70% if detention ponds are provided. Other requirements for impervious surface are located in Sections 4.2.5 and 4.2.6.
4. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
5. Stormwater control for multiple sites may be provided in a combined fashion. Detention basins for individual sites are also allowed.
6. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
7. Residential uses in this district are restricted to temporary mobile homes for custodial care and require a ~~Class B~~ Special Use Permit. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
8. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
9. Subdivisions in the Economic Development, Commercial and/or Industrial Nodes are subject to the procedure outlined in Section 2.16.

EDE-1
ECONOMIC DEVELOPMENT ENO LOWER INTENSITY

PURPOSE

The purpose of the Economic Development Eno Lower Intensity (EDE-1) District is to provide locations for a range of lower intensity non-residential uses in the designated Eno Economic Development District.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Site is located within the designated Eno Economic Development District.

2. Urban services, such as water and sewer mains, are highly desirable, but not required if acceptable alternatives are available. Any proposed use having reasonable access to water or sewer systems shall be required to connect to the systems regardless of the availability of acceptable alternatives.

DIMENSIONAL STANDARDS NOTES:
[1] Evaluated as part of the Site Plan review process.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~

DIMENSIONAL STANDARDS

Lot size, min., per use (square feet)	No requirement [1]	
Lot Width, min. (feet)	No requirement [1]	
Front Setback from ROW, min. (feet)	Buildings/ Structures	25
	Vehicle Use Areas, Storage Areas, Signs	10
Side Setback, min. (feet)	Buildings/ Structures	25 [2]
	Vehicle Use Areas, Storage Areas, Signs	10 [2]
Rear Setback, min. (feet)	Buildings/ Structures	25 [2]
	Vehicle Use Areas, Storage Areas, Signs	10 [2]
Driveway Setback from Property lines, min. (feet)	10	
Setbacks between Buildings, min. (feet)	20	
Height, max. (feet)	60 [3]	
Floor Area Ratio, max.	~~R-CU~~ [4] NR [4]	.60
	~~NR-CU~~	~~.70~~
Required Open Space Ratio, min.	.45	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.45~~
Gross Land Area, min./max. (square feet)	none	
Required Pedestrian/Landscape Ratio, min.	NR ~~NR-CU~~	.05

EDE-1 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the EDE-1 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions. Uses Permitted by Right require the approval of a Site Plan as outlined in Section 2.5.
2. Development projects unable to meet all Standards required for Site Plan approval may be submitted as an appropriate Conditional ~~Use~~ District ~~or as a MPD-CZ~~ (see Section 3.8).
3. The impervious surface limit in this district is 70% if detention ponds are provided. Other requirements for

EDE-2
ECONOMIC DEVELOPMENT ENO HIGHER INTENSITY

PURPOSE

The purpose of the Economic Development Eno Higher Intensity (EDE-2) District is to provide locations for a range of light industrial, distribution, retail, office, and services uses in the designated Eno Economic Development District.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. Site is located within the designated Eno Economic Development District.

2. Urban services, such as water and sewer mains, are highly desirable, but not required if acceptable alternatives are available. Any proposed use having reasonable access to water or sewer systems shall be required to connect to the systems regardless of the availability of acceptable alternatives.

DIMENSIONAL STANDARDS NOTES:
[1] Evaluated as part of the Site Plan review process.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~

DIMENSIONAL STANDARDS

Lot size, min., per use (square feet)	No requirement [1]	
Lot Width, min. (feet)	No requirement [1]	
Front Setback from ROW, min. (feet)	Buildings/ Structures	25
	Vehicle Use Areas, Storage Areas, Signs	10
Side Setback, min. (feet)	Buildings/ Structures	25 [2]
	Vehicle Use Areas, Storage Areas, Signs	10 [2]
Rear Setback, min. (feet)	Buildings/ Structures	25 [2]
	Vehicle Use Areas, Storage Areas, Signs	10 [2]
Driveway Setback from Property lines, min. (feet)	10	
Setbacks between Buildings, min. (feet)	20	
Height, max. (feet)	60 [3]	
Floor Area Ratio, max.	~~R-CU [4]~~ NR [4]	.65
	~~NR-CU~~	~~.75~~
Required Open Space Ratio, min.	.40	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.45~~
Gross Land Area, min./max. (square feet)	none	
Required Pedestrian/Landscape Ratio, min.	NR ~~NR-CU~~	.05

EDE-2 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the EDE-2 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions. Uses Permitted by Right require the approval of a Site Plan as outlined in Section 2.5.

2. Development projects unable to meet all Standards required for Site Plan approval may be submitted as an appropriate Conditional ~~Use~~ District ~~or as a MPD-CZ~~ (see Section 3.8).
3. The impervious surface limit in this district is 70% if detention ponds are provided. Other requirements for impervious surface are located in Sections 4.2.5 and 4.2.6.
4. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
5. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
6. Residential uses in this district are restricted to temporary mobile homes for custodial care (see Section 5.5.11 for use standards) and require a ~~Class B~~ Special Use Permit. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
7. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
8. Subdivisions in the Economic Development, Commercial and/or Industrial Nodes are subject to the procedure outlined in Section 2.16.

EDH-1
ECONOMIC DEVELOPMENT HILLSBOROUGH LINEAR OFFICE

PURPOSE

The purpose of the Economic Development Hillsborough Linear Office (EDH-1) District is to provide locations for low to moderately intense medical, professional, administrative and government office on small to mid-sized sites in the designated Hillsborough Economic Development District.

The district is intended to be located on the periphery of established residential areas and along major and minor thoroughfares. The district is established to provide convenient locations for offices, the size and operating characteristics of which require limited parking and which generate little traffic.

Standards are designed so that this district may serve as a transitional land use between residential districts and higher, more intense land uses.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. This district will be applied in the Hillsborough Economic Development District.

2. This district shall only be applied where water and sewer are available at the site or are to be made available to the site as part of the development approval process.

DIMENSIONAL STANDARDS NOTES:
[1] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~

DIMENSIONAL STANDARDS

Lot size, min., (square feet)	20,000	
Lot Width, min. (feet)	100	
Front Setback from ROW, min. (feet)	50	
Side Setback, min. (feet)	15 [1]	
Corner Setback, min. (feet)	40 [1] [2]	
Rear Setback, min. (feet)	50 [1]	
Height, max. (feet)	30 [3]	
Floor Area Ratio, max.	~~R-CU[4]~~ NR [4]	.45
	~~NR-CU~~	~~.50~~
Required Open Space Ratio, min.	.55	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.55~~
Gross Land Area, min./max. (square feet)	none	
Required Pedestrian/Landscape Ratio, min.	NR ~~NR-CU~~	.05

EDH-1 DISTRICT SPECIFIC DEVELOPMENT STANDARDS
1. Uses shall be restricted to those indicated for the EDH-1 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions. Uses Permitted by Right require the approval of a Site Plan as outlined in Section 2.5.
2. Development projects unable to meet all Standards required for Site Plan approval may be submitted as an appropriate Conditional ~~Use~~ District ~~or as a MPD-CZ~~ (see Section 3.8).
3. The impervious surface limit in this district is 50%. Other requirements for impervious surface are located in Sections 4.2.5 and 4.2.6.
4. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
5. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
6. Residential uses are not permitted in this district.
7. A justification for any deviation to development standards must state a public benefit or purpose.
8. Structures in this district shall not exceed 5,000 square feet in gross floor area.
9. If the hours of operation are to be outside of the hours of 6:00 a.m. until 11:00 p.m., ~~a Class A Special Use Permit shall be required~~the proposed project must be approved as an appropriate Conditional District.
10. When a site within this district adjoins the exterior boundary of the Hillsborough Economic Development District, the perimeter buffer width along the exterior boundary line may be reduced to 50 feet. Landscaping in accordance with Section 6.8.12 shall be installed.
11. All parcels shall provide for interconnectivity between parking areas if determined necessary by Planning staff.
12. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
13. Proposed subdivisions shall follow the procedures outlined in Section 2.16.
14. See Section ~~5.3.2(C)~~5.21.2 for standards for uses requiring ~~a Class A Special Use Permit~~approval as a Conditional District within the Hillsborough Economic Development District.

EDH-2
ECONOMIC DEVELOPMENT HILLSBOROUGH LIMITED OFFICE

PURPOSE

The purpose of the Economic Development Hillsborough Limited Office (EDH-2) District is to provide locations for low intensity office uses and supporting services in the designated Hillsborough Economic Development District. The district may contain limited commercial uses within employment centers or where vehicular access is provided internally to the development.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. This district will be applied in the Hillsborough Economic Development District.

2. This district shall only be applied where water and sewer are available at the site or are to be made available to the site as part of the development approval process.

DIMENSIONAL STANDARDS NOTES:
[1] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~

DIMENSIONAL STANDARDS

Lot size, min, (square feet)	30,000	
Lot Width, min. (feet)	200	
Front Setback, from ROW, min. (feet)	50	
Side Setback, min. (feet)	20 [1]	
Corner Setback, min. (feet)	50 [1] [2]	
Rear Setback, min. (feet)	40 [1]	
Height, max. (feet)	60 [3]	
Floor Area Ratio, max.	~~R-CU~~ [4] NR [4]	.45
	~~NR-CU~~	~~.50~~
Required Open Space Ratio, min.	.55	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.50~~
Gross Land Area, min./max (square feet)	none	
Required Pedestrian/Landscape Ratio, min.	NR ~~NR-CU~~	.05

EDH-2 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the EDH-2 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions. Uses Permitted by Right require the approval of a Site Plan as outlined in Section 2.5.
2. Development projects unable to meet all Standards required for Site Plan approval may be submitted as an appropriate Conditional ~~Use~~ District ~~or as a MPD-CZ~~ (see Section 3.8).
3. The impervious surface limit in this district is 50%. Other requirements for impervious surface are located in Sections 4.2.5 and 4.2.6.
4. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
5. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all

applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.

6. Residential uses are not permitted in this district.
7. Any nonresidential use within two hundred feet of a lot smaller than 2 acres in size with an existing dwelling unit shall ~~require a Special Use Permit, Class A~~be submitted as an appropriate Conditional District.
8. Direct driveway access to an arterial or major collector shall be limited to shared driveways, limited access streets, or marginal access streets except where such a driveway and/or street would a) cross a stream and require a no-rise certification from the NC Department of Public Safety National Flood Insurance Program, b) be located on a slope greater than 15%, or c) disturb natural areas as identified in the Inventory of Natural Areas and Wildlife Habitats of Orange County, NC.
9. A justification for any deviation to development standards must state a public benefit or purpose.
10. All parcels shall provide for interconnectivity between parking areas if determined necessary by Planning staff.
11. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
12. Proposed subdivisions shall follow the procedures outlined in Section 2.16.
13. See Section ~~5.3.2(C)~~5.21.2 for standards for uses requiring ~~a Class A Special Use Permit~~approval as a Conditional District within the Hillsborough Economic Development District.

EDH-3
ECONOMIC DEVELOPMENT HILLSBOROUGH OFFICE

PURPOSE

The purpose of the Economic Development Hillsborough Office (EDH-3) District is to provide locations for low to moderate intensity office uses and supporting services in the designated Hillsborough Economic Development District. The district may contain multi-family residential uses (6-12 units per acre).

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. This district will be applied in the Hillsborough Economic Development District.

2. This district shall only be applied where water and sewer are available at the site or are to be made available to the site as part of the development approval process.

DIMENSIONAL STANDARDS NOTES:
[1] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] R = Residential uses; NR = Non-residential uses.
[4] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[5] Multi-family structures shall be limited to a three-story maximum.

DIMENSIONAL STANDARDS

Lot size, min, (acres)	1	
Lot Width, min. (feet)	200	
Front Setback, from ROW, min. (feet)	50	
Side Setback, min. (feet)	20 [1]	
Corner Setback, min. (feet)	50 [1] [2]	
Rear Setback, min. (feet)	40 [1]	
Height, max. (feet)	R [3]	35 [4] [5]
	NR	60 [4]
Floor Area Ratio, max.	~~R-CU [3]~~ NR	.60
	~~NR-CU~~	~~.65~~
Required Open Space Ratio, min.	.50	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.45~~
Gross Land Area, min./max. (square feet)	none	
Required Pedestrian/Landscape Ratio, min.	NR ~~NR-CU~~	.05

EDH-3 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the EDH-3 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions. Uses Permitted by Right require the approval of a Site Plan as outlined in Section 2.5.
2. Development projects unable to meet all Standards required for Site Plan approval may be submitted as an appropriate Conditional ~~Use~~ District ~~or as a MPD-CZ~~ (see Section 3.8).
3. The impervious surface limit in this district is 50%. Other requirements for impervious surface are located in Sections 4.2.5 and 4.2.6.
4. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
5. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all

applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.

6. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
7. Any nonresidential use within two hundred feet of a property line of an existing dwelling unit located on a lot smaller than 2 acres in size shall ~~require a Special Use Permit, Class A~~be submitted as an appropriate Conditional District.
8. Direct driveway access to an arterial or major collector shall be limited to shared driveways, limited access streets, or marginal access streets except where such a driveway and/or street would a) cross a stream and require a no rise certification from the NC Department of Public Safety National Flood Insurance Program, b) be located on a slope greater than 15%, or c) disturb natural areas as identified in the Inventory of Natural Areas and Wildlife Habitats of Orange County, NC.
9. A justification for any deviation to development standards must state a public benefit or purpose.
10. All parcels shall provide for interconnectivity between parking areas if determined necessary by Planning staff.
11. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
12. Proposed subdivisions shall follow the procedures outlined in Section 2.16.
13. See Section ~~5.3.2(C)~~5.21.2 for standards for uses requiring ~~a Class A Special Use Permit~~approval as a Conditional District within the Hillsborough Economic Development District.

EDH-4
ECONOMIC DEVELOPMENT HILLSBOROUGH OFFICE / RETAIL

PURPOSE

The purpose of the Economic Development Hillsborough Office / Retail (EDH-4) District is to provide locations for high intensity office uses and supporting retail and service uses in the designated Hillsborough Economic Development District.

The district is intended to be located on large areas as part of a cohesive development plan and may contain commercial uses within employment centers.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. This district will be applied in the Hillsborough Economic Development District.

2. This district shall only be applied where water and sewer are available at the site or are to be made available to the site as part of the development approval process.

DIMENSIONAL STANDARDS NOTES:
[1] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~

DIMENSIONAL STANDARDS

Lot size, min., (acres)	1	
Lot Width, min. (feet)	200	
Front Setback, from ROW, min. (feet)	50	
Side Setback, min. (feet)	20 [1]	
Corner Setback, min. (feet)	50 [1] [2]	
Rear Setback, min. (feet)	40 [1]	
Height, max. (feet)	60 [3]	
Floor Area Ratio, max.	~~R CU[4]~~ NR [4]	.65
	~~NR CU~~	~~.75~~
Required Open Space Ratio, min.	.40	
~~Required Livability Space Ratio, min.~~	~~R CU~~	~~.45~~
Gross Land Area, min./max. (square feet)	none	
Required Pedestrian/Landscape Ratio, min.	NR ~~NR CU~~	.05

EDH-4 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the EDH-4 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions. Uses Permitted by Right require the approval of a Site Plan as outlined in Section 2.5.
2. Development projects unable to meet all Standards required for Site Plan approval may be submitted as an appropriate Conditional ~~Use~~ District ~~or as a MPD-CZ~~ (see Section 3.8).
3. The impervious surface limit in this district is 50%. Other requirements for impervious surface are located in Sections 4.2.5 and 4.2.6.
4. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that

utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.

5. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.

~~6. Residential uses are not permitted in this district.~~[69]

~~7.~~6. All outparcels within this district shall have internal access to the development.

~~8.~~7. Direct driveway access to an arterial or major collector shall be limited to shared driveways, limited access streets, or marginal access streets except where such a driveway and/or street would a) cross a stream and require a no rise certification from the NC Department of Public Safety National Flood Insurance Program, b) be located on a slope greater than 15%, or c) disturb natural areas as identified in the Inventory of Natural Areas and Wildlife Habitats of Orange County, NC.

~~9.~~8. A justification for any deviation to development standards must state a public benefit or purpose.

~~10.~~9. All parcels shall provide for interconnectivity between parking areas if determined necessary by Planning staff.

~~11.~~10. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.

~~12.~~11. Proposed subdivisions shall follow the procedures outlined in Section 2.16.

~~13.~~12. See Section ~~5.3.2(C)~~5.21.2 for standards for uses requiring ~~a Class A Special Use Permit~~approval as a Conditional District within the Hillsborough Economic Development District.

[69] This is incorrect. Some higher-density residential uses are allowed in this district, subject to use standards (See Article 5)

EDH-5
ECONOMIC DEVELOPMENT HILLSBOROUGH RESEARCH AND MANUFACTURING

PURPOSE

The purpose of the Economic Development Hillsborough Research and Manufacturing (EDH-5) District is to provide locations for a wide range of research, assembling, fabricating and light manufacturing activities, and such ancillary industrial activities as warehousing and distribution in the designated Hillsborough Economic Development District.

Some commercial services are also permitted if they are part of a cohesive development plan that is predominantly comprised of permitted non-residential uses and provided all access is provided internally. The district is established to provide locations for research and industrial development which have little or no impact on adjoining properties.

APPLICABILITY

This district will usually be applied where the following conditions exist:

1. This district will be applied in the Hillsborough Economic Development District.

2. This district shall only be applied where water and sewer are available at the site or are to be made available to the site as part of the development approval process.

DIMENSIONAL STANDARDS NOTES:
[1] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[2] Any corner lot having an abutting interior lot on its side street shall observe a front yard setback from both streets provided, however, that this requirement does not reduce the width suitable for a building on said lot to less than 25 feet. (See graphic in Section 6.2.7).
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] R = residential, NR = non-residential~~, CU = conditional use~~

DIMENSIONAL STANDARDS

Lot size, min., (acres)	2	
Lot Width, min. (feet)	200	
Front Setback, from ROW, min. (feet)	50	
Side Setback, min. (feet)	20 [1]	
Corner Setback, min. (feet)	50 [1] [2]	
Rear Setback, min. (feet)	40 [1]	
Height, max. (feet)	40 [3]	
Floor Area Ratio, max.	~~R-CU [4]~~ NR [4]	.65
	~~NR-CU~~	~~.75~~
Required Open Space Ratio, min.	.40	
~~Required Livability Space Ratio, min.~~	~~R-CU~~	~~.45~~
Gross Land Area, min./max. (square feet)	none	
Required Pedestrian/Landscape Ratio, min.	NR ~~NR-CU~~	.05

EDH-5 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the EDH-5 District in Section 5.2, unless a Conditional ~~Use (CU) or MPD-CZ~~ District is approved (see Section 3.8). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use

restrictions. Uses Permitted by Right require the approval of a Site Plan as outlined in Section 2.5.

2. Development projects unable to meet all Standards required for Site Plan approval may be submitted as an appropriate Conditional ~~Use~~ District ~~or as a MPD-CZ~~ (see Section 3.8).
3. The impervious surface limit in this district is 50%. Other requirements for impervious surface are located in Sections 4.2.5 and 4.2.6.
4. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
5. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance. See Sections 6.2.5 and 6.2.6 if more than one principal use or principal structure is proposed on a non-residential zoning lot.
6. Residential uses are not permitted in this district.
7. Direct driveway access to an arterial or major collector shall be limited to shared driveways, limited access streets, or marginal access streets except where such a driveway and/or street would a) cross a stream and require a no rise certification from the NC Department of Public Safety National Flood Insurance Program, b) be located on a slope greater than 15%, or c) disturb natural areas as identified in the Inventory of Natural Areas and Wildlife Habitats of Orange County, NC.
8. A justification for any deviation to development standards must state a public benefit or purpose.
9. All parcels shall provide for interconnectivity between parking areas if determined necessary by Planning staff.
10. Subdivisions proposing private roads are subject to larger setbacks and minimum lot sizes than those listed in the Dimensional and Ratio Standards. Refer to Section 7.8.4 for additional requirements. Refer to Section 7.8.5 for private road standards.
11. Proposed subdivisions shall follow the procedures outlined in Section 2.16.
12. See Section ~~5.3.2(C)~~5.21.2 for standards for uses requiring ~~a Class A Special Use Permit~~approval as a Conditional District within the Hillsborough Economic Development District.

SECTION 3.8: CONDITIONAL DISTRICTS

3.8.1 Generally

This Ordinance contains regulations that establish zoning districts and assign land uses to one or more of these districts. The Ordinance also provides standards for development that regulate lot size, yards, parking, landscaping, open space management, and other aspects of land use planning.

However, there are certain circumstances when:

(A) A ~~general zoning~~conventional district designation would not be appropriate for a certain property, but a specific use permitted within the district would be consistent with the objectives of this Ordinance and/or the adopted Comprehensive Plan,

(B) A planning study, adopted by the Board of County Commissioners, indicates there may be opportunities to allow for specific classifications of development within a specific geographic area of the county that is not located within appropriate Land Use Categories to allow for a ~~general use~~conventional district rezoning to occur,

(C) Certain uses, groups of uses, or types of development that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole and cannot be predetermined or controlled by ~~general use~~conventional district standards, or

(D) A property owner proposes the development, adoption, and imposition of unified development standards associated with the approval of a master development plan for a specific parcel of property that may or may not involve proposed modification of existing development regulations.

In these circumstances, a Conditional District~~s~~ may be utilized.

3.8.2 Purpose and Intent

(A) Conditional Districts may be established for specialized purposes where tracts suitable in location, area and character for the use and structures proposed are to be planned and developed on a unified basis.

(B) The suitability of tracts for the development proposed shall be determined primarily by reference to the adopted Comprehensive Plan, any relevant adopted small area plan, and the standards outlined in this Ordinance, but due consideration shall be given to the existing and prospective character of surrounding development.

(C) Conditional Districts offer advantages to both the general public and property owners.

(1) Benefits to the general public include:

(a) A more efficient and effective use of land,

(b) A more efficient use of energy,

(c) The reduction of the costs of continuing maintenance responsibilities,

(d) The master planning of infrastructure development within the region, and

(e) A higher level of amenities in all types of development.

(2) Benefits to property owners include:

(a) Greater flexibility in the development of their land,

(b) The opportunity to utilize new and ingenious development techniques, and

(c) A more prudent use of time, money, effort, and other resources.

(D) A rezoning request to a Conditional District is a voluntary procedure that is intended for firm development proposals.

3.8.3 Districts Established

(A) Conditional ~~Zoning~~ Districts[70]

(1) Conditional ~~Zoning (CZ)~~ Districts are floating zoning districts, permitted within most land use designations allowing for the development of specific land uses, in accordance with established standards.

(2) A ~~CZ~~ Conditional District requires the approval of a rezoning by the Board of County Commissioners, approval of a site plan or Master Plan, and may include agreed-upon conditions of development.

(3) The following ~~CZ~~ Conditional Districts~~districts~~ are hereby established:

(a) Agricultural Support Enterprises (ASE-~~CZ~~CD)

(b) Home Park (HP-~~CZ~~CD)

(c) Master Plan Development (MPD-~~CZ~~CD)

(d) NC Highway 57 Speedway Area Rural Economic Development Area (REDA-~~CZ~~CD-1)

(e) Residential (R-CD)

~~(d)~~(f) Non-Residential (NR-CD)

(4) Land uses permitted within ~~CZ~~ Conditional Districts~~districts~~ shall be those uses detailed within Section 5.2 of this Ordinance.

(5) Development standards ~~for each district are located~~ in Article 6 of this Ordinance apply to Conditional Districts unless a condition is approved which modifies a standard. However, a condition which allows a standard less than a state or federal minimum shall not be approved.[71]

~~**(B) Conditional Use Districts**~~

~~**(1)** Conditional Use Districts allow for the development of a specific land use, or land uses, listed on the Table of Permitted Uses in Section 5.2 of this Ordinance, even if such use is not listed as a permitted use or special use under the current zoning designation of the subject property.~~

~~**(2)** Conditional Use Districts shall conform to all applicable development regulations, including uses, for the corresponding general use zoning district, as well as any specific use standards and development standards established in Articles 5 and 6 of this Ordinance.~~

~~**(3)** A Conditional Use District requires the approval of a rezoning by the Board of County Commissioners, approval of a site plan, the issuance of a Class A Special Use Permit, and may include agreed-upon conditions of development.~~

3.8.4 Where Permitted

Conditional Districts are permitted within the following:[72]:

[70] 160D-703 of the statutes standardizes the term "conditional zoning district" to "conditional district."
[71] The existing statement is not accurate. The suggested amendment clarifies the intent of the statement and also clarifies that modifications from development standards may be approved.
[72] (A), (B), and (C) are currently A, B, and C – a "bug" in Word is not allowing correct modification when also using the Track Changes feature.

(A) ~~Conditional Districts are permitted ini~~In any Land Use classification and shall be located consistent with the existing general development pattern and the objectives of the adopted Comprehensive Plan and any adopted small area plan(s); and,~~.~~

~~(C)~~(B) ~~Conditional Districts are permitted within~~W~~w~~within areas subject to the Joint Planning Agreement (JPA) between Orange County the Towns of Carrboro and Chapel Hill, subject to the terms and standards of the JPA; and,~~.~~

~~(D)~~(C) ~~Conditional Districts are permitted within~~W~~w~~within the University Lake, Cane Creek, and Upper Eno Protected and Critical Watershed Overlay Districts.

ASE-~~CZ~~CD
AGRICULTURAL SUPPORT ENTERPRISES

PURPOSE

The purpose of the Agricultural Support Enterprises Conditional District (ASE-~~CZ~~CD) ~~District~~ is to provide for agriculturally-related activities that are not considered bona fide farming activities within the County's planning jurisdiction.

APPLICABILITY

The district shall be located in such a manner as to be compatible with the character of existing development of surrounding properties, thus ~~insuring~~ ensuring the continued conservation of building values and encouraging the most appropriate use of land in the county. Therefore, when evaluating an application for this district, emphasis shall be given to the location of the proposed development, the relationship of the site and site development plan to adjoining property, and the development itself.

DIMENSIONAL AND RATIO STANDARDS

Lot size, min., per use (square feet)	40,000 [1]
Lot Width, min. (feet)	150
Front Setback from ROW, min. (feet)	40
Side Setback, min. (feet)	20 [2]
Rear Setback, min. (feet)	20 [2]
Height, max. (feet)	45 [3]
Floor Area Ratio, max	No requirement [4]
Required Open Space Ratio, min.	No requirement [4]
Required Livability Space Ratio, min.	No requirement [4]
Required Recreation Space Ratio, min.	No requirement [4]
Required Pedestrian / Landscape Ratio, min.	No requirement [4]

DIMENSIONAL STANDARDS NOTES:
[1] Lot size for individual uses shall be appropriate to the method of water supply and sewage disposal.
[2] Required side and rear setbacks adjacent to residentially zoned land shall be equal to the required side or rear setback of the adjacent residential district.
[3] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.
[4] The overall development will be evaluated to ensure compatibility with surrounding properties and with planning objectives.

ASE-~~CZ~~ CD DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the ASE-~~CZ~~ CD District in Section 5.2. Certain uses shall not be approved on parcels located within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan ~~(refer to Section 5.2.3 for these uses~~see use standards in Article 5[73]). Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property). The ASE-~~CZ~~ CD district is not intended for residential uses such as subdivisions. Any residential uses are to be occupied by the operator of the associated farm or the proprietor of the approved use.
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Sections 4.2.5 and 4.2.6 for a breakdown of the allowable impervious surface area.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots

[73] A 2019 amendment changed the way the uses are denoted and Section 5.2.3 no longer exists; this proposed language should have been part of the 2019 amendments.

MPD-~~CZ~~CD
MASTER PLAN DEVELOPMENT

PURPOSE

The purpose of the Master Plan Development Conditional ~~Zoning~~ District (MPD-C~~Z~~D) ~~District~~ is to provide for unified large scale subdivisions, non-residential, and mixed-use developments that promote economical and efficient land use, improved level of amenities, appropriate and harmonious variety, creative design, and a better environment through the approval of a general concept Master Plan the permits defined flexibility to accommodate land use adjustments in response to evolving market trends.

APPLICABILITY

The district shall be located in such a manner as to be compatible with the character of existing development of surrounding properties, thus ~~insuring~~ ensuring the continued conservation of building values and encouraging the most appropriate use of land in the county. Therefore, when evaluating an application for this district, emphasis shall be given to the location of the proposed development, the relationship of the site and site development plan to adjoining property, and the development itself.

DIMENSIONAL STANDARDS NOTES:
[1] The MPD-~~CZ~~ CD district is intended to allow for flexibility in dimensional standards. The overall development will be evaluated to ensure compatibility with surrounding properties and with planning objectives.
Specific site development standards can be approved with the Master Plan.

DIMENSIONAL AND RATIO STANDARDS

Tract size, min. (acres)	5
Tract Front Setback from ROW, min. (feet)	No requirement [1]
Tract Side Setback, min. (feet)	No requirement [1]
Tract Rear Setback, min. (feet)	No requirement [1]
Height, max. (feet)	No requirement [1]
Tract Floor Area Ratio, max	No requirement [1]
Required Open Space Ratio, min.	No requirement [1]
Required Livability Space Ratio, min.	No requirement [1]
Required Recreation Space Ratio, min.	No requirement [1]
Required Pedestrian / Landscape Ratio, min.	No requirement [1]

MPD-~~CZ~~ CD DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. MPD-~~CZ~~ CD districts shall be limited to Transition Land Use Categories within the Orange County Planning Jurisdiction and Rural Community Nodes, as defined in the Orange County Comprehensive Plan.
2. Uses shall be restricted to those indicated for the MPD-~~CZ~~ CDDistrict in Section 5.2. Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Sections 4.2.5 and 4.2.6 for a breakdown of the allowable impervious surface area.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
6. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all

	applicable development standards detailed in Article 6 of this Ordinance or provide creative alternatives that meet the intent and spirit of the regulations.
7.	Within the Rural Buffer Land Use classification, as denoted in the adopted Comprehensive Plan, ~~(RB) zoning district~~[74], only the following types of uses shall be considered for a MPD-~~CZ~~CD: residential uses, institutional uses and professional services. Under no circumstances shall a MPD-~~CZ~~ CD be approved for a retail or manufacturing/industrial land use within the RB zoning district.

[74] The correct reference is to the Land Use classification since, after a parcel is rezoned to MPD-CD, it is technically no longer within the RB zoning district. This restriction comes from the Joint Planning Agreement which is based primarily on future Land Use designations.

HP-~~CZ~~CD
HOME PARK

PURPOSE

The purpose of the Home Park Conditional ~~Zoning~~ District (HP-~~CZ~~CD) ~~District~~ is to provide for the development of properly located and planned facilities for mobile home and temporary housing unit parks.

Adequate housing is fundamental to the welfare of county residents; however, conventional housing is not consistently affordable to, nor desired by, all members of the general public. There is also an identified need to provide some level of flexibility for transient residents who need to reside within the area on a temporary basis.

Where properly regulated and located, Home Parks address the public need for alternative housing and achieve a satisfactory relationship to adjoining and nearby property.

APPLICABILITY

The district shall be located in such a manner as to be compatible with the character of existing development of surrounding properties, thus ~~insuring~~ ensuring the continued conservation of building values and encouraging the most appropriate use of land in the county. Therefore, when evaluating an application for this district, emphasis shall be given to the location of the proposed mobile home district, the relationship of the site and site development plan to adjoining property, and the development itself.

DIMENSIONAL STANDARDS NOTES:
[1] Two feet of additional height shall be allowed for one foot increase of the required front and side setbacks.

DIMENSIONAL AND RATIO STANDARDS

Tract size, min./max. (acres)	5/100
Tract Front Setback from ROW, min. (feet)	40
Tract Side Setback, min. (feet)	20
Tract Rear Setback, min. (feet)	20
Individual Mobile Home Space Size, min. (square feet)	5,000
Temporary Residential Unit Space Size, min. (square feet)	2,000
Individual Space Width, min. (feet)	50
Height, max. (feet)	25 [1]
Tract Floor Area Ratio, max	Consistent with residential uses in adjacent zoning districts
Required Open Space Ratio, min.	Consistent with residential uses in adjacent zoning districts
Required Livability Space Ratio, min.	Consistent with residential uses in adjacent zoning districts
Required Recreation Space Ratio, min.	Consistent with residential uses in adjacent zoning districts

HP-~~CZ~~CD DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Uses shall be restricted to those indicated for the HP-~~CZ~~CD District in Section 5.2. Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
2. Development within the zoning district shall be subject to all applicable use standards detailed in Article 5 and all applicable development standards detailed in Article 6 of this Ordinance.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be located on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Sections 4.2.5 and 4.2.6 for a breakdown of the allowable impervious surface area.

5. See Section 5.5.4 for standards pertaining to Home Parks.
6. When a new home park is proposed to be located adjacent to an existing home park, the Standards in Section 5.5.4 shall be met.
7. Each home space shall contain only one designated temporary or permanent residential unit. Efficiency Units are prohibited within HP-~~CZ~~ CD districts.
8. A Temporary Residential Unit shall be allowed within a given park for a maximum of 180 days.
9. All permanent residential units within a HP-C~~Z~~D shall be designed and built to the appropriate State and Housing and Urban Development (HUD) standards and shall be served by permanent utility connections.

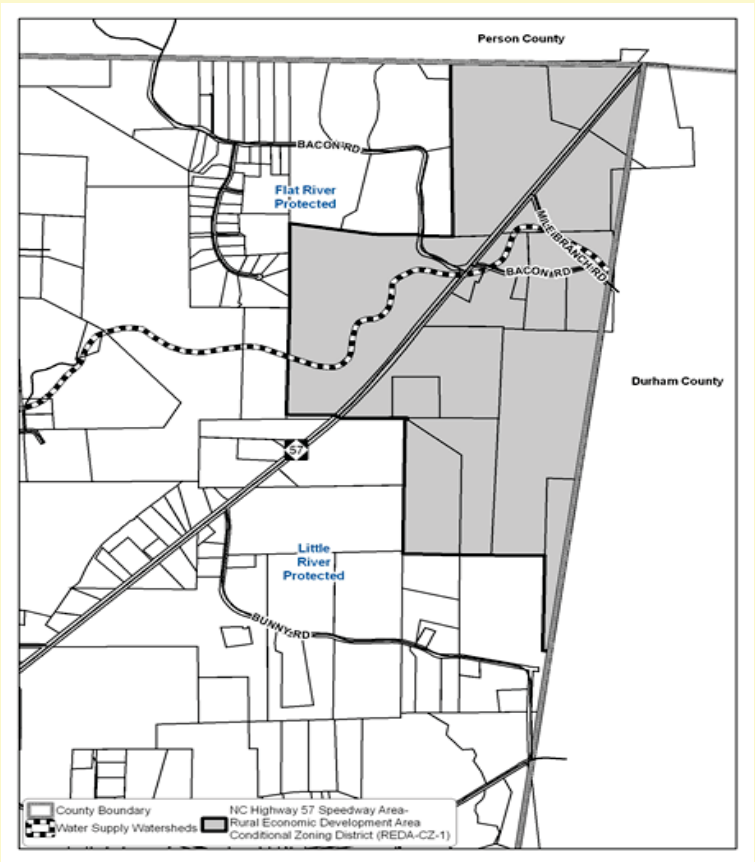
REDA-~~CZ~~CD-1
NC HIGHWAY 57 SPEEDWAY AREA RURAL ECONOMIC DEVELOPMENT AREA

PURPOSE

The purpose of the NC Highway 57 Speedway Area Rural Economic Development Area Conditional ~~Zoning~~ District (REDA-~~CZ~~CD-1) ~~District~~ is to encourage additional, compatible, and unique non-residential development opportunities in a predefined area of the County as identified within the adopted NC Highway 57 Small Area Plan. Further, this district is intended to provide existing non-conforming land uses an opportunity to become conforming through a development review process so that property owners can upgrade their existing business to address changing needs while recognizing, and being consistent with, local land use regulations.

APPLICABILITY

This district shall be located consistent with the parcels designated as "Rural Economic Development Area" within the aforementioned Small Area Plan, a map of which is provided herein for illustrative purposes only:



DIMENSIONAL AND RATIO STANDARDS

Tract size, min. (acres)	none
Tract Front Setback from ROW, min. (feet)	No requirement [1]
Tract Side Setback, min. (feet)	No requirement [1]
Tract Rear Setback, min. (feet)	No requirement [1]
Height, max. (feet)	No requirement [1]
Tract Floor Area Ratio, max	No requirement [1]
Required Open Space Ratio, min.	No requirement [1]
Required Livability Space Ratio, min.	No requirement [1]

DIMENSIONAL STANDARDS NOTES: [1] The REDA-~~CZ~~CD-1 district is intended to allow for flexibility in dimensional standards. The overall development will be evaluated to ensure compatibility with surrounding properties and with the adopted goal statements, policies, and action statements of the Small Area Plan and with the policies and objectives of this Ordinance. Specific site design standards shall be incorporated into the Planning Department-approved Site Plan.	Required Recreation Space Ratio, min.	No requirement [1]
	Required Pedestrian / Landscape Ratio, min.	No requirement [1]

REDA-~~CZ~~CD-1 DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Applications for the REDA-~~CZ~~CD-1 district shall be accepted only for parcels delineated as being suitable for non-residential development within the NC Highway 57 Speedway Area Small Area Plan adopted by the BOCC on August 21, 2007.
2. Potential uses shall be restricted to those listed as permitted for the REDA-~~CZ~~CD-1 District in Section ~~5.2.3~~5.2[75].
3. Specific uses shall be limited to those approved by the Board of County Commissioners in the conditions of approval. Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.6 for a breakdown of the allowable impervious surface area.
5. Development within the conditional ~~zoning~~ district shall be subject to all applicable use standards detailed in Articles 5 and 6 of this Ordinance or provide creative alternatives that meet the intent and spirit of the regulations.
6. Applicants shall complete a comprehensive groundwater study to anticipate future usage to determine the appropriateness of a proposed land use. Such a study shall detail how much water is anticipated to be consumed, what amount of groundwater withdrawal is safe and sustainable in the immediate vicinity of the use, and if other wells will be affected by such withdrawals.
7. All new development shall limit groundwater withdrawals to not more than 240 gallons per day per acre.
8. No new development having a significant negative impact on existing roadways, traffic patterns or surface drainage patterns shall be permitted, unless an appropriate and viable solution has been approved to mitigate these conditions.

[75] Correction that should have been part of amendments adopted in 2019.

CU
CONDITIONAL USE DISTRICT

DIMENSIONAL AND RATIO STANDARDS

Dimensional and Ratio Standards shall conform to the requirements of the corresponding general use zoning district.

PURPOSE

The purpose of the Conditional Use (CU) District is to provide for unified developments that accomplish the purposes of applicable regulations to an equivalent or higher degree than where such regulations are intended to control unscheduled development on individual lots, and to promote economical and efficient land use, improved level of amenities, appropriate and harmonious variety, creative design, and a better environment. Conditional Use Districts are intended to be used for purpose of binding development to a detailed site plan with a list of specific conditions that insures compatibility and harmony with surrounding areas.

APPLICABILITY

1. The district shall be located in such a manner as to be compatible with the character of existing development of surrounding properties, thus insuring the continued conservation of building values and encouraging the most appropriate use of land in the county. Therefore, when evaluating an application for this district, emphasis shall be given to the location of the proposed development, the relationship of the site and site development plan to adjoining property, and the development itself.

2. The Conditional Use (CU) development review process involves the development of a specific land use(s) on a specific parcel of property regardless of the current zoning designation.

CU DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. CU allows for the development of any land use contained within Section 5.2 of this Ordinance even if such use is not listed as a permitted or special use under the current zoning designation of the subject property.
2. Certain uses are excluded from consideration as a CU. See Section 5.1.3(E) for a list of uses that will not be considered for a CU.
3. Non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
4. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
5. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Sections 4.2.5 and 4.2.6 for a breakdown of the allowable impervious surface area.
6. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
7. Within the Rural Buffer (RB) zoning district, only the following types of uses shall be considered for a CU: residential uses, institutional uses and professional services. Under no circumstances shall a CU be approved for a retail or manufacturing/industrial land use within the RB zoning district.
8. Any use permitted as a CU shall conform to all applicable development regulations for the corresponding general use zoning district as well as the specific development standards outlined in Articles 5 and 6 of this Ordinance.
9. All applications for a CU designation require the approval of a Special Use Permit, and the processing of the request shall be completed in accordance with the provisions of Section 2.9 of this Ordinance.
10. As detailed within Section 2.9, the review and approval of a CU requires:
    a. Approval of a rezoning petition by the Board of County Commissioners, and
    b. The approval and issuance of a Class A Special Use Permit by the Board of County Commissioners which includes the approval of a site plan for the proposed land use. See Sections 2.5 and 2.7.

R-CD
RESIDENTIAL CONDITIONAL DISTRICT

PURPOSE

The purpose of the Residential Conditional District (R-CD) is to provide for unified residential developments that accomplish the purposes of applicable regulations to an equivalent or higher degree than where such regulations are intended to control development on individual lots, and to promote economical and efficient land use, improved level of amenities, appropriate and harmonious variety, creative design, and a better environment. The R-CD District is intended to be used for purpose of binding development to a detailed site plan with a list of specific conditions that ensure compatibility and harmony with surrounding areas.

APPLICABILITY

The district shall be located in such a manner as to be compatible with the character of existing development of surrounding properties, thus ensuring the continued conservation of building values and encouraging the most appropriate use of land in the county. Therefore, when evaluating an application for this district, emphasis shall be given to the location of the proposed development, the relationship of the site and site development plan to adjoining property, and the development itself.

DIMENSIONAL STANDARDS NOTES:
[1] The R-CD district is intended to allow for flexibility in dimensional standards. The overall development will be evaluated to ensure compatibility with surrounding properties and with the policies and objectives of this Ordinance. Specific site development standards can be approved with the rezoning.

DIMENSIONAL AND RATIO STANDARDS

Tract size, min. (acres)	none
Tract Front Setback from ROW, min. (feet)	No requirement [1]
Tract Side Setback, min. (feet)	No requirement [1]
Tract Rear Setback, min. (feet)	No requirement [1]
Height, max. (feet)	No requirement [1]
Tract Floor Area Ratio, max	No requirement [1]
Required Open Space Ratio, min.	No requirement [1]
Required Livability Space Ratio, min.	No requirement [1]
Required Recreation Space Ratio, min.	No requirement [1]
Required Pedestrian / Landscape Ratio, min.	No requirement [1]

R-CD DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Potential uses shall be restricted to those listed as permitted for the R-CD District in Section 5.2.
2. Specific uses shall be limited to those approved by the Board of County Commissioners ~~during a rezoning hearing~~in the conditions of approval. Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.6 for a breakdown of the allowable impervious surface area.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
6. Development within the conditional district shall be subject to all applicable use standards detailed in Articles 5 and 6 of this Ordinance or provide creative alternatives that meet the intent and spirit of the regulations. ~~or provide creative alternatives that meet the intent and spirit of the regulations~~.
7. Within the Rural Buffer Land Use classification, as denoted in the adopted Comprehensive Plan, only the following types of

uses shall be considered for rezoning to R-CD: residential uses, institutional uses and professional services. Under no circumstances shall a R-CD rezoning be approved for a retail or manufacturing/industrial land use within the Rural Buffer Land Use classification.

NR-CD
NON-RESIDENTIAL CONDITIONAL DISTRICT

PURPOSE

The purpose of the Non-Residential Conditional District (R-CD) is to provide for unified non-residential developments, which may include residential components, that accomplish the purposes of applicable regulations to an equivalent or higher degree than where such regulations are intended to control development on individual lots, and to promote economical and efficient land use, improved level of amenities, appropriate and harmonious variety, creative design, and a better environment. The NR-CD District is intended to be used for purpose of binding development to a detailed site plan with a list of specific conditions that ensure compatibility and harmony with surrounding areas.

APPLICABILITY

The district shall be located in such a manner as to be compatible with the character of existing development of surrounding properties, thus ensuring the continued conservation of building values and encouraging the most appropriate use of land in the county. Therefore, when evaluating an application for this district, emphasis shall be given to the location of the proposed development, the relationship of the site and site development plan to adjoining property, and the development itself.

DIMENSIONAL STANDARDS NOTES:
[1] The NR-CD district is intended to allow for flexibility in dimensional standards. The overall development will be evaluated to ensure compatibility with surrounding properties and with the policies and objectives of this Ordinance. Specific site development standards can be approved with the rezoning.

DIMENSIONAL AND RATIO STANDARDS

Tract size, min. (acres)	none
Tract Front Setback from ROW, min. (feet)	No requirement [1]
Tract Side Setback, min. (feet)	No requirement [1]
Tract Rear Setback, min. (feet)	No requirement [1]
Height, max. (feet)	No requirement [1]
Tract Floor Area Ratio, max	No requirement [1]
Required Open Space Ratio, min.	No requirement [1]
Required Livability Space Ratio, min.	No requirement [1]
Required Recreation Space Ratio, min.	No requirement [1]
Required Pedestrian / Landscape Ratio, min.	No requirement [1]

NR-CD DISTRICT SPECIFIC DEVELOPMENT STANDARDS

1. Potential uses shall be restricted to those listed as permitted for the NR-CD District in Section 5.2.
2. Specific uses shall be limited to those approved by the Board of County Commissioners ~~during a rezoning hearing~~in the conditions of approval. Additionally, non-residential uses are restricted based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.3 for land use restrictions.
3. The residential density permitted on a given parcel is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.4 for a breakdown of the allowable density (i.e., the number of individual dwellings that can be developed on a parcel of property).
4. Allowable impervious surface area is based on the Watershed Protection Overlay District in which the property is located. Refer to Section 4.2.6 for a breakdown of the allowable impervious surface area.
5. For lots outside of a Watershed Protection Overlay District (see Section 4.2), the minimum usable lot area for lots that utilize ground absorption wastewater systems shall be 30,000 square feet for parcels between 40,000 square feet and 1.99 acres in size; zoning lots two acres and greater in size shall have a minimum usable lot area of at least 40,000 square feet.
6. Development within the conditional district shall be subject to all applicable use standards detailed in Articles 5 and 6 of this Ordinance or provide creative alternatives that meet the intent and spirit of the regulations. ~~or provide creative alternatives that meet the intent and spirit of the regulations.~~

7.	Within the Rural Buffer Land Use classification, as denoted in the adopted Comprehensive Plan, only the following types of uses shall be considered for rezoning to NR-CD: residential uses, institutional uses and professional services. Under no circumstances shall a NR-CD rezoning be approved for a retail or manufacturing/industrial land use within the Rural Buffer Land Use classification.

(D) It is the intent of this overlay district to encourage land use patterns that will:

(1) Protect existing single-family residential land uses,

(2) Protect the character of the area,

(3) Enhance property values,

(4) Maintain the economic viability and carrying capacity of the corridor,

(5) Preserve open vistas whenever possible,

(6) Encourage small businesses to locate in appropriate areas, and

(7) Continue to promote and provide for the general welfare of local citizens and property owners.

(E) Standards are established in Section 6.6.1 to allow for the development of additional non-residential land uses within the ECOD in order to maintain and enhance the economic vitality of the area while protecting the less intensive mixture of existing residential land uses

4.3.2 Applicability

(A) This district is intended for properties adjacent to Highway 70 within Cheeks Township of Orange County in accordance with the boundaries shown on the Orange County Zoning Atlas.

(B) The requirements of this Ordinance pertaining to ECOD apply to all non-residential land uses and developments within the Highway 70 Overlay District except for existing non-residential land uses located within previously established ~~general~~ conventional commercial or Existing Commercial-5 (EC-5) zoning districts.

4.3.3 Non-residential Development

Non-residential development within the Highway 70 Corridor shall be limited to the following and shall be in accordance with the standards contained in this Section and Section 6.6.1:

(A) Pre-designated commercial area as indicated on the Orange County Zoning Atlas, and

(B) Along Highway 70 as depicted on the Orange County Zoning Atlas.

4.3.4 Permitted Uses

Within the ECOD, uses of land and structures shall be permitted as follows:

(A) Non-residential development within the pre-designated commercial area shall adhere to the permitted and special uses outlined for the Neighborhood Commercial - 2 (NC-2) zoning district as contained within Section 5.2 of this Ordinance.

(B) Non-residential uses within the Highway 70 Corridor Overlay District, shall be limited to professional office and similar institutional uses and shall abide by the standards contained in this Section and Section 6.6.1.

(C) No more than 40% of the Highway 70 corridor outside of the pre-designated commercial areas shall be permitted for non-residential uses.

(1) This figure shall be calculated by the sum of the street frontage of lots used for non-residential purposes compared to the total street frontage of all lots on both sides of the roadway outside of the pre-designated commercial areas along the overlay district corridor.

(2) The 40% limitation includes non-residential uses conducted within new or converted/rehabilitated structures that have a residential appearance.

in the future may be included on this list are appropriately handled as Special Uses, subject to review in relation to general and specific requirements, rather than as uses permitted by right.

(C) In addition to the listing of such uses, the Board of County Commissioners intends that the general standards and the more specific requirements established herein, shall be used by the Board of Adjustment~~, the Planning Board and the Board of County Commissioners, as appropriate,~~ to direct deliberations upon application or the approval of Special Uses.

(D) It is the express intent of the Board of County Commissioners to delineate the areas of concern connected with each Special Use and to provide standards by which applications for such Special Use shall be evaluated.

~~**(E) Establishment of Classes of Special Uses; Authority To Approve or Disapprove**~~

~~There are hereby established the following classes of Special Uses which shall be approved or disapproved as shown:~~

~~**(1)** Class A - Approved or disapproved by Board of County Commissioners~~

~~**(2)** Class B - Approved or disapproved by Board of Adjustment~~

~~5.1.4 Conditional Uses~~[76]

~~**(A)** The Board of County Commissioners is mindful of its responsibility to protect the public health, safety and general welfare of the residents of Orange County and intends to encourage development within the County consistent with that purpose.~~

~~**(B)** The Board of County Commissioners also recognizes that certain uses are appropriate for development in Orange County but their location and site development specifics cannot be predetermined or regulated through the use of a general zoning district designation and conventional standards.~~

~~**(C)** Conditional Uses and Conditional Use Districts are hereby established and shall be reviewed in accordance with the provisions of this Ordinance.~~

~~**(D) Permitted Uses**~~

~~**(1)** Any use listed as Permitted by Right or by Special Use Permit on the Table of Permitted Uses may be approved as a Conditional Use within a Conditional Use District, unless expressly excluded in Section 5.1.3(E) of this Ordinance.~~

~~**(2)** Permitted uses are subject to all general and specific standards of approval for that use, as established within this Section.~~

~~**(E) Exclusions**~~

~~**(1)** Unless otherwise noted in Section 5.2, the following uses shall not be considered or approved as a Conditional Use District within the Commercial-Industrial Transition Activity Node or Economic Development Transition Activity Node land use classifications, as designated by the adopted Comprehensive Plan:~~

~~(a) Airports, General Aviation, Heliports, S.T.O.L.,~~

~~(b) Class II Kennels,~~

[76] This section is obsolete because of the removal of the Conditional Use (CU) process from the UDO. The potential for the type of developments formerly approvable with the CU process will now be reviewed/approved via conditional districts (R-CD and NR-CD are proposed to be added to replace the former CU district). It should be noted that staff is recommending that subsection (E), Exclusions (from consideration as development proposals in certain Land Use categories) also be deleted. Staff is pointing this out because it would allow these types of uses to be considered on a site-by-site basis, subject to all development criteria contained in the UDO, through the conditional district rezoning process.

(c) Commercial Feeder Operation,

(d) Composting Operation with grinding,

(e) Crematoria,

(f) Extraction of Earth Products,

(g) Junkyards,

(h) Landfills (less than 2 acres),

(i) Landfills (2 acres or more),

(j) Meat Processing Facility, Regional,

(k) Military Installations (National Guard & Reserve Armory),

(l) Residential Hotel (Fraternities, Sororities, and Dormitories),

(m) Sawmills,

(n) Stables, Commercial,

(o) Stockyards / Livestock Markets, and

(p) Waste Management Facility; Hazardous & Toxic

(2) For all land use classifications other than the Commercial-Industrial Transition Activity Node or Economic Development Transition Activity Node, the following uses shall not be considered or approved as a Conditional Use District:

(a) Agricultural Processing Facility

(b) Airports, General Aviation, Heliports, S.T.O.L,

(c) Bus Terminals & Garages,

(d) Class II Kennels,

(e) Commercial Feeder Operation,

(f) Composting Operation with grinding,

(g) Crematoria,

(h) Drive-In Theaters,

(i) Extraction of Earth Products,

(j) Farm Equipment Rental, Sales and Service,

(k) Feed Mill,

(l) Funeral Homes,

(m) Health Services: Over 10,000 square feet,

(n) Hospitals,

(o) Hotels & Motels,

(p) Industrial, Light,

(q) Industrial, Medium,

(r) Industrial, Heavy,

(s) Junkyards,

(t) Landfills (less than 2 acres),

(u) Landfills (2 acres or more),

(v) Meat Processing Facility, Regional,

~~(w) Military Installations (National Guard & Reserve Armory),~~

~~(x) Motor Freight Terminals,~~

~~(y) Motor Vehicle Maintenance & Repair (Body Shop),~~

~~(z) Motor Vehicle Repair Garage,~~

~~(aa) Petroleum Products: Storage & Distribution,~~

~~(bb) Research Facility,~~

~~(cc) Residential Hotel (Fraternities, Sororities, and Dormitories),~~

~~(dd) Sawmills,~~

~~(ee) Stables, Commercial~~

~~(ff) Stockyards / Livestock Markets,~~

~~(gg) Storage of Goods, Outdoor,~~

~~(hh) Waste Management Facility; Hazardous & Toxic, and~~

~~(ii) Wholesale Sales.~~

~~5.1.5~~5.1.4 Key to Permitted Use Table

(A) The Table of Permitted Uses applies the following symbology:

(1) An asterisk (*) indicates the use is permitted by right within the district,

(2) A delta (Δ) indicates the use is permitted subject to compliance with additional use standards,

(3) An '~~A~~S' indicates the use is permitted subject to the issuance of a ~~Class A~~ Special Use Permit, and

~~**(4)** A 'B' indicates the use is permitted subject the issuance of a Class B Special Use Permit,~~

~~**(5)** A'C' indicates the use requires the issuance of a Conditional Use Permit, and~~

~~**(6)**~~**(4)** A box with no symbols indicates the use is prohibited for development within the identified zoning district.

SECTION 5.2: TABLE OF PERMITTED USES

TABLE OF PERMITTED USES

* = PERMITTED USE Δ = SUBJECT TO USE STANDARDS S A = CLASS A SPECIAL USE[77] B = CLASS B SPECIAL USE C= CONDITIONAL USE (REZONING & CLASS A SUP)

	USE TYPE	GENERAL USECONVENTIONAL ZONING DISTRICTS																				ECONOMIC DEVELOPMENT DISTRICTS										CONDITIONAL ZONINGDISTRICTS					
		RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
AGRICULTURAL USES																																					
1.	Agricultural Processing Facility																Δ		Δ	Δ	Δ											Δ	Δ				Δ
2.	Agricultural Processing Facility, Community	Δ	Δ								Δ	Δ					Δ		Δ													Δ					Δ
3.	Agricultural Services Uses													*			*															*	*				*
4.	Cold Storage Facility																A		Δ	Δ	Δ											Δ	Δ				Δ
5.	Community Farmers' Market	Δ	Δ								Δ	Δ	Δ	Δ			Δ															Δ	Δ				Δ
6.	Composting Operation																A															Δ					Δ
7.	Cooperative Farm Stand	Δ	Δ								Δ	Δ					Δ															Δ	Δ				Δ
8.	Equestrian Center		A																													Δ					Δ
9.	Farm Equipment Rental, Sales and Service													Δ	Δ		Δ			Δ	Δ											Δ					Δ
10.	Farm Supply Store										Δ	Δ	Δ	Δ			Δ															Δ	Δ				Δ
11.	Feed Mill																Δ			Δ	Δ											Δ	Δ				Δ
12.	Greenhouses with On Premises Sales		Δ									Δ	Δ	Δ	Δ		Δ															Δ	Δ				Δ
13.	Meat Processing Facility, Community	Δ	Δ								Δ	Δ					Δ		Δ													Δ					Δ
14.	Meat Processing Facility, Regional																A															Δ					Δ
15.	Non-Farm Use of Farm Equipment	Δ	Δ														Δ															Δ					Δ
16.	Stables, Commercial	B S	B S	B S									B S	BS			B S															Δ	Δ				Δ
17.	Stockyards / Livestock Markets																Δ															Δ[78]					Δ

[77] As a clarifying note: The "A" proposed for deletion within the table is difficult to see because of placement of the dash (-); all proposed revisions also show as red, so if an "A" is red, it is proposed for deletion.

TABLE OF PERMITTED USES

* = PERMITTED USE Δ = SUBJECT TO USE STANDARDS ~~S~~ A = ~~CLASS A~~ SPECIAL USE[77] ~~B = CLASS B SPECIAL USE C= CONDITIONAL USE (REZONING & CLASS A SUP)~~

USE TYPE			~~GENERAL USE~~CONVENTIONAL ZONING DISTRICTS																			ECONOMIC DEVELOPMENT DISTRICTS									CONDITIONAL ~~ZONING~~DISTRICTS					
			RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
CARE & EDUCATIONAL FACILITY USES																																					
18.	Center in a Residence		Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ		Δ	Δ																				Δ	Δ
19.	Care Facility		~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	Δ	Δ	Δ	Δ	Δ	Δ							*	*	*	*			*				*			Δ	Δ
20.	Library											*	*	*	*		*																	*		*		*
21.	Schools: Performing Arts, Sports, and Recreation											*	*	*	*	*	*							*	*	*	*			*	*			*				*
22.	Schools: Preparatory		~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~						~~A~~							~~A~~	~~A~~	~~A~~								Δ			Δ	Δ
23.	Schools: Technical, Trade, and Skill Training											Δ	Δ	Δ	Δ	Δ	Δ				Δ	Δ			Δ		Δ				Δ	Δ		Δ				Δ
24.	Schools: Universities, Colleges		~~A~~	~~A~~	~~A~~									Δ	Δ		Δ								Δ		Δ				Δ[79]	Δ	Δ	Δ			Δ	Δ
EXTRACTIVE USES																																					
25.	Extraction of Earth Products			~~A~~														~~A~~		~~A~~	~~A~~	~~A~~															Δ	Δ
Government Uses																																					
26.	Government Facilities and Office Buildings Except as Identified Herein		*	*	*	*	*	*	*	*	*	*	*	*	*		*	*		*	*	*	*	*	*	*	*	*	*	*	*	*		*	*		*	*
	26 (A).	Detention Centers																				*																*
	26 (B).	Military Installations											~~A~~[80]	~~A~~	~~A~~		~~A~~																					*
Manufacturing, Assembly, Processing, and Distribution Uses – Food																																					
27.	Manufacturing, Assembly, Processing of Food Products Except as Identified Herein												Δ	*	*	*	*		*	*	*	*		Δ	*	Δ	*				*	*		*				*

[78] Correcting an inadvertent error in a 2019 amendment.
[79] Correcting error – standards in Section 5.8.3 include standards for EDH-4.
[80] The only existing standard is that this use is not allowed as a CU district, therefore potentially allowing it's use as a NR-CD is similar to the existing regulatory intent.

TABLE OF PERMITTED USES

* = PERMITTED USE Δ = SUBJECT TO USE STANDARDS ~~S~~ A = ~~CLASS A~~ SPECIAL USE[82] ~~B = CLASS B SPECIAL USE~~ ~~C~~= CONDITIONAL USE (REZONING & CLASS A SUP)

USE TYPE			~~GENERAL USE~~CONVENTIONAL ZONING DISTRICTS																				ECONOMIC DEVELOPMENT DISTRICTS									CONDITIONAL ~~ZONING~~DISTRICTS					
			RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
	27 (A).	Animal Feed Preparation, Manufacturing, Packaging, and Distribution																			*	*					*				*							*
	~~27 (B).~~	~~Animal Slaughtering and Processing, Packaging, and Distribution~~[81]																																				
	27 (C).	Microbrewery	~~B~~ S	~~B~~ S													Δ			Δ	Δ	Δ			Δ		Δ			Δ	Δ	Δ	Δ	Δ				Δ
	27 (D).	Seafood Preparation, Packaging, and Distribution																				*																*
	27 (E).	Starch, Vegetable Fats and Oils Manufacturing																																				
	27 (F).	Tobacco Processing, Preparation, Packaging, and Distribution																																				
	27 (G).	Winery	~~B~~ S	~~B~~ S													Δ			Δ	Δ	Δ			Δ		Δ			Δ	Δ	Δ	Δ	Δ				Δ
Manufacturing, Assembly, Processing, and Distribution Uses – Other																																						
28.	Manufacturing, Assembly, and Processing of Other Non-Food Products Except as Identified Herein																*		Δ	Δ	*	*		Δ	*	Δ	*				*	*						*
	28 (A).	Chemical Manufacturing and Processing – Pharmaceutical and Medicine															*				*	*			*		*				*	*						*

[81] Staff is suggesting deletion of this use type because it is already covered by "Meat Processing Facility, Regional" and it is allowed in certain zoning districts, subject to use-specific standards.

TABLE OF PERMITTED USES

* = PERMITTED USE Δ = SUBJECT TO USE STANDARDS ~~S~~ A = ~~CLASS A~~ SPECIAL USE[27] ~~B = CLASS B SPECIAL USE C= CONDITIONAL USE (REZONING & CLASS A SUP)~~

USE TYPE			~~GENERAL USE~~CONVENTIONAL ZONING DISTRICTS																			ECONOMIC DEVELOPMENT DISTRICTS									CONDITIONAL ~~ZONING~~DISTRICTS					
			RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
	28 (B).	Chemical Manufacturing and Processing – Other than Pharmaceutical and Medicine																																				
	28 (C).	Concrete Processing, Preparation, and Distribution																			*	*			*		*											*
	28 (D).	Converted Paper Product Manufacturing, Assembly, and Processing																			*	*			*		*				*	*						*
	28 (E).	Firearm Manufacturing and Assembly																																				
	28 (F).	Foundries																				*																*
	28 (G).	Leather and Allied Product Manufacturing																			*	*		*		*												*
	28 (H).	Leather and Hide Tanning and Finishing																																				
	28 (I).	Metal Fabrication Shop																			*	*			*		*							Δ					*
	28 (J).	Ammunition Manufacturing, Packaging, and Distribution																																				
	28 (K).	Paperboard containers and boxes Manufacturing, Assembly and Processing																			*	*			*		*					*						*
	28 (L).	Petroleum and Coal Product Processing, Preparation and Distribution																																				

TABLE OF PERMITTED USES

* = PERMITTED USE Δ = SUBJECT TO USE STANDARDS ~~S~~ A = ~~CLASS A~~ SPECIAL USE[77] ~~B~~ = ~~CLASS B SPECIAL USE~~ ~~C~~= ~~CONDITIONAL USE (REZONING & CLASS A SUP)~~

Use Type			~~General Use~~Conventional Zoning Districts																			Economic Development Districts									Conditional ~~Zoning~~Districts					
			RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
	28 (M).	Printing and Lithography												*	*	*	*			*	*	*		*		*					*	*	*[82]					*
	28 (N).	Pulp, Paper, and Paperboard Mills																																				
	28 (O).	Research Facility with Manufacturing															Δ			*	*	*					*		*		*	*		*				*
	28 (P).	Recycling of Materials																				*			*		*											*
	28 (Q).	Sawmills																Δ															Δ[*83]					Δ
Medical Uses																																						
29.	Medical Uses Except as Identified Herein											Δ	Δ	Δ	Δ*[84]		Δ							*	*	*	*	Δ	Δ	Δ	*	*		*				*
	29 (A).	Hospital													*		*														*		*				*
	29 (B).	Veterinary Clinic		~~B~~ S								Δ*	Δ*	Δ*	Δ*[85]	*	*	*		*	*	*			*		*					Δ	Δ				Δ
	29 (C).	Veterinary Hospital												*	*	*	*	*			*	*			*		*					Δ					*
Office and Financial Services Uses																																						
30.	Office and Financial Services Except as Identified Herein											Δ	Δ	Δ*[86]	Δ*	Δ	Δ*			Δ*	*	*		Δ*	*	Δ*	*	Δ*	Δ*		*	*		*				*
	30 (A).	Building/Trade Contractors Office with Equipment Storage Yard													Δ						*	*					*				*	*					*

[82] Correcting an inadvertent error that was part of a 2019 amendment.
[83] Correcting an inadvertent error that was part of a 2019 amendment.
[84] Correcting an inadvertent error that was part of the 2019 amendment – standards in Section 5.17.1 does not include the GC-4 district.
[85] Correcting an inadvertent error that was part of the 2019 amendment – standards in Section 5.17.3 do not apply to these zoning districts.
[86] The revisions for this use type (row) correct an inadvertent error in 2019 amendments. The revisions reflect the actual requirements in existing Section 5.20.

TABLE OF PERMITTED USES

* = PERMITTED USE Δ = SUBJECT TO USE STANDARDS ~~S~~ A = ~~CLASS A~~ SPECIAL USE[87] ~~B~~ = ~~CLASS B SPECIAL USE~~ ~~C~~= ~~CONDITIONAL USE (REZONING & CLASS A SUP)~~

Use Type			~~General Use~~Conventional Zoning Districts																			Economic Development Districts									Conditional ~~Zoning~~Districts					
			RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
	30 (B).	Pawnshop or Payday Loan																																			
	30 (C).	Research Facility – Without Manufacturing											Δ*[87]	Δ*	Δ*		Δ*			*	*	*		*		*					*	*			*				*
Recreational Uses																																					
31.		Botanical Gardens & Arboretums	*	*	*	*	*	*	*	*	*	*	*	*	*		*	*		*	*	*	*										*				*	*
32.		Camp	~~B~~ S	~~B~~ S	~~B~~ S																												*					
33.		Golf Course	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~		~~A~~			~~A~~	~~A~~	~~A~~												* Δ[88]			Δ	Δ
34.		Golf Driving and Practice Ranges		~~B~~ S										*	*					*														*			*	*
35.		Guest Ranch																															Δ					
36.		Parks	*	*	*	*	*	*	*	*	*	*	*	*	*		*			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*		*	*
37.		Race Track Facilities																																		Δ		
38.		Recreational Facilities	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~S	Δ*[89]	Δ*		~~B~~S			Δ*	Δ*	Δ*		~~B~~S	Δ*	~~B~~S	Δ*		Δ*		Δ*			Δ*			Δ	Δ
Residential Uses																																					
39.		Campground																																		Δ		
40.		Dwelling; Manufactured Home	*	*	*	*	*	*	*	*	*	*				*										*							*		*		*	*
41.		Dwelling; Multiple Family				*	*	*	*	*	*		*	*												*				Δ	Δ			*			*	*
42.		Dwelling; Single-Family	*	*	*	*	*	*	*	*	*	*	*	*		*										*							*	*			*	*
43.		Dwelling; Two-Family	*	*	*	*	*	*	*	*	*	*	*	*												*								*			*	*
44.		Family Care Facility	*	*	*	*	*	*	*	*	*	*	*	*	*	*										*				*							*	*

[87] The revisions for this use type (row) correct inadvertent errors in a 2019 amendment and also reflect the removal of the CU process from the UDO..
[88] Correcting error – all golf courses are to be subject to the standards in existing Section 5.7.4.
[89] The deltas (Δ) in this row are correcting an error as all recreational facilities are intended to be subject to the standards in existing Section 5.7.2.

TABLE OF PERMITTED USES

* = PERMITTED USE Δ = SUBJECT TO USE STANDARDS S A = CLASS A SPECIAL USE[92] B = CLASS B SPECIAL USE C= CONDITIONAL USE (REZONING & CLASS A SUP)

	Use Type	General Use Conventional Zoning Districts																				Economic Development Districts									Conditional Zoning Districts					
		RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
45.	Group Care Facility	B S	B S	B S	B S	B S	B S	B S	B S	B S	B S	BS	B S	BS	BS										BS				BS				Δ			Δ	Δ
46.	Group Home	B S	B S	B S	B S	B S	B S	B S	B S	B S	B S	BS	B S	BS	BS																					Δ	Δ
47.	Health and Personal Care Facility												Δ	Δ									Δ		Δ				Δ	Δ	Δ		Δ	Δ		Δ	Δ
48.	Recreational Vehicle																																	*			
49.	Rooming House						*	*	*	*																										*	*
50.	Temporary Use of Residential Mobile Unit	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ														S[90]	Δ	S[91]			Δ			Δ		Δ		Δ	Δ
	Automotive/Transportation Uses																																				
51.	Airports, General Aviation, Heliports, S.T.O.L																		A	A	A																Δ
52.	Bus and Rail Passenger Shelter	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*		*	*	*		*	*	*	*				*	*		*	*		*	*
53.	Bus Terminals & Garage													A* 92					A*	A*	A*			A*		A*							A*				*
54.	Motor Freight Terminal																		A*	A*	A*			A*		A*					A*		A*				*
55.	Motor Vehicle: Maintenance												A*	A*	A*									*		*							*				*
56.	Motor Vehicle: Repair												A*	A*																			*				*
57.	Motor Vehicle: Sales / Rental											Δ		Δ	Δ			Δ	Δ	Δ	Δ		Δ	Δ		Δ				Δ	Δ		*				*
58.	Motor Vehicle Service										Δ	Δ	A* 93	A*	Δ									*		*				*	*		*				*
59.	Parking											*	*	*		*								*		*				*			*				*
60.	Postal & Parcel Delivery Service												*	*		*								*		*				*	*		*		*		*

[90] Correcting a long-standing error in the Table of Permitted Uses; the EDB-2 development standards (Article 3 chart for EDB-2, #7) currently allows for this use with the issuance of a Class B SUP.
[91] Correcting a long-standing error in the Table of Permitted Uses; the EDE-2 development standards (Article 3 chart for EDE-2, #6) currently allows for this use with the issuance of a Class B SUP.
[92] The revisions for this Bus Terminals & Garage, Motor Freight Terminal, Motor Vehicle: Maintenance, and Motor Vehicle: Repair are because the only standard (Section 5.16 is that these uses would not be allowed as a CU. Since the CU process is being removed, these uses would be allowed only in the NR-CD, which replaces the CU process.
[93] The revisions for this use correction an inadvertent error in amendments made in 2019.

TABLE OF PERMITTED USES

* = PERMITTED USE Δ = SUBJECT TO USE STANDARDS ~~S~~ A = ~~CLASS A~~ SPECIAL USE[97] ~~B~~ = ~~CLASS B SPECIAL USE~~ ~~C~~= ~~CONDITIONAL USE (REZONING & CLASS A SUP)~~

USE TYPE			~~GENERAL USE~~CONVENTIONAL ZONING DISTRICTS																			ECONOMIC DEVELOPMENT DISTRICTS									CONDITIONAL ~~ZONING~~DISTRICTS					
			RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
RETAIL USES																																					
61.	Retail Uses Except as Identified Herein											Δ	Δ	Δ	A* 94	Δ							*	*	*	*				*	*		*				*
	61 (A).	Country Store										Δ	Δ					Δ															Δ					
SERVICE USES																																					
62.	Service Uses Except as Identified Herein											Δ	Δ	A- * 95	A*	Δ	Δ						*	*	*	*			*	*	*		*				*
	62 (A).	Body Art (Tattoo, Body Piercing, etc.)													*																							*
	62 (B).	Car Wash											A* 96		*									*		*												*
	62(C).	Cemetery	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S																											Δ
	62 (D).	Crematoria																		*	*	*												*				*
	62 (E).	Eating and Drinking Establishments										Δ	Δ	Δ	Δ	Δ	Δ	Δ						Δ	Δ	Δ	Δ		Δ		Δ			Δ			Δ	Δ
	62 (F).	Funeral Home												Δ	Δ					Δ	Δ			*		Δ								*			*	*
	62 (G).	Garden Center										Δ	Δ	Δ	Δ			Δ															*	*				*
	62 (H).	Massage Business												Δ	Δ																							Δ
	62 (I).	Short Term Rental Small – Host Occupied	Δ	Δ	Δ																															Δ	Δ
	62 (J).	Short Term Rental Large – Host Occupied		~~A~~ S	~~A~~ S																															Δ	Δ
	62 (K).	Short Term Rental – Non Host Occupied												~~A~~ 97	~~Δ~~		~~Δ~~								~~Δ~~		~~Δ~~	~~Δ~~	~~Δ~~	~~Δ~~	~~Δ~~	~~Δ~~						*

[94] Correct an inadvertent error in the 2019 amendments; there are no specific standards in the GC-4 zoning district.
[95] Correct an inadvertent error in amendments adopted in 2019.
[96] Correcting error as standards in Section 5.6.1 apply to all service uses.

TABLE OF PERMITTED USES

* = PERMITTED USE Δ = SUBJECT TO USE STANDARDS S A = CLASS A SPECIAL USE[97] B = CLASS B SPECIAL USE C= CONDITIONAL USE (REZONING & CLASS A SUP)

USE TYPE			GENERAL USECONVENTIONAL ZONING DISTRICTS																				ECONOMIC DEVELOPMENT DISTRICTS									CONDITIONAL ZONINGDISTRICTS					
			RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
	62 (L).	Junkyard/Salvage Yard													A						A	A															Δ
	62 (M).	Kennel Class II	B S	B S	B S									B S	BS			B S							BS		BS									Δ	Δ
	62 (N).	Petroleum Product Storage And Distribution																	*	*	*	*												*				
	62 (O).	Sexually Oriented Businesses																			Δ	Δ																
	62 (P).	Storage of Goods											Δ		Δ	Δ	Δ			Δ	Δ	Δ		Δ		Δ								*		*		*
	62 (Q).	Taxidermy		B S								Δ	Δ	Δ	Δ					Δ													Δ					*
TELECOMMUNICATION USES																																					
63.	Telecommunication Tower (75 feet or shorter)		Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ										Δ	Δ			Δ	Δ
64.	Telecommunication Tower (Over 75 feet to less than 200 feet in height)		B S	B S	B S	B S	B S	B S	B S	B S	B S	B S	BS	B S	BS	BS	BS	B S	B S	B S	B S	B S	BS	BS		BS					BS	BS	* Δ	* Δ			Δ	Δ
65.	Telecommunication Tower (200 feet and higher)		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A					A	A					Δ	Δ
66.	Ham Radio Towers		Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ																										Δ	Δ
UTILITIES[98]																																					
67.	Elevated Water Storage Tanks		B S	B S	B S	B S	B S	B S	B S	B S	B S	B S		B S	BS	BS	BS	B S		B S	B S	B S		BS	BS		BS			BS	BS	Δ*	Δ*			Δ	Δ
68.	Public Utility Stations & Sub-Stations, Switching Stations, Telephone Exchanges, Water & Sewage Treatment Plants		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A			A	A	Δ*	Δ*			Δ	Δ
69.	Electric, Gas, and Liquid Fuel Transmission Lines		B S	B S	B S	B S	B S	B S	B S	B S	B S	B S	BS	B S	BS	BS	BS	B S		B S	B S	B S		BS	BS	BS	BS					Δ*	Δ*			Δ	Δ

[97] The only standard for this use type is that it would not be permitted as a CU district. Since the CU process is being removed from the UDO, the proposed NR-CD district is the most appropriate review/approval process for this use type.
[98] The revisions in this use type reflect the existing requirements in Section 5.9 which must be adhered to unless a condition is written into an approval that allows for a difference from the established standards.

TABLE OF PERMITTED USES

* = PERMITTED USE Δ = SUBJECT TO USE STANDARDS ~~S~~ A = ~~CLASS A~~ SPECIAL USE[97] ~~B = CLASS B SPECIAL USE C= CONDITIONAL USE (REZONING & CLASS A SUP)~~

	Use Type	~~General Use~~Conventional Zoning Districts																				Economic Development Districts									Conditional ~~Zoning~~Districts					
		RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
70.	Water & Sanitary Sewer Pumping Stations	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*		Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*	Δ*				Δ*	Δ*	Δ*	Δ*			Δ	Δ
71.	Solar Array – Large Facility	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~S	~~B~~ S	~~B~~S		~~B~~S	~~B~~ S		~~B~~ S	~~B~~ S	~~B~~ S	~~B~~S	~~B~~S	~~B~~S	~~B~~S	~~B~~S						Δ*	Δ*			Δ	Δ
72.	Solar Array – Public Utility	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~		~~A~~	~~A~~		~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~	~~A~~						Δ*	Δ*			Δ	Δ
	Waste Management Uses																																				
73.	Landfills	~~A~~	~~A~~	~~A~~													~~A~~		~~A~~	~~A~~	~~A~~																Δ
74.	Waste Management Facility													~~A~~						~~A~~	~~A~~																Δ
	Wholesale Trade Uses																																				
75.	Wholesale Trade												*	*		*			*	*	*		*		*					*	*		*			*
	Assembly Uses[98]																																				
76.	Club or Lodge	Δ*	Δ*	Δ*							Δ*	Δ*	Δ*	Δ*		Δ*							Δ*		Δ*							Δ*	Δ*			Δ	Δ
77.	Community Center	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	~~B~~ S	Δ*	Δ*	Δ*			Δ*							Δ*		Δ*							Δ*	Δ*			Δ	Δ
78.	Museum	~~B~~ S	~~B~~ S								~~B~~ S	~~B~~S					~~B~~ S															Δ				Δ	Δ
79.	Place of Worship	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ	Δ		Δ	Δ	Δ		Δ	Δ	Δ	Δ						Δ	Δ		Δ	Δ	Δ
80.	Retreat Center	~~B~~ S	~~B~~ S	~~B~~ S								Δ*	Δ*	Δ*									Δ*		Δ*					Δ*		Δ*				Δ	Δ
81.	Rural Special Events	Δ	Δ															Δ														Δ				Δ	Δ
82.	Special Events – 150 attendees or less												Δ	Δ						Δ																Δ	Δ
83.	Special Events – 151 attendees or more																																			Δ	Δ

[99] This section is being corrected to reflect that all types of Assembly uses are subject to the standards in 5.18.1.

TABLE OF PERMITTED USES

*** = PERMITTED USE Δ = SUBJECT TO USE STANDARDS S A = CLASS A SPECIAL USE[77] B = CLASS B SPECIAL USE C= CONDITIONAL USE (REZONING & CLASS A SUP)**

Use Type		General Use Conventional Zoning Districts																				Economic Development Districts									Conditional Zoning Districts					
		RB	AR	R1	R2	R3	R4	R5	R8	R13	LC1	NC2	CC3	GC4	EC5	O/ RM	AS	EI	I 1	I2	I3	PID	EDB-1	EDB-2	EDE-1	EDE-2	EDH-1	EDH-2	EDH-3	EDH-4	EDH-5	ASE-CDZ	MPD-CDZ	HP-CDZ	REDA-CDZ-1	R-CD	NR-CD
84.	Theater										Δ	Δ	Δ	Δ* [100]										Δ*		Δ*	Δ*	Δ*	Δ*	Δ*		Δ*			Δ*	Δ	Δ
Miscellaneous Uses																																					
85.	Research Lands & Installations, Non-profit																					*															

[100] Section 5.18.6 does not contain use standards for the GC-4 zoning district. Given the restrictiveness of the standards (limited to 100 patrons per performance), staff believes having the Δ symbol in GC-4 was an inadvertent error when amendments were adopted in 2019.

SECTION 5.3: APPLICATION OF USE STANDARDS

5.3.1 In General

In addition to the general standards applied to uses in each zoning district and in accordance with the Table of Permitted Uses, Sections 5.4 through 5.~~17~~ 22 establish additional standards for specific Permitted Uses, Special Uses, ~~Conditional Uses,~~ and uses permitted in Conditional ~~Zoning~~ Districts.

5.3.2 Special Uses

(A) General Standards

Before any application for a Special Use Permit shall be approved:

(1) The applicant shall have the burden of establishing, by competent material and substantial evidence, in the form of testimony, exhibits, documents, models, plans and other materials, that the application meets the requirements for approval of a Special Use; and

(2) The ~~Board of County Commissioners or~~ Board of Adjustment shall make written findings certifying compliance with the specific rules governing such individual Special Use and that the use, which is listed as a Special Use in the district in which it is proposed to be located, complies with all required regulations and standards including the following general conditions:

(a) The use will maintain or promote the public health, safety and general welfare, if located where proposed and developed and operated according to the plan as submitted;

(b) The use will maintain or enhance the value of contiguous property (unless the use is a public necessity, in which case the use need not maintain or enhance the value of contiguous property); and

(c) The location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and the use is in compliance with the plan for the physical development of the County as embodied in these regulations or in the Comprehensive Plan, or portion thereof, adopted by the Board of County Commissioners.

(B) Specific Standards

In addition to the general standards stated in Section 5.3.2(A), the following specific standards shall be addressed by the applicant before the issuance of a Special Use Permit:

(1) Method and adequacy of provision of sewage disposal facilities, solid waste, and water.

(2) Method and adequacy of police, fire and rescue squad protection.

(3) Method and adequacy of vehicular access to the site and traffic conditions around the site.

(4) Other use specific standards as set forth herein.

~~(C) Specific Standards for Class A Special Use Permits Within Hillsborough EDD~~[101]

~~In addition to the general and specific standards for all Special Use Permits, the following standards shall be addressed by the applicant before the issuance of a Class A Special Use Permit within the Hillsborough Economic Development District:~~

[101] This entire subsection was moved to Section 5.22.2 because uses in the Hillsborough EDD that formerly required a Class A SUP are proposed to be processed through a Conditional District process.

(1) General Provisions

(a) This section establishes criteria pertaining to appearance in the design of a site, buildings and structures, landscaping, signs, and other miscellaneous features that are observed by the public.

(b) Aesthetic criteria are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles which result in creative solutions that will promote visual appearance within the city and county, preserve taxable values, and promote the public health, safety and welfare.

(2) General Design Standards

(a) Harmonious and efficient organization

(i) The site plan shall be organized harmoniously and efficiently in relation to existing topography, the size and type of plot, the character of adjoining property, and the type and size of buildings.

(ii) The site will be developed to facilitate orderly development of surrounding property and with minimal disturbance to the natural environment.

(b) Preservation of natural state

(i) Desirable vegetation or other unique natural features shall be preserved in their natural state when practical.

(ii) The Environmental Protection Plan shall include the locations of all existing trees 12" diameter four feet above the ground.

(c) Enhancement of residential privacy

The site plan shall provide reasonable visual, lighting, and sound privacy for all adjacent dwelling units.

(d) Emergency access

Structures and other site features shall be arranged to permit practical emergency vehicle access to all sides of buildings.

(e) Access to public ways

Every structure and dwelling unit shall have access to a public street, walkway or other area dedicated to common use.

(f) Non-motorized circulation

(i) A non-motorized circulation system shall be provided which is direct, efficient, and pleasant.

(ii) The system shall be complementary to, but independent of the vehicular circulation system.

(g) Design of access and egress drives

The location, size, and numbers of ingress and egress drives to a site will be strictly limited to minimize the negative impacts on public streets and on adjacent property. This shall include formal entryways and access to outparcels from inside the development only.

(h) Coordination with off-site circulation systems

(i) The arrangement of rights-of-way or easements for circulation shall coordinate with the pattern of existing and planned streets, pedestrian and/or bicycle pathways and transit routes in the area.

(ii) Connection to adjacent properties is encouraged where possible.

(i) Stormwater control

(i) Protective measures shall ensure that removal of stormwater runoff will not adversely affect neighboring properties or the public storm drainage system.

(ii) Provisions shall be made for construction of stormwater facilities including grading, gutters, and piping to direct stormwater and prevent erosion.

(iii) Surface water on all paved areas shall be collected at intervals that do not obstruct vehicular or pedestrian traffic.

(j) Exterior lighting

The location, type, size and direction of exterior lighting shall not cause glare or direct illumination that interferes with adjacent properties or safety of public rights-of-way.

(k) Protection of property values

Elements of a site plan shall be arranged to have minimum negative impact on values of adjoining property and other on-site uses.

(3) Specific Standards

(a) Unless otherwise indicated herein, the relevant standards for the specific Economic Development Zoning Districts shall apply.

(b) Where actions, designs, or solutions proposed by the applicant are not literally in accord with the applicable regulations of this Ordinance, but the Board of County Commissioners makes a finding in the particular case that public purposes are satisfied to an equivalent or greater degree, the Board of County Commissioners may make specific modification of the regulations in the particular case. Any modification of regulations shall be explicitly indicated in the approved permit.

(c) Relationship of buildings to site

(i) The site shall be planned to provide for adequate planting, safe pedestrian movement, and parking areas.

(ii) Parking areas shall be treated with decorative elements, building wall extensions, plantings, berms, or other innovative means so as to screen parking areas from view from public ways and reduce heat generated by paved areas.

(iii) Without restricting the permissible limits of the applicable zoning district, the height and scale of each building shall be compatible with its site and existing or anticipated adjoining buildings.

(iv) All utility services shall be underground.

(d) Relationship of buildings and site to adjoining areas

(i) Attractive landscape transition to adjoining properties shall be provided.

(ii) Lighting intensity at the property line adjacent to residential uses shall not be greater than ½ footcandle.

(e) Building design

(i) Architectural style is not restricted. Evaluation of the appearance of a project shall be based on its relationship to the surroundings. Primary and pedestrian facades are encouraged to complement and reflect the characteristics of downtown Hillsborough.

(ii) Specific building materials are not endorsed. Evaluation of the appearance of a project shall be based on the relationship to surroundings.

a. Materials and design shall be compatible with each other in multiple building projects.
b. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Utilitarian materials shall be limited to inconspicuous facades and non-public or service areas.
c. Materials with unique or special character are encouraged.

(iii) Buildings and building components, such as walls, windows, doors, eaves, and parapets, shall have human proportions and relationships to one another.

(iv) Mechanical equipment or other utility hardware on the roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be so located as not to be visible from any public ways. This provision does not apply to the installation of electric vehicle charging stations.

(v) Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design.

(vi) Recycling and waste removal areas, service yards, storage yards, and exterior work areas shall be located away from and screened from view from public ways, using materials as stated in criteria for equipment screening. Areas shall be sized to accommodate changes in technology and local refuse ordinances.

(vii) Variation of detail, form, material, and siting may be used to provide visual interest. In multiple building projects, variable siting of individual buildings may be used to prevent a monotonous appearance.

(f) Landscaping and Site Treatment

Landscape elements included in these criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utility structures. New and existing vegetation shall be maintained in a flourishing manner.

(i) Natural or existing topographic patterns contributing to the beauty and utility of a development shall be preserved and developed. Modification to topography will be permitted where it contributes to good appearance and does not adversely affect significant natural features and drainageways.

(ii) Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance.

(iii) Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important visual corridors, and provide shade.

(iv) Unity of design shall be achieved by repetition of certain plan varieties and other materials and by correlation with adjacent developments.

(v) Plant material shall be selected for its structure, texture, and color for interest and for its ultimate growth. Use of native plants is encouraged; others that will be hardy, harmonious to the design, and of good appearance can be allowed.

(vi) Appropriate curbs, tree guards or other devices shall be employed to protect plants susceptible to injury by pedestrian or motor traffic.

(vii) Parking areas and trafficways shall be enhanced with landscaped spaces containing trees or tree groupings.

(viii) Service yards and other unsightly places shall be screened by use of walls, fencing and/or planting.

(g) Signs

(i) Every sign shall have appropriate scale and proportion in its design and in its visual relationship to buildings and surroundings. A unified signage plan shall be submitted and approved with the Special Use Permit.

(ii) Every sign shall be designed as an integral architectural element of the building and the site to which it principally relates.

(iii) The colors, materials and lighting of every sign shall be harmonious with the building and site to which it principally relates.

(iv) The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the total area of the sign face.

(v) Freestanding signs shall not be pole-mounted.

(h) Maintenance, planning and design factors

(i) Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.

(ii) Provisions for cleaning buildings and structures and control of dirt and refuse shall be included in the design. Configurations that tend to accumulate debris and dirt shall be avoided.

SECTION 5.4: STANDARDS FOR TEMPORARY USES

5.4.1 Yard Sale

(A) Standards of Evaluation

(1) Yard sales are permitted in accordance with the Table of Permitted Uses provided that these sales do not exceed two days per month.

5.4.2 Temporary Fund Raising Activity

(A) Standards of Evaluation

been constructed to meet building code requirements applicable to a residential accessory structure, and must have been in existence for at least 36 months.

(iv) Use of Outdoor Storage

a. Up to 500 square feet of outdoor storage area may be permitted only in the RB, AR and R-1 zoning districts provided that it:

i. Is clearly defined on the site plan and on the ground.

ii. Is located at least 40 feet from any lot line or road right-of-way; and

iii. Is totally screened from the view from the road and from adjacent property in the same manner as is required for accessory buildings.

(c) Major Home Occupations

(i) General Operations

The following requirements apply to major home occupations:

a. Major home occupations shall be permitted only in the AR and R-1 zoning districts.

b. All major home occupations shall be located on parcels at least five acres in size.

c. The owner or operator of the home occupation must live in a residence located on the same zoning lot as the home occupation. Up to six permanent and/or temporary nonresident employees may be permitted onsite at any one time with the exact number established in the Special Use Permit.

d. The total amount of square footage permitted for a residential dwelling unit used in conjunction with a major home occupation, which exceeds standards referenced in Section 5.5.4~~3~~.A.2(b)(i)b, shall be determined with the approved Special Use Permit, but in no case shall the total exceed 50% of the floor area of the dwelling unit.

e. Up to eight students, customers, and/or clients shall be permitted onsite at any one time, not to exceed a total of fifteen students, customers, and/or clients per day.

(ii) Limitations on Traffic Generation

a. Traffic generated by employees, students, customers, and/or clients shall not exceed more than fifty trips per day. All deliveries must be made by vehicles of a size normally used for household deliveries.

b. All major home occupations shall conform to the standards of Section 5.5.4~~3~~(A)(2)(b)(ii)c.

c. Parking generated by the home occupation shall be met off the street and set back at least 40 feet from all property lines.

d. Major home occupations located on public roadways may be required to submit a driveway permit prior to approval.

e. Major home occupations located on shared private roadways shall be required to submit a private road maintenance agreement prior to approval.

(iii) Use of Accessory Structures

a. An accessory building containing up to 2,500 square feet may be utilized, with the approval of a major home occupation, on tracts totaling five to ten acres in size. An accessory building containing up to 3,000 square feet may be utilized, with the approval of a major home occupation, on tracts greater than ten acres in size.

b. All accessory structures shall be built with materials not incompatible with a residential accessory structure.

c. Setback standards for all accessory structures shall be determined with the approved Special Use Permit and in no case be less than 40 feet from all property lines.

d. The accessory structure must be screened from view of the road and adjacent property by a densely planted evergreen hedge of shrubs or trees. In lieu of an evergreen hedge, a six foot stockade fence and deciduous vegetation planted on the outside of the fence may be used for screening purposes. Screening will not be required when:

i. The accessory structure is located 80 feet or more from all property lines; or

ii. Existing vegetation provides suitable screening of the accessory structure from all adjacent properties.

e. New accessory structures built for the purpose of conducting a home occupation shall not exceed square footage allowances referenced in Section 5.5.~~4~~3.A(2)(~~e~~c)(iii)a[102].

f. An existing accessory structure which is larger than the permitted size referenced in Section 5.5.~~4~~3.A(2)(~~e~~c)(iii)a may be used for the home occupation provided that no more than the permitted amount of square feet is used for the home occupation and the area is physically separated by walls or other barriers. In order to qualify as an existing accessory structure for the purpose of conducting a home occupation, the structure must have been constructed to meet building code requirements applicable to a residential accessory structure, and must have been in existence for at least 36 months.

(iv) Use of Outdoor Storage Space

a. Up to 500 square feet of outdoor storage area may be permitted in conjunction with major home occupations provided that it is:

i. Clearly defined on the site plan and on the ground.

[102] Correct reference.

ii. Setback standards for outdoor storage space shall be determined with the approved Special Use Permit and in no case be less than 40 feet from all property lines; and

iii. Totally screened from the view from the road and from adjacent property in the same manner required for accessory buildings.

5.5.5 Home Park

(A) Standards for HP-~~CZ~~CD

(1) Permitted Uses and Structures

In addition to Mobile Homes and/or Temporary Residential Units, as defined by this Ordinance, the following accessory structures and uses shall be permitted:

(a) Caretaker's or manager's home or office.

(b) Service buildings and areas necessary to provide washing and drying machines for domestic laundry, sanitation, rest rooms, storage, vending machines, and other similar services provided by the facility for the use and convenience of the home park tenants.

(c) Recreation buildings/facilities and areas serving only the Home Park in which they are located.

(d) Customary accessory buildings and facilities necessary for operation of the Home Park in which they are located.

(e) Storage buildings for individual Home Park Spaces and intended for the exclusive use of the Home Park Space occupants shall be permitted. Such accessory structures shall meet required setbacks from adjacent structures.

(f) Fenced, communal storage areas provided by the park operator for boats, campers, and other accessory vehicles belonging to park residents.

(g) Sales of mobile homes and/or Temporary Residential Units already located on approved and established Home Park Spaces.

(2) Home Park Space Requirements

(a) A Home Park shall be divided into individual Home Park Spaces, each Home Park Space having an area and width consistent with Section 3.8. The Orange County Health Department may increase the minimum area requirements for the park and/or individual Home Park Spaces where necessary to be consistent with groundwater resources and/or the limitations of providing sewage disposal systems for the proposed home park.

(b) Only one mobile home or Temporary Residential Unit and its customary accessory buildings may be located within any Home Park Space at one time. Additional Efficiency Units or Temporary Residential Units shall not be permitted within an occupied Home Park Space.

(c) The location of each Home Park Space must be at an elevation, distance and angle in relation to the adjacent access drive or street such that placement and removal of the mobile home or Temporary Residential Unit is practical by means of customary moving equipment.

(d) The surface of each Home Park Space and the area around it shall be graded where necessary to provide proper drainage and prevent the accumulation of water.

(5) Vehicular Access for HP-~~CZ~~ CD Districts

(a) Each individual space shall abut an improved access drive or street approved by the County.

(b) No individual space shall have direct vehicular access to a street or thoroughfare other than those located within the home park.

(c) The street layout within the Home Park should be appropriately related to the topography, locations of abutting land uses, drainage patterns, street function and other natural features of the site.

(d) The planned layout of streets should minimize overall length of streets and provide for the safe, continuous flow of traffic.

(e) All streets shall be located within a 40 foot right of way

(f) The travelway for all streets shall be at least 18 feet in width and must comply with the drainage standards established in this Ordinance.

(g) All streets shall be constructed with paved, all-weather surfaces consisting of four inches of base material (crusher run) and 1 ½ inches of 1 2 asphalt or tar and gravel surface treatment consisting of a minimum of six inches of base material (crusher run) covered with alternating layers of tar and pea sized gravel.

(h) Every street shall have a maintained six foot wide shoulder running parallel and adjacent to each side of the paved street surface. The shoulder section may be used for walkways, driveways, grass or low growing vegetative ground cover or utility rights of way.

(i) The maximum length of a cul-de-sac shall be 800 feet. Cul~~s~~-de-sac~~s~~[103] shall have a paved turnaround radius of 45 feet with a right of way radius of 55 feet.

(j) No street shall intersect another street at an angle less than 60 degrees.

(k) The turning radius at street intersections shall not be less than 30 feet.

(l) Offset intersections are to be avoided, but where permitted, they shall be separated by a minimum distance of 200 feet between street center lines.

(m) Streets intersecting with a State maintained street shall conform to the standards of the North Carolina Department of Transportation specified in Subdivision Roads Minimum Construction Standards.

(n) Required off street parking spaces must be surfaced with at least four inches of compacted crushed stone or an all-weather[104] paved surface.

(6) Signs

(a) Any sign erected on-site shall comply with the standards established in Section 6.12 of this Ordinance.

(b) Traffic control signs (stop, yield, speed limit, children playing signs, etc.) meeting the standards of the Uniform Traffic Control Manual shall be placed throughout the home park where necessary. Cul~~s~~-de-sac~~s~~[105] shall have 'Dead End' street signs erected at the entrance to such streets.

[103] Correct grammar error.
[104] Correct grammar error.
[105] Correct grammar error.

(7) Street Names, Signs & Addressing

(a) All street names shall be approved by the Orange County Planning Department and Land Records staff.

(b) Street signs shall be located and constructed to Orange County standards and shall be installed outside the right-of-way at all intersections.

(c) Each applicant shall submit to the Planning Department and Land Records for approval a space addressing system consistent with the Orange County Addressing Ordinance. Upon approval of the home park, the applicant shall submit an approved copy of the addressing plan to the emergency services/fire protection agency responsible for providing such services.

(d) Each space shall have a permanent address sign erected in accordance with the Orange County Addressing Ordinance.

(8) Grounds and Buildings

(a) The grounds shall be maintained free of litter, debris and trash, including but not limited to abandoned appliances, automobiles, building materials or similar materials.

(b) Grounds, buildings and storage areas shall be maintained to prevent the growth of ragweed, poison ivy, poison oak and other noxious weeds.

(9) Mail Facilities

(a) Within each HP-~~CZ~~ CD district shall provide a clustered mail delivery system, in compliance with the appropriate postal service guidelines. Applicants shall consult the appropriate agency for the specific requirements of this system.

(b) Access to the mail delivery facility must be designed to allow three to four cars to stop at the mail delivery facility without conflict from passing vehicles.

(10) Garbage & Refuse Collection

(a) All garbage and refuse shall be stored in suitable waterproof and rodent proof receptacles which shall be kept covered with tightly fitting lids.

(b) A central collection system shall be provided either through a private collection system for individual spaces or through the use of bulk containers (dumpsters).

(c) Where bulk containers are used, there must be at least one four cubic yard bulk container for every 16 individual spaces, which shall be emptied weekly. Within the HP-~~CZ~~ CD district, parks with fewer than 16 spaces shall be required to provide one container.

(d) Bulk containers shall be front loading wherever practicable. A side-loading container may be allowed where a front-loading container is not feasible and the property is accessible to a regular route of a side-loading refuse collection vehicle.

(e) Where bulk containers are provided, a six inch reinforced concrete pad shall be provided to set the set container and also support the front wheels of the truck during the loading operation. The pad shall be 10 feet in width and 20 feet in length with at least 10 feet of the pad accessible for the truck to drive onto in front of the dumpster container for front loading pickup. If side loading containers are used, the pad may be 12 feet in width and eight feet deep with no projection for the truck wheels.

(b) ~~The home may be placed on a permanent support system, if desired. If a solid concrete or masonry perimeter foundation is used, the exterior covering material shall not extend below the top of the foundation.~~

(6) ~~Temporary mobile homes installed in accordance with the Table of Permitted Uses are exempt from the support system requirements established in Subsections (4) and (5) above. However, skirting is required and the mobile home must be connected in conformance with all applicable laws and regulations.~~

5.5.8 Group Care Facility

(A) Submittal Requirements and Standards of Evaluation for ~~Class B~~ Special Use Permit or Conditional Districts

(1) Submittal Requirements

In addition to the information required by section 2.7 or 2.9, as applicable, the following information shall be supplied as part of the application for approval of this use:

(a) A description of the type of persons to be cared for and the nature of the care to be provided.

(b) If structural alterations to existing structures or new construction is required, a complete description of the nature and extent of these alterations or new construction.

(2) Standards of Evaluation

(a) The proposed use is not within 500 feet of another existing Family Care Facility or Group Care Facility.

(b) Structural alterations shall be of such a nature as to preserve the residential character of the building.

(c) If a state license or permit is required to operate such a facility, the standards necessary to qualify for such a permit have been met.

5.5.9 Group Home

(A) Submittal Requirements and Standards of Evaluation for ~~Class B~~ Special Use Permit or Conditional Districts

(1) Submittal Requirements

In addition to the information required by Section 2.7 or 2.9, as applicable, the following information shall be supplied as part of the application for approval of this use:

(a) A description of the type of persons who will be living within the facility.

(b) If structural alterations to existing structures or new construction is required, a complete description of the nature and extent of these alterations or new construction.

(2) Standards of Evaluation –

(a) The proposed use is not within 500 feet of another existing Family Care Facility, Group Home, or Group Care Facility.

(b) Structural alterations shall be of such a nature as to preserve the residential character of the building.

5.5.10 Health and Personal Care Facility

(A) Use Standards

Multi-family uses are permitted in the EDH-3 and EDH-4 zoning districts only in accordance with the following standards:

(a) The site plan must identify the square footage of each building by type of use.

(b) A permitted Principal Use must be established on at least 50% of the total square footage of structures on the site.

(c) Multi-family dwellings shall not exceed 25% of the total square footage of all structures on the site.

SECTION 5.6: STANDARDS FOR SERVICE USES

5.6.1 Service Uses

(A) Standards for the LC-1, NC-2, and EC-5 Zoning Districts

(1) Shall be limited to no more than 12,000 sq.ft. of building area.

(B) Standards for the O/RM Zoning District

(1) Shall be limited to no more than 16,000 sq.ft. of building area as a principal use of property.

5.6.2 Cemetery

(A) Submittal Requirements and Standards of Evaluation for ~~Class B~~ Special Use Permit ~~of~~for Conditional District

(1) Submittal Requirements

In addition to the information required by Section 2.7 or 2.9, as applicable, the following shall be submitted as part of the application:

(a) Evidence that the requirements of the North Carolina General Statutes Chapter 65 can be achieved and that the standards of the N.C, Cemetery Commission shall be met.

(2) Standards of Evaluation

(a) A minimum lot size of two acres is provided.

(b) The site shall have direct access to a collector or arterial street.

(c) There shall be adequate space within the site for the parking and maneuvering of funeral cartilages.

(d) No interments shall take place within 30 feet of any lot line.

5.6.3 Eating and Drinking Establishments

(A) Use Standards

(1) Shall have frontage, and obtain access from, a public roadway.

(2) Buildings housing nightclubs, bars, and pubs shall not be located within 200 ft. of a residential structure.

(3) Drive-thru facilities shall only be permitted within the CC-3, GC-4, EDE-2, EDB-2, EDH-4, and ~~MPD-CZ~~Conditional ~~Zoning~~ Districts.

5.6.4 Funeral Homes

(A) Use Standards

~~**(1)** Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(2)~~(1) On-site Crematoria shall only be permitted within the I-1 and I-2 Zoning Districts.

5.6.5 Garden Center

(A) Use Standards

(1) Rental of moving vehicles shall be permitted as a customary accessory use.

(B) Standards of Evaluation

(1) Outdoor display and storage of goods will be permitted.

(2) Outdoor storage of bulk goods shall be located to the rear or side of the primary building and screened on three sides by an eight foot high opaque wall or fence.

(3) Outdoor storage for bulk goods shall be limited to 1,500 square feet per acre of the zoning lot.

5.6.6 Massage Business

(A) Standards for Evaluation

(1) Must comply with the Ordinance for the Control of Massage and Massage Establishments

(2) The submittal of construction plans for all existing and proposed buildings housing the massage business. The construction plans shall include floor plans and cross sections showing the proposed use of all portions of such buildings.

(3) For existing buildings, certification by the Orange County Building Inspector that the structure(s) complies with the North Carolina Building Code and all related construction codes.

5.6.7 Junkyards/Salvage Yards

~~**(A) Use Standards**~~

~~**(1)** Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(B)~~(A) **Submittal Requirements and Standards of Evaluation for ~~Class A Special Use Permit~~NR-CD District**

(1) Submittal Requirements

In addition to the information required by Section 2.~~7~~9, the following information shall be supplied as part of the application for approval of this use:

(a) Detailed plans and specifications for the site screening proposed.

(b) Description of type and number of motorized machines to be employed upon site.

(c) Indicate on the site plan the extent of area to be used for the storage of junked or wrecked motor vehicles.

(2) Standards for Evaluation

(a) The site shall be screened from adjacent property by a minimum of an eight foot high solid fence or equal, uninterrupted except for required vehicle access points.

(b) No materials shall be stored closer than 50 feet to the public right of way or 30 feet to the property lines.

(c) Site is of adequate size to protect adjacent properties from adverse effects of the junkyard.

5.6.8 Kennels (Class II)

(A) Use Standards

~~(1) Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(2)~~(1) Allowed as more than ~~1~~ one principal use if location on a bona fide farm. Refer to Section 6.2.5 of this Ordinance.

(B) Submittal Requirements and Standards of Evaluation for ~~Class B~~ Special Use Permit or Conditional Districts

(1) Submittal Requirements

In addition to the information required by Section 2.7 or 2.9, as applicable, the following information shall be supplied as part of the application for approval of this use:

(a) Plans for all kennels, exercise yards, dog runs, pens and related improvements, including signage.

(b) Site plan showing the improvements listed in a) above, other structures on the same lot, and structures on adjacent property.

(2) Standards of Evaluation

(a) The site is of adequate size to protect adjacent properties from adverse effects of the kennel.

(b) No part of any building, structure, dog run, pen, or exercise yard in which animals are housed or exercised shall be closer than 150 feet from a property line, except property occupied by the owner/operator of the kennel.

(i) The 150 foot setback established by this section shall not apply if all portions of the facility, in which animals are housed, are wholly enclosed within a building.

(ii) For Class II Kennels developed within the EDE-2 zoning district, this setback shall not apply to dog training activities where each dog is under the immediate control of its trainer, owner, or other responsible individual.

(iii) For Class II Kennels developed within the EDE-2 zoning district, all buildings, structures, dog runs, pens, or exercise yards in which animals are housed or exercised shall observe the principal setbacks established within Section 3.7 of the UDO in those instances where the property abuts other EDE-2 zoned property and US Highway 70.

(c) Any kennel, including primary enclosures or runs, which is not wholly enclosed within a building shall be enclosed by a security fence at least six feet in height.

(d) The site plan shows parking, access areas and screening devices for all buildings and animal boarding facilities existing or proposed for the property.

(e) The site plan shall be reviewed by the Orange County Animal Services Department, and found in conformance with the Animal Control Ordinance.

(f) Building plans for all kennel facilities shall be reviewed and approved by the Orange County Animal Services Department prior to issuance of any building permits.

(2) A Description of the proposed use(s) of the site and the buildings thereon, including the following:

(a) Amount of area allocated to each use.

(b) Number of full and part time employees.

(c) Number of clients and/or occupants expected to use the facility.

(d) Proposed hours of operation for non-residential uses of the site and within buildings thereon.

(3) Building plans for all existing or proposed structures to include floor plans, elevations, and sections showing restoration/rehabilitation proposed.

(4) Landscape plan, at the same scale as the site plan, showing existing or proposed trees, shrubs, ground cover and other landscape materials.

(5) Statement from the appropriate public service agencies concerning the method and adequacy of water supply and wastewater treatment for the proposed uses including any proposed eating establishment.

(6) Statement from the appropriate public service agencies concerning the provision of fire, police and rescue protection to the site and structures.

(7) The proposed development schedule for the site.

(8) Applicants requesting a full or partial waiver of the right-of-way land use buffer shall submit evidence that the property is listed on the National Historic Register or recognized by the State of North Carolina or the County of Orange as a place of historic interest. Applications incorporating historic sites shall provide a description of how the historical style and character of the building and/or property is to be enhanced through the project.

(C) Standards of Evaluation for ~~Class A Special Use Permit~~Conditional Districts

(1) Proposed uses and facilities are complementary and compatible with surrounding area, and appropriate in the location proposed given character of surrounding development.

(2) Fire, police and rescue services and water supply and wastewater treatment methods are adequate to serve the proposed uses and facilities.

(3) Recreational areas, service areas, parking and screening are adequate for the proposed use(s).

(4) Internal vehicular and pedestrian circulation is adequate for the proposed use(s).

(5) Building plans for all building areas intended for public use shall be reviewed and approved by the Fire Marshal and Building Inspections Division prior to issuance of any Certificates of Occupancy.

(6) In those cases where a Certificate of Occupancy is not required, the applicant shall schedule a site inspection with the Fire Marshal and Building Inspections Division and submit documentation of site approval to the Planning Department prior to commencing operation.

(7) The applicant shall be permitted to construct one sign not to exceed 16 square feet in size. Such identifying signs shall be installed with landscaping around the base. All illumination shall be installed as ground lighting to prevent night-time glare.

(8) On-site parking shall be provided in accordance with Sections 6.9 of this Ordinance. The Fire Marshal shall approve the site plan indicating there is sufficient area for EMS and fire truck accessibility.

(9) The site shall meet the landscaping and buffer requirements established in Section 6.8 of this Ordinance. However, property recognized by the state or the county as a historic site, or as containing a significant historic structure, shall receive a full or partial waiver of the road-front land use buffer to maintain the historic character of the site and the traditional view of the house from the roadside.

(10) The applicant shall be responsible for satisfying all review and permitting requirements of other public agencies, including but not limited to NCDOT driveway permits.

(11) Outdoor events (e.g. weddings, receptions, parties) or similar activities conducted for compensation shall be permitted, only if there is sufficient overflow parking available on site. Overflow parking does not have to be paved or graveled but must be on a suitable (even) surface.

~~**5.6.11 Short Term Rental – Non Host Occupied**~~

~~**(A) Use Standards**~~

~~**(1)** Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~5.6.12~~5.6.11 Storage of Goods

(A) Use Standards

(1) Standards for the NC-2 and EC-5 Zoning Districts

(a) Shall be limited to no more than 12,000 sq.ft. of building area.

(b) Outdoor storage shall be prohibited.

(2) Standards for the GC-4 and O/RM Zoning Districts

(a) Shall be limited to no more than 24,000 sq.ft. of building area.

(b) Outdoor storage shall be permitted subject to the following:

(i) Shall be setback 50 ft. from all property lines.

(ii) Shall be enclosed by a fence a minimum of 8 ft. in height.

(iii) Shall be screened by a Type B land use buffer as detailed in Section 6.8 of this Ordinance.

(3) Standards for I-1, I-2, I-3, EDB-1 and EDE-1 Zoning Districts

(a) Outdoor storage areas shall be permitted subject to the following:

(i) Shall be setback 50 ft. from all property lines.

(ii) Shall be enclosed by a fence a minimum of 8 ft. in height.

(iii) Shall be screened by a Type B land use buffer as detailed in Section 6.8 of this Ordinance.

~~5.6.13~~5.6.12 Taxidermy

(A) Use Standards

(1) Allowed as more than ~~1~~ one principal use if location on a bona fide farm. Refer to Section 6.2.5 of this Ordinance.

(B) Standards of Evaluation for ~~Class B~~ Special Use Permit

(1) Enterprises located in an AR zoning district must be located on a bona fide farm.

(2) If located adjacent to residentially zoned property, all buildings, structures,

facilities, etc. used in the taxidermy enterprise shall be located a minimum of 100 feet from the property line.

~~5.6.14~~5.6.13 Sexually Oriented Businesses

(A) Submittal Requirements

(1) In addition to the site plan submittal criteria detailed within Section 2.5 of this Ordinance the applicant shall submit proof a license has been issued allowing for the operation of a sexually oriented business in accordance with Chapter 8 of the Orange County Code of Ordinances.

(B) Standards of Evaluation

(1) Sexually oriented business(es) shall not be located in any building, or portion thereof, that is:

(a) Within 1,000 feet of an existing sexually oriented business.

(b) Within 1,000 feet of a:

(i) Residential land use including any open space established as part of the residential subdivision approval process,

(ii) Church and/or place of worship,

(iii) School (public, private, or specialty),

(iv) Public or private library,

(v) State licensed child care facility, or

(vi) Public park or recreational facility.

(c) Measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest portion of the building or structure used as the part of the premises where a sexually oriented business is conducted to the nearest portion of a building, structure, or open space area of a use listed above.

SECTION 5.7: STANDARDS FOR RECREATIONAL USES

5.7.1 Recreational Uses as Accessory Uses

(A) Use Standards - Residential Land Uses

In addition to the requirements contained within this Ordinance, recreational uses developed as an accessory use to a residence shall abide by the following:

(1) General Standards

(a) Accessory recreational uses shall not be open to the public or serve as a recreation amenity for other lots.

(b) Amenities, equipment, and/or facilities intended for spectators such as bleachers or public address systems shall not be permitted.

(c) Outdoor sports field lighting, as detailed within Section 6.11, shall be prohibited.

(2) Specific Standards

(a) Motor Cross and Go-Kart Tracks

(i) All tracks and/or paths shall be located a minimum of 100 feet from a property line.

(ii) A track or path shall not cross over active septic fields.

around the perimeter of the property.

(d) Nothing in Section 5.7.2 (B) shall be construed as regulating hunting activities or the operation of a shooting range developed for, and exclusively utilized by, local, State, and/or Federal law enforcement agencies.

(e) Nothing in Section 5.7.2 (B) shall be construed as regulating or prohibiting:

(i) Hunting activities or the operation of a shooting range developed for, and exclusively utilized by, local, State, and/or Federal law enforcement agencies.

(ii) The holding of turkey shoots or other similar activities conducted as a fundraiser or community event so long as such activities occur no more than three days in a given calendar year on a parcel of property.

(iii) The incidental discharge of a firearm, the discharge of a firearm in self-defense, or engaging in target shooting activities on a parcel of property no more than 2 days in a given month.

(2) Outdoor Paintball

(a) Areas where outdoor paintball activities occur shall be a minimum of 50 feet from all property lines, street rights-of-way, or access easements.

(b) A Type B land use buffer, as detailed in Section 6.8, shall be required around the perimeter of the portion of property where outdoor paintball activity occurs.

(3) Pitch and Putt Courses

(a) Pitch and putt areas shall be located a minimum of 40 feet from all property lines, street rights-of-way, or access easements.

(b) A Type B land use buffer, as detailed in Section 6.8, shall be required around the perimeter of the portion of property where pitch and putt course activity occurs.

(C) Submittal Requirements and Standards of Evaluation for ~~Class B~~ Special Use Permit

(1) Submittal Requirements

In addition to the information required by Section 2.7, the following information shall be supplied as part of the application for approval of this use:

(a) A description of the exact type facility planned, the amount of area, including and number of members or participants expected, a site plan showing siting and size of existing and proposed building.

(b) Access, parking, service and recreation areas for all planned facilities or existing facilities.

(c) Plans, and elevation for all proposed and existing structures and descriptions of the color and nature of all exterior materials.

(d) A landscape plan showing, at the same scale as the site plan, existing and proposed trees, shrubs, ground cover and any other landscape materials.

(e) A signed statement from the owners or operators that there shall be no activity allowed that will have adverse effects on adjacent property. The statement shall also include a complete list of all recreational activities that will take place on the site.

(2) Standards of Evaluation

(a) The property shall have direct frontage on, and obtain vehicular access from, a public road.

(b) Lot size shall be adequate for the method of sewage disposal proposed, and for the proposed recreational uses.

(c) The site plan should show the boundaries of the site, the distances to the nearest residential structures, proposed or existing access points, parking and service areas, location of outdoor recreational facilities, and location of existing or proposed buildings.

(d) The landscape plan shall be at the same scale as the site plan and should show how the facilities will be screened from the adjacent properties, in addition to proposed or existing trees, shrubs and ground cover.

(e) Elevations of all structures and buildings. The structure shall be of such a nature as to preserve the residential character of the area.

(f) There are no adverse impacts on the adjacent roads or residential property.

5.7.3 Golf – Driving and Practice Range

(A) Submittal Requirements and Standards of Evaluation for ~~Class B~~ Special Use Permit

(1) Submittal Requirements

In addition to the information required by Section 2.7, the following shall be submitted as part of the application:

(a) A site plan showing the following:

(i) All existing or proposed buildings, tee areas, lawn areas,

(ii) Distances to nearest residential structures,

(iii) Access road(s) to the site, with an indication of type of proposed surface;

(iv) On-site parking and roads, with an indication of type of proposed surface; and

(v) All other requirements as indicated in section 2.5.

(2) Standards of Evaluation

(a) Unless public sewer is proposed to be extended, the adequacy for the method of sewage disposal will be determined by the lot size and soil suitability. Appropriate letters from the Orange County Environmental Health Department, local jurisdictions and/or the State Division of Environmental Management shall be submitted to indicate preliminary approval.

(b) The landscape plan shall show how the facilities will be screened from the adjacent properties. A Type D 50 foot buffer, as indicated in Section 6.8, shall be observed around the perimeter of the property. This buffer shall be located outside of the required dimensional area indicated in d. below.

(c) The site plan, as required in Section 2.7, shall be reviewed by the Orange County Recreation and Parks Director.

(d) The depth of a range along the driving axis shall be not less than 350 yards measured from the locations of the tees and the breadth not less than 200 yards at a distance of 350 yards from the tees.

(e) Service to customers shall be halted at dusk. Lighting of the driving and practice range is not permitted.

5.7.4 Golf Courses

(A) Intent

The purpose of this Subsection is to protect natural, visual, and cultural resources by regulating the location, planning, design, construction, operation, and maintenance of golf courses and associated uses.

(B) Applicability

The standards contained herein shall apply to all new golf courses, whether proposed as a principal use or as an accessory use which is part of a residential subdivision, or included in a ~~Conditional Use District or~~ Conditional ~~Zoning~~ District.

(a) Notwithstanding the provisions of Section 8.6, golf courses which existed prior to May 21, 1997, shall comply with the requirements of this article when 50% or more of the total playable acreage of golf holes is concurrently reconstructed or altered, or if 50% of playable acreage is added to an existing course. Playable acreage includes all tees, greens, fairways, and roughs measured as of May 21, 1997.

(b) Changes to Approved Special Use Permits ~~(for approvals prior to [date of adoption for this amendment])~~

In accordance with Section ~~2.7.1~~2.7.14, the Planning Director is authorized to approve minor changes in the approved plans of Special Uses, provided the changes are in harmony with the original approval. Before changes to an approved Special Use Permit may be considered, updates of submittal materials such as the environmental assessment, biological inventory, or resources management plan may be required. In lieu of the criteria established in Section ~~2.7.3~~2.7.14 (B), the following criteria shall be used to determine when proposed changes to a Special Use Permit for a golf course, shall require approval of the Board of County Commissioners:

(i) Any change in a condition of approval, including any reduction in a setback;

(ii) An increase in playable acreage of golf holes by more than 10%. Playable acreage shall include all tees, greens, fairways, and roughs as shown on the first site plan approved;

(iii) Any new use not included in the approved Special Use Permit or substantial expansion of an approved use that does not involve floor area;

(iv) An increase by 25% or more in total floor area of all structures shown on the first site plan approved, either in a new structure or as an addition(s) to an approved structure(s);

(v) An increase in parking by 10% or more of the parking shown on the first site plan approved;

(vi) Substantial changes in pedestrian and/or vehicular access or circulation; and

(vii) A change in the location or extent of street and utility improvements or rights-of-way, including water, sewer and storm drainage facilities, which would provide a different level of service and that is not associated with a less than 10% increase in playable acreage.

(c) Changes to Approved Conditional Districts

In accordance with Section 2.9.2, the Planning Director is authorized to approve minor changes in the approved plans of Conditional Districts. Before changes to an approved Conditional District may be considered, updates of submittal materials such as the environmental assessment, biological inventory, or resources management plan may be required. In lieu of the criteria established in Section 2.9.~~2~~1(I), the following criteria shall be used to determine when proposed changes to a Conditional District for a golf course shall require approval of the Board of County Commissioners:

(i) Any change in a condition of approval, including any reduction in a setback;

(ii) An increase in playable acreage of golf holes by more than 10%. Playable acreage shall include all tees, greens, fairways, and roughs as shown on the first site plan approved;

(iii) Any new use not included in the approved ~~Special Use Permit~~conditions or ~~substantial~~ expansion of an approved use ~~that does not involve floor area~~;

(iv) An increase ~~by 25% or more~~ in total floor area of all structures shown on the first site plan approved, either in a new structure or as an addition(s) to an approved structure(s);

(v) An increase in parking by 10% or more of the parking shown on the first site plan approved;

(vi) ~~Substantial c~~Changes in pedestrian and/or vehicular access or circulation that moves such facilities more than 25-feet; and

(vii) A change in the location or extent of street and utility improvements or rights-of-way, including water, sewer and storm drainage facilities, which would provide a different level of service and that is not associated with a less than 10% increase in playable acreage.

(C) Submittal Requirements

In addition to the information required by Section 2.~~7~~9, the following information shall be supplied as part of the application for approval of this use:

(1) A site plan prepared in accordance with Section 2.5, also illustrating the golf course routing plan. The plan shall show the center line of play, the boundaries of fairways, greens, tees, roughs, hazards, and buffers.

(2) A written and graphic site analysis illustrating soils, depth to water table, slope, hydrology, vegetation, natural areas and habitats of special concern, infrastructure and other manmade features, historic and archaeological sites, and a visual analysis of views into and from the site;

As part of the Resources Management Plan, the applicant shall submit a plan to establish best management practices (BMP's) for the golf course and maintenance facilities which shall include the following:

(a) Isolate potential contaminants from the soil and water during delivery, storage and use of such contaminants at the golf course;

(b) Fertilizer storage area shall be covered

(c) Washing of maintenance equipment shall occur in an area that is covered from the elements;

(d) Grass clippings and debris collected from washing may be composted.

(e) Runoff from the wash pad area shall be drained to a common point and either,

(i) Filtered through a grease trap, and recycled;

(ii) Directed through a filtration pond; or

(iii) Discharged to a sewage treatment facility other than a ground absorption system.

(3) Irrigation

(a) Irrigation systems shall be designed and operated according to a water conservation plan described in the Resources Management Plan submitted with the application;

(b) The schematic irrigation plan required by Section 5.7.3(C)(7) shall identify the source(s) of water to be used for irrigation, the volume available for that purpose, and expected consumption rates. The system design and plan for operation will be evaluated based on efficiency; and

(c) Use water recycled from stormwater retention ponds, or treated sewage effluent, where it is a safe alternative.

(4) Habitat Maintenance

(a) Habitats identified in the biological inventory and habitats created through mitigation shall be maintained in accordance with the Resources Management Plan and/or a conservation easement agreement; and

(b) Maintenance of habitats shall be minimal, consisting primarily of maintaining buffers and enhancements, removal of exotic (non-native) plant species, and keeping drainage ways functioning properly.

(5) Maintenance of Improvements

(a) All site improvements such as roads, utilities (including irrigation and drainage structures), the golf course, habitat enhancements, recreational amenities, signage, landscaping, etc. shall be maintained in function and appearance.

(b) Maintenance specifications for on-going site management shall be submitted as part of the Resources Management Plan.

(6) Solid Waste Management

(a) The Resources Management Plan shall include a program for the on-going recycling and composting of refuse from course and landscape maintenance, as well as solid waste from other course facilities such as a clubhouse.

(G) Pollutant Monitoring Program

(a) If contaminants are found that reasonably may be attributed to the construction, operation, and/or maintenance of the golf course, management plans shall be reviewed to assess the problem. Appropriate adjustments in the resource management and/or integrated pest management plans shall be made to prevent further contamination; and

(b) If sampling and analysis indicate a trend toward increased concentrations of contaminants or if the U.S. Environmental Protection Agency health advisory limits (HAL) or State ground or surface water standards for thresholds are exceeded, then Orange County will notify the appropriate authorities.

5.7.5 Camp

(A) Submittal Requirements and Standards of Evaluation for ~~Class B~~ Special Use Permit

(1) Submittal Requirements

In addition to the information required by Section 2.7, the following shall be submitted as part of the application:

(a) A site plan prepared in accordance with Section 2.5, also showing the following (existing or proposed):

(i) Buildings,

(ii) Campsites,

(iii) Storage areas,

(iv) Fencing and gates,

(v) Outdoor recreation areas

(vi) Access road(s) to the site, as well as on site roads, with an indication of type of proposed surface.

(b) A description of the type of facility planned, the size, capacity, and use of proposed buildings; a signed statement from the owners or operators that there shall be no activity allowed that will have adverse effects on adjacent property. The statement shall also include a complete list of all recreational activities that will take place on the site.

(c) A phasing plan, when necessary, indicating the area to be developed in each phase with time periods for construction of each phase. This may be indicated on the site plan.

(d) The site plan shall show the distances to the nearest residential structure.

(2) Standards of Evaluation

(a) Unless public sewer is proposed to be extended, the adequacy for the method of sewage disposal will be determined by the lot size and soil suitability. Appropriate letters from the Orange County Environmental Health Department, local jurisdictions and/or the State Division of Environmental Management shall be submitted to indicate preliminary approval.

(b) The landscape plan shall show how the facilities will be screened from the adjacent properties. A minimum 30 foot Type B buffer, as indicated in Section 6.8 shall be observed around the perimeter of the property.

(b) Define and delineate emergency vehicle access points and fire lanes on the property.

(5) The facility owner shall work with NCDOT to complete a traffic intersection analysis for access points along any state-maintained road or highway to determine need for access improvements such as left turn lanes or deceleration lanes.

(6) The facility owner shall work with NCDOT, the State Highway Patrol, and County officials to address traffic management issues to coordinate acceleration and deceleration lanes at approved entrance and exit points on the property during major events.

(7) The facility owner shall work with NCDOT and County officials to post proper signage on the property directing traffic through a one-way ingress and egress location.

(8) A litter collection and recycling system shall be developed throughout the grounds and at all points of egress. During events facility employees shall remove trash from the receptacles in a timely manner.

(9) All new facilities shall install noise abatement systems to ensure compliance with applicable County noise regulations. For existing facilities, the property owner/managers shall provide a noise abatement system to reduce sustained noise levels at the property lines to the lowest practical level. To accomplish this goal, the owners/managers have the option of employing, either singly or in combination, any of the following:

(a) Requiring all competition vehicles to have functional noise mufflers attached at all times;

(b) Installing a system of noise baffles, berms, or walls on the perimeter of the racetrack facility incorporated into the design and placement of any lighting system and viewing stands, and/or

(c) Depressing the elevation of the raceway track surface, or

(d) Some other innovative noise abatement system.

(10) Limits on racing activities shall be such that no race shall extend beyond 11:00 p.m. on Friday and Saturday nights, or beyond 9:00 p.m. on other evenings. Practice activities shall not commence before 10:00 a.m. on any day and shall cease by 9:00 p.m.

(11) All external lighting fixtures shall comply with Orange County lighting standards (Section 6.11).

(12) No storage of hazardous materials shall be permitted, except for racing fuel and lubricants. Such material storage areas shall be enclosed and posted and the Orange County Fire Marshal shall approve a pollution incident prevention plan for the storage facility prior to final occupancy permits.

(13) If additional or accessory land uses are desired, the facility owner shall cause a new site plan to be created outlining the location and nature of the proposed new land use, demonstrating compliance with this Ordinance.

(14) The County shall approve a construction schedule to complete the items listed above.

5.7.7 Guest Ranch

(A) Standards of Evaluation for ASE-~~CZ~~ CD Zoning District

(1) Minimum lot size: 25 acres.

(2) Application materials shall include a comprehensive groundwater study, for

(3) Where a State license is required to operate the facility, evidence that the requirements to qualify or said license have been, or will be, met shall be submitted..

(C) Standards of Evaluation

(1) There is direct frontage and access on a public state maintained road.

(2) Adequate access to and from the site, as well as adequate space off the road right-of-way, is provided for the safe pickup and discharge of clients and is provided in such a manner that traffic generated by the use is not disruptive to adjacent residentially developed properties.

(3) The plot plan shall show how the facilities will be screened from adjacent properties. A Type B 30-foot buffer shall be provided around the use and play/exercise area in accordance with Section 6.8.6. These buffers will effectively screen the view of any outdoor area, and reduce noise associated with the operation.

(4) Each Center in a Residence is required to provide a minimum of 75 square feet of outdoor space for every client in care. This space may not be located in a required buffer or in an area, which is used or reserved for use as a sewage disposal nitrification field.

(5) Fencing is to be provided around the outdoor space, which ensures the protection of the client receiving care and protects adjacent residentially developed properties from trespass.

(6) All gates shall be self-closing and self-latching.

(D) Additional Standards of Evaluation – Care of Children and Adolescents

(1) The Center in a Residence is to be located in an area, which is free from conditions dangerous to the physical and moral welfare of the children.

5.8.2 Care Facilities

(A) Use Standards

(1) Standards in Commercial ~~and Industrial~~ [107] Districts

(a) At least 100 square feet of outdoor space per client shall be provided.

(b) Outdoor play/exercise space shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking area or land unsuited by other usage or natural features. All required fences shall comply with the regulations of this Ordinance. The minimum height in any case shall be three feet.

(c) The minimum lot area for the first eight clients shall be 10,000 square feet. The minimum additional area for multiples of eight clients shall be 2,000 square feet.

(B) Standards of Evaluation for ~~Class B~~ Special Use Permit

(1) Submittal Requirements

In addition to the information required by Section 2.7, the following shall be submitted as part of the application:

(a) Where a State license is required to operate the facility, evidence that the minimum requirements to qualify for said license have been, or will be, met shall be submitted.

[107] This type of use is not permitted in the industrial districts.

(b) A floor plan of the proposed facility, showing the use and dimensions of each room and the location of entrances and exits.

(2) Standards of Evaluation

(a) Facilities involving the care of children and adolescents shall be located in an area which is free from conditions dangerous to the physical and moral welfare of the children.

(b) Where a State license is required to operate the facility, the applicant shall demonstrate the minimum requirements to qualify for said license are satisfied.

(c) There is direct frontage and access on a public State-maintained road.

(d) Adequate access to and from the site as well as adequate space off the road right of way, is provided for the safe pick up and discharge of clients and is provided in such a manner that traffic generated by the facility is not disruptive to adjacent residentially developed properties.

(e) All client pick up and drop offs shall be on site, with proper vehicle stacking area equivalent to three cars.

(f) The site plan shall show how the facilities will be screened from adjacent properties. A Type-B, 30-foot buffer shall be provided around the facility and outdoor area in accordance with Section 6.8.6. These buffers will effectively screen the view of any outdoor area, and reduce noise associated with the facility.

(g) Each facility is required to provide a minimum of 75 square feet of outdoor space for every client in care. This space may not be located in a required buffer or in an area, which is used or reserved for use as a sewage disposal nitrification field.

(h) Fencing and/or screening is to be provided which ensures the protection of the clients receiving care and protects adjacent residentially developed properties from trespass.

(i) All gates shall be self-closing and self-latching.

(j) Each facility approved by the Board of Adjustment shall be reviewed annually by the Planning Director to ensure compliance with the standards of evaluation for such facilities and any conditions attached to the application by the Board of Adjustment. Any change in the operation of the facility, which deviates from the original standards and conditions will constitute a modification and will require the approval of the Board of Adjustment. In determining whether a change in the operation of the facility has occurred, the Planning Director shall be guided by the procedures and criteria contained in Sections 2.7.~~1~~ 14 and 5.8.2(B).

5.8.3 Schools: Universities, Colleges, and Institutes

(A) Submittal Requirements and Standards of Evaluation for ~~Class A Special Use Permit or~~ CC-3, GC-4, O/RM, EDB-2, EDE-2, EDH-4, EDH-5, and ~~MPD-CZ~~Conditional ~~Zoning~~ Districts

(1) Submittal Requirements

In addition to the information required by either Section(s) 2.5 and/or 2.~~7~~9, the following shall be submitted as part of the application:

(a) The site plan, in addition to other requirements detailed within this Ordinance, shall denote the following:

(i) Location, width and type of all internal vehicular and pedestrian circulation.

(ii) Location and dimensions of all on site signage.

(iii) Boundaries of the site and distance to nearest residential structures.

(b) Description of the proposed use(s) of the site and the buildings therein, including the following:

(i) Amount of area allocated to each use.

(ii) Number of full and part time employees.

(iii) Number of students and staff expected to use the facility.

(iv) Proposed hours and days of operation.

(c) Building plans for all existing or proposed structures to include floor plans, elevations and sections showing proposed use.

(d) Landscape plan, at the same scale as the site plan, showing existing or proposed trees, shrubs, ground cover and any other landscape materials.

(e) Statement from the appropriate agencies concerning the method and adequacy of water supply and wastewater treatment.

(f) Statement from the appropriate agencies concerning the provision of fire, police and rescue protection to the site and structures.

(g) A detailed description of the organization, its staff, membership, affiliations and activities.

(2) Standards of Evaluation

(a) The site plan submitted meets all requirements specified in applicable Subsections 2.5, ~~2.7.3~~2.9, and 5.8.3(A)(1).

(b) Fire, police and rescue services and water supply and wastewater treatment methods are adequate to serve the proposed uses and facilities.

(c) The site has frontage and access on to a paved State maintained road. The developer must show that the existing facilities have the capacity to handle the additional traffic generated by the use or has an agreement with NCDOT to upgrade the facility to accommodate expanded needs.

(d) Internal vehicular and pedestrian circulation is designed to encourage smooth traffic flow and reduce hazards.

(e) All access roads and employee/visitor parking areas shall be paved.

(f) Development of the site as proposed would have no adverse impact beyond the building, except for appropriate parking facilities.

(g) The floor area of a building or group of buildings housing a Non- Profit Educational Cooperative shall not exceed the maximum floor area ratio as permitted in Article 3 of this Ordinance.

(h) All buildings associated with the operation of the cooperative shall be designed to be harmonious with the character of the zoning district and neighborhoods in which it is proposed to be located.

5.8.4 Schools: Preparatory

(A) Submittal Requirements and Standards of Evaluation for ~~Class A Special Use Permit and MPD-CZ~~Conditional Districts

(1) Submittal Requirements

In addition to the information required by either Section(s) 2.5~~, 2.7.3~~ and/or ~~5.3.2~~2.9, the following information shall be submitted as part of the application:

(a) 26 copies of the site plan prepared in accordance with this Ordinance and with the following additional information shown on the plan:

(i) Total student capacity of school as designed;

(ii) Total number of employees at time of greatest shift;

(iii) Number and dimensions of designated parking spaces for school buses;

(iv) Number of designated parking spaces for employees;

(v) Number of visitor parking spaces;

(vi) Number of student parking spaces;

(vii) Location of student drop off points with stacking spaces identified;

(viii) Location of all proposed and future athletic fields and structures, including:

a. Total number of seats for spectators, and
b. Location of concession stands, if any anticipated;

(ix) Proposed public roadway improvements; and

(x) Existing and proposed infrastructure improvements (water and sewer).

(b) 26 copies of a Landscape and Tree Preservation Plan prepared in accordance with Section 6.8 of this Ordinance.

(c) 26 copies of photometric plans prepared in accordance with Section 6.11 of this Ordinance.

(d) Estimated water usage for structures, landscaping and athletic fields.

(e) A Traffic Impact Study, as required by Section 6.17 of this Ordinance.

(f) A Biological Inventory, prepared in accordance with Section ~~5.17.6~~5.22.1[108](A)(2)(b)of this Ordinance.

(g) A Resources Management Plan, prepared in accordance with the Resources Management Plan definition in Article 10 of this Ordinance.

(2) Standards of Evaluation Within Economic Development Districts (EDD)

If located within an EDD, the application must meet the EDD design standards established in Article 6 of this Ordinance.

(3) Standards of Evaluation in Zoning Districts other than an Economic Development Districts (EDD)

If located within a zoning district other than an EDD, the applicant must meet the following Standards of Evaluation:

(a) The project meets all applicable design standards and other requirements of this Ordinance.

(b) The project meets all service provision criteria as set forth below:

(i) Fire – identifies the primary and secondary responders and the source(s) of water.

[108] A previous amendment did not update this Section reference to the correct Section number.

d. All access points shall be located to provide maximum visibility and safety.

e. No driveway shall be permitted in a location that will hinder or congest traffic movement on a public street.

5.8.5 Schools: Technical, Trade, and Skill Training

(A) Use Standards

(1) Standards for the LC-1, NC-2, CC-3, EC-5, EDH-4, and EDH-5 Zoning Districts

(a) Structures shall not exceed 16,000 sq.ft. of floor area.

(b) Schools shall involve only activities associated with Continuing Education, Performing/Fine Arts, Sports and Recreation, and Trade schools as defined herein.

(2) Standards for the GC-4, I-2, I-3, EDB-2, and EDE-2 Zoning Districts

(a) Schools shall involve only activities associated with Continuing Education, Performing/Fine Arts, Sports and Recreation, and Trade schools as defined herein.

(3) Standards for the O/RM, NR-CD, or MPD-~~CZ~~ CD Zoning Districts

(a) All School: Technical, Trade, and Skill Training land uses, as defined herein, shall be permitted.

(4) Applications proposing flight training schools shall submit documentation identifying where actual flying activities are intended to occur. No on-site flying activities, other than the use of simulators, shall be permitted.

(5) Applications proposing a Community College shall require prior approval, and budgetary allocation of funds by, the Orange County Board of County Commissioners before being submitted for processing if County funding is required.

(B) Standards of Evaluation

(1) All outdoor activity areas shall be buffered by a Type B land use buffer around its perimeter in accordance with Section 6.8.6 of this Ordinance.

SECTION 5.9: STANDARDS FOR UTILITIES

5.9.1 Telephone Exchanges (without business offices), subscriber loop huts, pressure regulator stations, water and sanitary sewer pumping stations

(A) Standards of Evaluation

(1) The design of structures shall conform as closely as possible to the character of the area in which it is located.

(2) Building or structures shall conform to the minimum building setback distances for the applicable zoning district and shall not exceed 800 square feet in area.

(3) All buildings and structures shall be landscaped and screened according to the standards that follow:

(a) Buildings and structures which resemble residential accessory structures must be landscaped and maintained in the character of a residential area.

(b) Any outside storage areas must be fenced with a minimum five foot fence and the area screened from adjacent property according to the standards in this section.

5.9.2 Electrical Substations, Switching and Metering Stations, and Associated Transmission Lines, Where Incoming Voltage Does Not Exceed 100 Kilovolts (kv)

(A) Standards of Evaluation

(1) Perimeter fencing and setbacks for the utility structure shall be provided in accordance with the National Electrical Safety Code.

(2) The components of the facility, including but not limited to towers, transformers, circuit breakers, metering devices, and supporting latticework, shall be contained within a geometric area not to exceed 12,000 square feet.

(3) The facility shall be located on a parcel or easement across the parcel, (whether owned or leased by the utility) which has been recorded with the Orange County Register of Deeds.

(4) Access easements extending from an approved public or private road to the facility shall be a minimum width of 30 feet.

(5) A Type E Land Use Buffer shall be provided along any portion of the perimeter of the parcel, easement, or leasehold located adjacent to property zoned for residential use, except where such property is owned, leased or consists of other utility easements currently used for electrical distribution or transmission purposes or no other purposes.

(6) Existing vegetation within an easement, leasehold or parcel of a public utility may be used to satisfy the landscaping requirements.

(7) Modification to or replacement of existing facilities shall be subject to the requirements set forth in this Section. Pre existing facilities may remain during construction of replacement facilities, but shall be dismantled after the replacement facility is in operation.

(8) The parcel or easement across the parcel, (whether owned or leased by the utility) on which the facility is located shall contain a minimum area of 5000 square feet.

(9) The applicant shall submit proof of liability insurance covering bodily injury and property damage demonstrating a minimum coverage limit of $ 500,000.00 per occurrence.

5.9.3 Public Utility Stations and Substations~~, (~~ Including Electric Substations, Metering, and Switching Stations Receiving More Than 100 Kilovolts (kv) of Electricity), Water Treatment Plant, Sewage Treatment Plant, Telephone Exchanges

(A) Submittal Requirements and Standards of Evaluation for ~~Class A Special Use Permits~~Conditional Districts

(1) Submittal Requirements

In addition to the information required by Section 2.~~7~~9, the following shall be submitted as part of the application:

(a) A site plan showing all existing or proposed buildings, storage areas, parking and access areas, topography at a contour interval of five feet, any officially designated floodplains or alluvial soils.

(b) Plans and elevations for all proposed structures and descriptions of the color and nature of all exterior materials.

(c) Landscape Plan, at the same scale as the site plan, showing existing and proposed trees, shrubs, ground cover and other landscape material.

(2) Standards of Evaluation

(a) Perimeter fencing and setbacks for the utility structure shall be provided in accordance with the National Electrical Safety Code.

(b) The facility shall be located on a parcel or an easement across the parcel (whether owned or leased by the utility) which has been recorded with the Orange County Register of Deeds.

(c) Access easements extending from an approved public or private road to the facility shall be a minimum width of 30 feet.

(d) Where a building is involved and it is proposed to be located in a residentially zoned ~~district~~area[109], it shall have the appearance suitable for a residential district, or it shall be screened from adjacent residential land.

(e) Where buildings are set back from road rights of way or from private property lines by a distance of 200 feet, screening for the building will not be required.

(f) A clearly visible voltage warning sign shall be placed at the base of all pad-mounted transformers and substations.

(g) A Type E Land Use Buffer shall be provided along any portion of the perimeter of the parcel, easement area, or leasehold area located adjacent to property zoned or utilized for residential use except where such property is currently used for electrical distribution or transmission purposes.

(h) Existing vegetation may be used to satisfy the landscaping requirements.

(i) The applicant shall submit proof of liability insurance covering bodily injury and property damage demonstrating a minimum coverage limit of $500,000.00 per occurrence.

(j) The site is of adequate size for the sewage disposal system proposed and for the proposed use.

5.9.4 Elevated Water Storage Tanks

(A) Submittal Requirements and Standards of Evaluation ~~for Class B Special Use Permit~~Conditional Districts

(1) Submittal Requirements

In addition to the information required in Section 2.~~7~~9, the following shall be submitted as part of the application:

(a) A site plan showing the following:

(i) Location and size of all existing and proposed structures,

(ii) Existing and proposed topography at a contour interval of five feet and

(iii) Any officially designated floodways and floodplains, or the presence of alluvial soils.

(b) Plans and elevations for all proposed structures and descriptions of the color and nature of all exterior material.

[109] Since Conditional Districts are their own zoning district, this language should be updated since, upon a Conditional District approval, the property will no longer be considered a residential zoning district, as instituted in Article 3.

(c) A Landscape Plan, at the same scale as the site plan, showing existing and proposed trees, plus shrubs, ground cover and other landscape materials.

(2) Standards of Evaluation

(a) Adequate provision has been made, by means of fencing or otherwise, for the security of the site, including the provision of a gate at the access entrance of access roads leading to such facilities.

(b) A minimum lot size shall be adequate for the proposed use.

(c) Adequate provision has been made for the protection of adjacent property from the dangers of collapse, fire, flooding or other menaces to public health and safety.

(d) The applicant shall submit proof of liability insurance covering bodily injury and property damage demonstrating a minimum coverage limit of $500,000.00 per occurrence.

5.9.5 Electric, Gas and Liquid Fuel Transmission Lines

(A) Submittal Requirements and Standards of Evaluation for ~~Class B~~ Special Use Permit and Conditional Districts

(1) Submittal Requirements

In addition to the information required by Section 2.7, the following shall be submitted as part of the application:

(a) A site plan showing the following:

(i) All existing and proposed structures within the site of the line,

(ii) All existing structures within 50 feet of the boundaries of the site, and

(iii) Officially designated floodways and floodplains.

(b) A plan of erosion and sediment controls for the site.

(c) Typical cross sections for the installation showing elevation of all structures and existing and proposed topography.

(d) Plans and elevations of all proposed structures and descriptions of the color and nature of all exterior materials.

(e) Certification by the applicant that it is a public utility and a statement that the proposed installation is necessary to accomplish its public utility function and that public convenience and necessity will be served by the proposed installation.

(2) Standards of Evaluation

(a) Adequate provision has been made to protect adjacent property from the dangers of explosion, rupture, collapse, fire or other menaces to public health and safety.

(b) The public convenience and necessity shall be served by this proposed installation, if installed as proposed.

(c) The applicant shall submit proof of liability insurance covering bodily injury and property damage demonstrating a minimum coverage limit of $500,000.00 per occurrence.

5.9.6 Solar Array

(A) Standards for Accessory Use

may take the form of a small enclosed structure properly vented to allow for air flow, fence, or landscape hedge.

(i) Mechanical equipment shall not be located within the required setback areas for the underlying zoning district as detailed within Article 3 or within required landscaped areas as required under Section 6.8.

(j) Before commencement of earth disturbing activities, the property owner must acknowledge that he/she is the responsible party for owning and ensuring the perpetual maintenance of the solar array.

(k) In cases where a solar array has not been in operation for a period of 6 months due to a malfunction or other defect the property owner shall affect repair(s) to the system within 30 days of notice from the County in accordance with Section 9.5 of the UDO.

In cases were the array has been deemed unsafe it shall be removed or repaired immediately in accordance with Section 9.5.5 of the UDO.

(2) Standards for Building Mounted Devices:

(a) An array may be mounted on the roof of a principal or an accessory structure located on the property.

(b) The array shall be viewed as an extension of the roof structure and, as a result, shall not exceed the maximum building height detailed within Article 3 for the underlying zoning district where the property is located.

(c) As part of the building permit review process, structural engineering shall be provided demonstrating the roof can support the weight of the proposed array.

(3) Standards for Ground Mounted Devices:

(a) Ground mounted system shall not exceed a maximum height of 15 feet from finished grade.

(b) The surface area of a ground mounted system, regardless of the mounted angle, shall be calculated as part of the overall impervious surface area for the parcel in accordance with the provisions of Section 4.2.

(c) Arrays shall be allowed to be erected anywhere on the property outside of established setback areas, designated open space areas, and well/septic system setback areas as identified by Orange County Environmental Health.

(d) Arrays shall observe the principal setback requirements of the underlying zoning district where the property is located as detailed within Article 3.

In the case of an array erected on a non-residentially zoned property, the array shall not be located within any required setback, landscape, or buffer area.

(e) If a ground mounted array is removed, any earth disturbance shall be graded and reseeded within 60 days.

(B) Submittal Requirements and Standards of Evaluation for Solar Array – Large Facility (~~Class B~~ Special Use Permit)

(1) Submittal Requirements

In addition to the information required by Section 2.7, the following shall be submitted as part of the application:

(a) A site plan showing all existing structures on the property, any proposed buildings or structures that are necessary to support the proposed array,

existing and proposed storage areas, parking and access areas, topography at a contour interval of five feet, any officially designated floodplains or alluvial soils.

(b) An assessment of the power needs for all structures on the property and the anticipated power generated by the proposed array.

(c) The proposed arrays distance from all structures located on the property.

(d) Plans and elevations for all proposed structures and arrays as well as descriptions of the color and nature of all exterior materials.

(e) Landscape Plan, at the same scale as the site plan, showing existing and proposed trees, shrubs, ground cover and other landscape material

(f) A soils report denoting the types of soil on the property including detail on the compaction necessary to support the proposed development.

(2) Standards of Evaluation

(a) The proposed array shall not require the alteration of existing land use(s) to accommodate development.

(b) All on-site utility and transmission lines shall, to the extent feasible, be placed underground.

(c) The height of proposed arrays and support structures shall not exceed the height requirements of the underlying zoning district where the property is located as detailed within Article 3.

(d) Individual arrays/solar panels shall be designed and located in order to prevent reflective glare toward any inhabited buildings on adjacent properties as well as adjacent street rights-of-way.

(e) A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

(f) All mechanical equipment, including any structure for batteries or storage cells, shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate, and provided with screening in accordance with the provisions of Section 6.8.

(g) The applicant shall submit proof of liability insurance covering bodily injury and property damage demonstrating a minimum coverage limit of $500,000.00 per occurrence.

(h) A Type D Land Use Buffer shall be provided along any portion of the perimeter of the parcel, easement, or leasehold area located adjacent to property zoned, or otherwise utilized for, residential use except where such property is owned, leased or consists of other utility easements currently used for electrical distribution or transmission purposes.

Existing vegetation may be used to satisfy the landscaping requirements.

(C) Submittal Requirements and Standards of Evaluation for Solar Array – Public Utility (~~Class A Special Use Permit~~NR-CD District)

(1) Submittal Requirements

In addition to the information required by Section 2.~~7~~9, the following shall be submitted as part of the application:

(a) A site plan showing all existing structures on the property, any proposed buildings or structures that are necessary to support the proposed array, existing and proposed storage areas, parking and access areas, topography at a contour interval of five feet, any officially designated floodplains or alluvial soils.

There are no changes on this page - it is included to give context to the deletion on the following page.

(b) Plans and elevations for all proposed structures and arrays as well as descriptions of the color and nature of all exterior materials.

(c) Landscape Plan, at the same scale as the site plan, showing existing and proposed trees, shrubs, ground cover and other landscape material

(d) A soils report denoting the types of soil on the property including detail on the compaction necessary to support the proposed development.

(2) Standards of Evaluation

(a) All on-site utility and transmission lines shall, to the extent feasible, be placed underground.

(b) The height of proposed arrays and support structures shall not exceed 40 feet.

(c) Individual arrays/solar panels shall be designed and located in order to prevent reflective glare toward any inhabited buildings on adjacent properties as well as adjacent street rights-of-way.

(d) A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

(e) All mechanical equipment of principal solar energy systems including any structure for batteries or storage cells, shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate, and provided with screening in accordance with the provisions of Section 6.8.

(f) The applicant shall submit proof of liability insurance covering bodily injury and property damage demonstrating a minimum coverage limit of $ 500,000.00 per occurrence.

(g) A Type D Land Use Buffer shall be provided along any portion of the perimeter of the parcel, easement, or leasehold area located adjacent to property zoned, or otherwise utilized for, residential use except where such property is owned, leased or consists of other utility easements currently used for electrical distribution or transmission purposes.

Existing vegetation may be used to satisfy the landscaping requirements.

(3) Decommissioning

The applicant agrees to the following as conditions in case the utility is to be abandoned:

(a) The owner/operator of the facility is required to notify the Orange County Planning Director in writing 60 days prior to planned the cessation or abandonment of the facility for any reason. This notice shall provide the exact date when the use of the facility will cease.

(b) Documentation shall be provided indicating that the public utility purchasing the power has been made aware of the decision.

(c) The facility shall be removed within 12 months from the date the applicant ceases use of the facility.

(d) Once the infrastructure is removed the property, the owner shall obtain the necessary Erosion Control permits to re-stabilize the property. The time frame for completion shall be determined by the Orange County Erosion Control Officer.

(e) The owner shall provide financial security in form and amount acceptable to the County to secure the expense of dismantling and removing said structures.

~~(f) Upon removal of the facility, the Department shall cause a notice to be recorded within the Orange County Registrar of Deeds office indicating that the Class A Special Use Permit has been revoked.~~

SECTION 5.10: STANDARDS FOR TELECOMMUNICATION FACILITIES

5.10.1 Intent

The regulations contained herein are designed to provide for the safe and efficient integration of facilities necessary for the provision of advanced wireless telecommunications services through the community with the goal of establishing reliable wireless service to the public, governmental agencies, and first responders in a manner that provides for the public safety and general welfare of its citizens.

5.10.2 Master Telecommunications Plan ("Plan")

(A) The Plan is intended to assist providers in their search for suitable locations to build their service network. The County may develop the Plan (map), which would display locations within the County's zoning jurisdiction where property owners have expressed formal, written, interest in allowing construction of telecommunications equipment.

(B) Information that may be shown on the base Plan will include, but not limited to:

(1) Existing towers,

(2) Major transmission lines,

(3) County-defined Natural Areas,

(4) Historic properties,

(5) Scenic corridors,

(6) Known bird migratory patterns through the County,

(7) Voluntary Agricultural Districts, and

(8) Publicly-owned or quasi-public lands.

(C) In order to participate in the Plan, all owner(s), or their legally binding representatives, shall submit an application on a form prepared by the Planning Department requesting inclusion.

(D) All telecommunication providers who elect to construct facilities on properties in the Plan shall provide all necessary and requested information to the County's telecommunications consultant.

(E) Modification of the Plan may be considered annually at ~~the first~~a Public Hearing ~~of the~~in February of each[110] calendar year. Any applicant requesting modification of the Plan shall make application to the Planning Director on or before December 1st of each year. The fee for modifying the Plan shall be that as set forth in the Orange County Schedule of Fees.

(F) Withdrawal from the Plan is permitted if any owner submits, to the Planning Director, a notarized statement requesting same. Upon receipt of the request, including any fee for modifying the Plan as set forth in the Orange County Schedule of Fees, the Planning Director shall inform interested parties that the property has been withdrawn from consideration. Removal of the property from the Plan shall be processed as a modification as detailed herein.

[110] Updating language to reflect current public hearing process.

5.10.5 Wireless Telecommunications Support Structures and Equipment as Principal or Accessory Uses

(A) Wireless telecommunications support structures shall be permitted as a principal or accessory use in accordance with the Table of Permitted Uses and as follows:

(1) On property owned by the County or any public entity, except those designated as historic properties or sites, the County may, in its sole discretion as the owner of the property, authorize the application and use of County property after the applicant executes a lease agreement acceptable to the County.

(2) Wireless telecommunications facilities, as part of existing utility poles shall be permitted as an accessory use. Wireless facilities shall be constructed as part of the existing utility poles or as replacements for the existing utility poles. No freestanding towers constructed exclusively for personal wireless services shall be permitted within utility easements.

(3) The placement of new wireless telecommunications support structures shall be in accordance with the Table of Permitted Uses, except as permitted in the Master Telecommunications Plan ("Plan") or by Section 5.10.6 of this Ordinance.

5.10.6 Administrative Approval of Certain Telecommunication Facilities

(A) Applicability

The following telecommunication facilities may be approved administratively by the Planning Staff provided that all of the provisions contained in Section 5.10 are met:

(1) New stealth telecommunications wireless support structures up to 75 feet in height that are sufficiently disguised so as to minimize visual impact;

(2) Any wireless support structure less than 75 feet in height;

(3) Any wireless support structure less than 200 feet in height located on property that is owned or leased by Orange County; and

(4) Any wireless support structure less than 200 feet in height on which the owner of such facility permits the County to collocate its wireless facilities on the structure at no charge to the County when the location of such facility is of benefit to the County as determined in the sole discretion of the County.

(5) A written decision approving or denying an application for administrative approval of a telecommunication facility under this section shall be issued no later than 45 days following the submission of a complete application.

(6) Collocation applications meeting the following requirements:

(a) The proposed additional facility will not increase the overall height and width of the tower or wireless support structure to which the wireless facilities are to be attached consistent with Section ~~2.7.14~~ 2.7.15(11)[111] of the Ordinance.

(b) The proposed additional facility will comply with applicable regulations, restrictions, or conditions, if any, applied to the initial wireless facilities placed on the tower or other wireless support structure.

(c) The proposed additional wireless facilities comply with all federal, State, and local safety requirements.

(d) The proposed additional facility does not exceed the applicable weight limits for the wireless support structure.

(B) Submittal Requirements

[111] Correct reference.

All applications for telecommunication facilities that are eligible for administrative approval shall be submitted and reviewed in accordance with the standards of Section 5.10.8 of this Ordinance.

(C) Neighborhood Information Meeting

(1) For all administratively approved wireless support structures, excluding collocations, a neighborhood information meeting shall be scheduled in accordance with the provisions of Section 5.10.8(A)(2).

5.10.7 Antennas Not Located on Wireless Telecommunications Support Structures

(A) General Standards

(1) To minimize adverse visual impacts, stealth antenna types shall be preferred. If a non-stealth antenna is proposed, the application shall be required to demonstrate, in a technical manner acceptable to the Planning Director, why the stealth antenna (i.e. an antenna incorporated into the architecture of the building or fully screened from view from sight proximate to the antenna) cannot be used for the particular application. This does not preclude a combination of the various types of antennas.

(2) Antenna dimensions shall be subject to approval by the Planning Director. A statement shall be submitted, prepared by a professional engineer competent to evaluate antenna choices, to certify the technical need for the required dimensions.

(3) Prior to the issuance of a Building Permit by the Inspections Division, the application shall provide evidence that the wireless telecommunication support structure or antennas are in compliance with FAA regulations. Where an antenna will not exceed the highest point of the existing structure upon which it is to be mounted, such evidence shall not be required.

(B) Standards of Evaluation for Stealth Rooftop or Building, Water Tower, or Transmission Line Mounted Antennas

In addition to the standards established in Subsection A above, the following are applicable to all Stealth Rooftop or Building, Water Tower, or Transmission Line Mounted Antennas:

(1) Antennas shall not exceed 20 feet above the roofline of the building or support structure, water tank, or transmission line;

(2) Commercial advertising shall not be allowed on an antenna;

(3) Signals, lights, or illumination shall not be permitted on an antenna, unless required by the FCC or the FAA;

(4) Any related unstaffed equipment building shall not contain more than 600 square feet of gross floor area per user or exceed 12 feet in height;

(5) Documentation shall be required denoting that the erection of an antenna will not compromise the structural integrity of the building, water tank, or transmission line;

(6) If an antenna is erected on a transmission line, documentation shall be required outlining that the antenna will not interfere, or be interfered with, by the normal operating characteristics of the transmission line;

(7) If the equipment building is located on the roof of the building, the area of the equipment building shall not occupy more than 25% of the roof area, and shall comply with all State of North Carolina Building Code requirements for the proposed and existing building; and

(d) All towers shall be engineered to allow for collocations. No co-locator shall be refused access for collocation by charging exorbitant lease fees. Public safety provider collocations shall take priority over other co-locators.

(e) A telecommunications consultant shall provide Planning Staff assistance on exorbitant rate leases.

(f) All wireless support structures shall satisfy all applicable public safety, land use, or zoning issues required in this Ordinance, including aesthetics, landscaping, land-use based location priorities, structural design, setbacks, and fall zones.

(g) Applicants shall evaluate the reasonable feasibility of collocating new antennas and equipment on an existing structure or structures within the applicant's search ring.

(h) Prior to issuing a building permit for the collocation of an antenna array on an existing facility, an applicant shall demonstrate that the collocation is located appropriately on the facility with the overall goal being to preserve the carrying capacity of the facility for future collocations and to minimize the visual intrusiveness and impact, including the profile of the facility.

(i) In determining the necessary height for a facility, or the height of a collocation on a facility, the signal strengths analyzed shall be the threshold or lowest signal strength at which the customer equipment is designed to function, which may be required to be determined by the manufacturer's published specifications for the customer equipment.

(j) Approval of the Planning Director to verify consistency with the definition of stealth facility is required.

(k) All telecommunications towers shall be placed in heavily wooded areas on the site to the maximum extent possible so as to lessen the visual intrusiveness of the structure and accessory structures.

(l) No tower shall be permitted to exceed its designed loading capacity. For all wireless support structures attached to existing structures, the engineer certification statement shall include certification that the structure can support the load superimposed from the wireless support structure. All wireless support structures shall have the capacity to permit multiple users; at a minimum monopole wireless support structures shall be structurally designed to accommodate four users and self-support/lattice or guyed wireless support structures shall, at a minimum accommodate three users.

(B) General Submittal Requirements – Special Use Permits or Conditional Districts

In addition to the general submittal requirements detailed herein, and the specific submittal requirements for all Special Use Permit applications detailed within Section 2.7 or 2.9, as applicable, of this Ordinance, applicants shall be required to adhere to the following:

(1) Overall Policy and Desired Goals

The overall policy and desired goals for ~~Special Use Permits for~~approvals of wireless telecommunications support structures shall be promoting and encouraging, wherever possible, the following:

(a) Alternatives to constructing new wireless support structures, including but not limited to the collocation of wireless telecommunications equipment and mitigating the visual effect of a wireless

telecommunication support structure to an extent not commercially impracticable; and

(b) The placement, height and quantity of wireless telecommunications towers and equipment in such a manner, including but not limited to the use of stealth technology or camouflage techniques, to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such wireless telecommunications support structure, which shall mean using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.

(2) Balloon Test and Neighborhood Information Meeting

(a) The applicant shall, at least 45 days prior to a ~~Class B~~ Special Use Permit ~~public~~ evidentiary hearing or Planning Board meeting ~~where a Class A Special Use Permit~~at which a Conditional District application is scheduled for review, conduct a balloon test whereby the applicant shall arrange to fly, or raise upon a temporary mast, a minimum of 10'3" in length, brightly colored red or orange balloon at the maximum height of the proposed new wireless support structure.

(b) The balloon test shall be flown for at least four consecutive daylight hours starting sometime between 10:00 A.M. and 2:00 P.M. on the dates chosen.

(c) A notice of the dates (including a second date in case of poor visibility, weather or atmospheric conditions on the initial date), times, and location of the balloon test shall be mailed, by certified mail, return receipt requested, by the applicant, to all persons owning property within 1,000 feet of the subject parcel no less than 14 days in advance of the first test date. The data contained within the office of Orange County Land Records shall be used as the primary source for determining which residents are to receive notice of the balloon tests.

This notice shall also inform local residents that a neighborhood information meeting shall be held the day of the balloon test so that the applicant can explain the proposal and Planning staff, including the County's telecommunications consultant, can explain the ~~Special Use Permit~~ relevant review process.

(d) The primary date shall be on a weekend (excluding legal holidays), but to prevent delays in the processing of the application, and in case of poor weather or atmospheric conditions on the initial date, the secondary date may be a weekday.

(e) The applicant shall inform the County Planning Staff, in writing, of the dates and times of the test at least 14 days in advance.

(f) The applicant shall also post a sign on the subject property, and directional signs posted at locations to be determined by Planning Staff. The signs shall measure no more than nine square feet in area and no less than four square feet in area, giving the contact information of the County Planning Department, the proposed dates, times, and location of the balloon test. The signs shall be posted to meet the same time limits as provided for in the balloon test notification as stated above.

(3) Submittal Requirements

In addition to the information required herein as well as Section 2.7or 2.9, as applicable, the following shall be submitted as part of the application:

(a) A site plan showing the following:

(i) The entire site (including property boundary lines) and size of all existing structures within 500 feet of the site,

(ii) Existing and proposed structures on site,

(iii) The fall zone of the tower,

(iv) Existing and proposed topography at a contour interval of five feet and

(v) Any officially designated floodways and floodplains, or the presence of alluvial soils.

(b) Plans, and elevations for all proposed structures and descriptions of the color and nature of all exterior material, along with the make, model, and manufacturer of the proposed structure, maximum antenna heights, and power levels.

(c) A Landscape and Tree Preservation Plan drawn at the same scale as the site plan, showing the existing and proposed trees, shrubs, ground cover and other landscape materials. This plan shall minimize adverse visual effects of wireless telecommunications support structures and antennas through careful design, siting, landscape screening and innovative camouflaging techniques.

(d) Evidence that the applicant has investigated the possibilities of placing the proposed equipment on an existing wireless support structure. Such evidence shall consist of:

(i) A listing of all wireless telecommunications support structures within a two mile radius of the proposed wireless support structure site and a listing of all wireless support structure, utility poles and other structures in the vicinity of the proposed facility that are technically feasible for utilization by the applicant to fill all or a substantial portion of the telecommunications service need identified by the Applicant pursuant to section 5.10.8(A)(1)(s). Documents shall be submitted at the time of application filing that indicates the applicant's ability or inability to co-locate on the identified tower(s) and reasons why.

(ii) Delineation of the boundaries of the maximum search ring within which the telecommunication equipment can function as intended. The following information shall be provided for all existing wireless support structures within the search ring:

a. Wireless telecommunication support structure height;

b. Existing and planned wireless support structure users;

c. Whether the existing wireless telecommunication support structure could accommodate the telecommunication equipment to be attached to the proposed wireless support structure without causing structural instability or radio frequency interference; and

d. If the proposed telecommunication equipment cannot be accommodated on the existing wireless telecommunication support structure, assess whether the existing wireless support structure could be structurally strengthened or whether the antennas

transmitters and related equipment could be protected from electromagnetic interference, and generally describe the means and projected cost of shared use of the existing wireless support structure; and

e. Any restrictions or limitations of the FCC or FAA that would preclude the shared use of the wireless support structure;

f. Propagation studies of all adjoining planned, proposed, in-service, or existing sites, and;

g. Any additional information requested by the County.

(iii) A summary explanation of why proposed telecommunication equipment cannot be located on any of the existing wireless support structures in the search ring.

(e) Documentation from applicable state or federal agencies indicating requirements, which affect the appearance of the proposed wireless support structure, such as lighting and coloring.

(f) Draft bond which will guarantee the removal of the wireless support structure in the event that it is abandoned or unused for a period of 12 months.

(g) A listing of, and current tax map identifying, all property owners within 1,000 feet of the parcel and addressed, first class stamped envelopes to the property owners for notifications of the public hearing in accordance with ~~Sections 2.7.5 and~~Section 2.7.6 of this Ordinance.

(h) A report containing any comments received by the applicant in response to the balloon test along with color photographs from various locations around the balloon.

(i) Evidence that the balloon test requirement has been met, including a notarized statement and listing of the property owners notified of the test, a copy of a current Orange County Tax Map showing the subject property and all properties within the notification ring, and copies of the certified mail returned receipts from the mail-out.

(j) A notarized statement that the sign posting requirement has been met.

(k) Photographs of a clearly visible balloon floated at the proposed tower location to the maximum height of the tower, as well as photographs with the proposed tower and associated antennas superimposed upon them showing what the proposed tower will look like. Photographs shall be taken from locations such as: property lines, and/or nearby residential areas, historic sites, roadways, including scenic roads and major view corridors, and other locations as deemed necessary by the Planning Staff to assess the visual impact of the proposed tower.

(l) The ~~Special Use Permit~~ application shall include a statement that the facility and its equipment will comply with all federal, state and local emission requirements.

(m) An Applicant may be required to submit an Environmental Assessment Analysis and a Visual addendum. Based on the results of the Analysis, including the Visual addendum, the County may require submission of a more detailed visual analysis. The scope of the required Environmental and Visual Assessment will be reviewed at the pre-application meeting.

(n) If required, a Visual Impact Assessment, which shall include:

(i) A “Zone of Visibility Map” shall be provided in order to determine

b. On existing Facilities without increasing the height of the tower or structure.

c. On County-owned properties or facilities.

d. On properties in areas zoned for commercial or industrial use.

e. On properties in areas zoned Agricultural Residential (AR).

f. On properties in areas zoned for residential use.

(ii) If an Applicant proposes to place telecommunications equipment at a location that is not a preferred priority 1 site, then the Applicant must provide a detailed explanation as to why a higher priority site is not proposed. The explanation shall be in the form of a written report demonstrating the Applicant's review of the above locations in order of priority and the reason(s) for the site selection. The explanation shall, at a minimum, include the information required by section 5.10.8(B)(3)(~~e~~d).

(iii) The application shall not be approved unless it demonstrates that the telecommunications equipment may not be sited at a higher priority site because of commercial impracticability or because no higher priority site is available that would serve to provide the telecommunications service need identified by the Applicant as provided for in section 5.10.8(A)(1)(s).

(iv) An Applicant may not by-pass sites of higher priority merely because the site proposed is the only site leased or selected. Agreements between providers limiting or prohibiting collocation shall not be a valid basis for any claim of commercial impracticability.

(v) Notwithstanding that a potential site may be situated in an area of highest priority or highest available priority, an application shall not be approved if it conflicts with the provisions and requirements of this Ordinance.

(vi) Wireless support structures shall not be located within one-half (½) mile of any existing monopole, lattice or guyed wireless telecommunications support structure.

a. An exception may be allowed when the applicant can sufficiently demonstrate that:

i. Appropriate space on the existing telecommunication wireless support structure is not available; or

ii. The applicant has made good faith effort to negotiate an agreement with the owner of the existing wireless telecommunication support structure and has been unsuccessful, which must be documented in writing; or

iii. The telecommunication equipment on the existing wireless telecommunication support structure is not compatible with the proposed telecommunication equipment of the applicant; or

iv. Adequate coverage by the applicant cannot be met at the location of the existing wireless telecommunication support structure; or

v. The existing wireless telecommunication support structure cannot be reasonably modified to accommodate additional collocation by the applicant.

b. Exceptions shall only be allowed after a thorough analysis of the search area, provided by the applicant is performed by the County's consultant or Staff, indicating that coverage is not possible on an existing wireless support structure at the four-carrier capacity or other user capacity that can be achieved. ~~For Special Use Permits, there~~There ~~must be an 80% approval vote of the deciding board~~Board of Adjustment ~~for this specific finding to pass the exception criteria.~~[112]

(c) Setbacks

(i) Within or adjacent to residential zoning districts, minimum setbacks from the base of the wireless support structure to the property boundary shall be equal to 110% of the wireless support structure height.

(ii) If the wireless support structure is proposed as an accessory use to a residential use, the setback shall be 110% of the wireless support structure height from any residence or dwelling unit on the subject property.

(iii) Adjacent to non-residential uses or non-residential zoning districts, minimum setbacks from the base of the wireless support structure to the property boundary shall be the greater of 20% of the tower height, or the minimum required setback.

(iv) All buildings and other structures to be located on the same zoning lot as a telecommunication tower wireless support structure shall conform with the setbacks established for the zoning district or as established through the subdivision process, whichever is greater.

(d) Access

(i) At a wireless telecommunications support structure site, an access road, turn around space and parking shall be provided to assure adequate emergency and service access.

(ii) Maximum use of existing roads, whether public or private, shall be made to the extent practicable.

(iii) Road construction shall, at all times, minimize ground disturbance and the cutting of vegetation.

(iv) Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion.

(e) Landscaping and Buffers

(i) A Type C Landscape Buffer shall be provided between the wireless support structures and its accessory structures and

[112] NCGS 160D-406(i) allows for requiring a four-fifths vote only in the cases of a variance. An exception is not a variance and a 4/5 vote cannot be required.

adjoining property/properties.

(ii) Existing vegetation may be removed only to the extent necessary to accommodate the wireless support structures, equipment buildings, and support structures such as guy wires.

(iii) Plantings around the compound perimeter, outside of any fence or wall, shall be composed entirely of fast growing evergreen vegetation.

(iv) New plantings and existing vegetation used for screening shall be at least six feet in height or greater at planting.

(v) Proposed plantings (name, type, height) shall be shown on the Landscape Plan for the facility.

(vi) Landscaping shall provide a screen on a year-round basis.

(f) The visibility of the balloon to adjacent properties and the surrounding area shall not constitute sole justification of denial of a permit application, but is an indication of what location on the site may be less visually intrusive.

(g) The applicant shall demonstrate and provide a description in writing and by drawing how it shall effectively screen from view the base and all related equipment and structures of the proposed facility.

(h) The site plan shall indicate a location for at least two equipment buildings in addition to that proposed for use by the applicant.

(i) All utilities at a facility site shall be installed underground and in compliance with all Laws, ordinances, rules and regulations of the County, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate.

(j) All wireless support structures shall satisfy all applicable public safety, land use, or zoning issues required in this Ordinance, including aesthetics, landscaping, land-use based location priorities, structural design, setbacks, and fall zones.

(k) Fences and Walls

(i) An eight foot fence or wall shall be required around the base of any wireless support structures. This fence or wall shall encompass all accessory equipment within the compound.

(ii) Fences shall be required around guy wire tie downs

(iii) A fence or wall may be placed around the perimeter of the facility to include guy wire tie downs and associated equipment should the applicant/owner wish to do so.

(l) The communications tower is structurally designed to support additional users as provided for in Section 5.10.8(A)(3)(d), and the Special Use Permit or Conditional District approval includes a statement that the owner of the wireless support structure is willing to permit other user(s) to attach communication equipment which do not interfere with the primary purpose of the wireless support structure, provided that such other users agree to negotiate a reasonable compensation to the owner from such liability as may result from such attachment.

(m) To minimize the number of antenna arrays and thus the visual impact, the County may require ~~the use of~~that dual mode antennas ~~to~~ be used, including by two different carriers, unless it can be proven that such will not work technologically and that such would have the effect of prohibiting the provision of service in the County.

that they are readily accessible only to persons authorized to operate or service them.

(t) All abandoned communication wireless support structures shall be removed within 12 months of the cessation of use. A bond or other security guaranteeing the removal of the tower in the event that it is abandoned or unused for a period of 12 months shall be posted. A cost estimate shall be provided by a qualified General Contractor licensed in the State of North Carolina. The amount of the security shall be 110% of the estimate.

(u) A determination shall be made that the facility and its equipment will comply with all federal, state and local emission requirements, and the Special Use Permit or Conditional District approval shall include a statement that the facility and its equipment will comply with all federal, state and local emission requirements.

(v) Electro-Magnetic Radiation Levels

(i) The Special Use Permit or Conditional District approval shall include a condition that the electro-magnetic radiation levels maintain compliance with requirements of the FCC, regarding emission of electromagnetic radiation.

(ii) Within 30 days of installation of equipment on the tower, and within 30 days of the installation of any additional equipment in the future, the tower owner shall provide documentation of emission levels in relation to FCC standards.

(iii) In addition, the tower owner must provide documentation of emission levels within five working days if so requested by Orange County.

(iv) Orange County may make such requests at any time, not to exceed two times per year.

(w) "High Voltage", "No Trespassing" and Other Signs

(i) If high voltage is necessary for the operation of the telecommunications tower or any accessory structures, "HIGH VOLTAGE - DANGER" warning signs shall be permanently attached to the fence or wall and shall be spaced no more than 40 feet apart.

(ii) "NO TRESPASSING" warning signs shall be permanently attached to the fence or wall and shall be spaced no more than 40 feet apart.

(iii) The letters for the "HIGH VOLTAGE - DANGER" and "NO TRESPASSING" warning signs shall be at least six inches in height. The two warning signs may be combined into one sign. The warning signs shall be installed at least five feet above the finished grade of the fence.

(iv) The warning signs may be attached to freestanding poles if the content of the signs would, or could, be obstructed by landscaping. Signs noting federal registration (if required) shall be attached to the tower structure in compliance with federal regulation.

(v) Facilities shall contain a sign no larger than four square feet to provide adequate notification to persons in the immediate area of the presence of RF radiation or to control exposure to RF radiation within a given area.

(vi) A sign no larger than four square feet containing the name(s) of the owner(s) and operator(s) of the antenna(s) as well as emergency phone number(s) shall be installed. The sign shall be on the equipment shelter or cabinet of the applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet.

(vii) On tower sites, an FCC registration sign, as applicable, is also to be present. The signs shall not be lighted, unless applicable law, rule or regulation requires lighting.

(viii) The use of any portion of a tower for signs or advertising purposes including company name, banners, streamers, etc. shall be strictly prohibited.

(ix) Mobile or immobile equipment not used in direct support of a tower facility shall not be stored or parked on the site of the telecommunication tower, unless repairs to the tower are being made.

(5) Bond Security

(a) The applicant and the owner of record of any proposed facility property site shall, at its cost and expense, be jointly required to execute and file with the County a bond, or other form of security acceptable to the County as to type of security and the form and manner of execution, in an amount of at least $75,000.00 for a tower and with such sureties as are deemed sufficient by the County to assure the faithful performance of the terms and conditions of this Section and conditions of any Special Use Permit or Conditional District approval issued pursuant to this Section.

(b) The full amount of the bond or security shall remain in full force and effect throughout the term of the Special Use Permit or Conditional District approval and/or until any necessary site restoration is completed to restore the site to a condition comparable to that, which existed prior to the issuance of the original Special Use Permit or Conditional District approval .~~Tower Inspection.~~[113]

(6) Liability Insurance

(a) A holder of a Special Use Permit or Conditional District approval for a wireless support structure shall secure and at all times maintain public liability insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the Special Use Permit or Conditional District approval in the following amounts:

(i) Commercial General Liability covering personal injuries, death and property damage: $1,000,000 per occurrence/$2,000,000 aggregate; and

(ii) Automobile Coverage: $1,000,000.00 per occurrence/ $2,000,000 aggregate; and

(iii) A $3,000,000 Umbrella coverage; and

(iv) Workers Compensation and Disability: Statutory amounts.

(b) For a wireless support structure on County property, the Commercial General Liability insurance policy shall specifically name the County as an additional insured. The insurance policies shall be issued by an

[113] Extraneous Language.

agent or representative of an insurance company licensed to do business in the State and with a Best's rating of at least A.

(c) The insurance policies shall contain an endorsement obligating the insurance company to furnish the County with at least 30 days prior written notice in advance of the cancellation of the insurance.

(d) Renewal or replacement policies or certificates shall be delivered to the County at least 15 days before the expiration of the insurance that such policies are to renew or replace.

(e) Before construction of a permitted facility is initiated, but in no case later than 15 days prior to the grant of the building permit, the holder of the Special Use Permit or Conditional District approval shall deliver to the County a copy of each of the policies or certificates representing the insurance in the required amounts. A Certificate of Insurance that states that it is for informational purposes only and does not confer rights upon the County shall not be deemed to comply with this Section.

(C) General Building and Inspection Standards for all Telecommunication Support Structures

(1) Tower Inspection

(a) Telecommunication tower owners shall submit a report to the County Inspections Division certifying structural and electrical integrity upon completion of the initial construction and at intervals as specified in this Section.

(b) Inspection records shall be kept by the tower owner and made available upon request to the Inspections Division during regular business hours.

(c) The following inspection schedule shall be followed, except in cases where a tower has no structures other than those associated with telecommunication tower use located within the tower's fall zone.

(i) At least once every 36 months, or 36 months from the date of a collocation approval, a structural engineer who is regularly involved in the maintenance, inspection and/or erection of telecommunications towers shall inspect the tower and submit a report to the Inspections Division within a reasonable time thereafter. At a minimum, this inspection shall be conducted in accordance with the provisions of this Ordinance and in accordance with the tower inspections check list provided in the EIA-222 (as amended from time to time). This is considered a major inspection review.

(ii) At least once every 12 months, a visual inspection from the ground shall be conducted by a properly trained staff member of a tower provider or tower consultant and a report shall be filed with the Inspections Division within a reasonable time thereafter. This inspection shall include, but shall not be limited to, visual inspection of tower foundations, structures, guys, and connections for evidence of settlement or later movement; soil erosion; condition of paint or galvanizing; rust or corrosion, loose or missing bolts, loose or corroded lightning protection connectors; tower plumbness, significant variation in guy sags (i.e. tensions), and other material areas or matters relating to the structural integrity of the tower. This is considered a minor inspection review.

(iii) In addition to the regularly scheduled major and minor inspections set forth herein, a minor inspection, at a minimum,

d. If the tower does not meet the aforementioned EIA standards, the letter or existing P.E. analysis shall include the types of modifications that would be required to bring the tower up to standard.

e. All existing towers shall be subject to the annual electrical inspection conducted by the Inspections Division including any associated inspection fees.

f. The Inspections Division shall be notified in writing when a required analysis is complete. A copy of the analysis report shall be made available to the County Inspections Division upon request. That report shall also give details of the net result of any changes made to the tower or its appurtenances since the last inspection.

(D) Fees

(1) A filing fee as set by the Board of County Commissioners shall be paid upon application for a Site Plan/Zoning Compliance Permit Application, a Building Permit application, a Conditional District, or Special Use Permit.

(2) An inspection fee is due the County at the time of all required future inspections as detailed within Section 5.10.8(C)(1)(c) of this Ordinance. Such fees may reflect the County's fully allocated costs, and shall not exceed such costs.

(3) Public land or right-of-way lease agreements shall be established by separate instrument and recorded prior to the issuance of Building Permits.

(4) Consultant Fee. Regardless of the type of telecommunication support structure proposed (i.e. administrative approval, special use permit, collocation, etc.) an applicant is required to submit a fee to cover the County's telecommunications consultant to review the application. An escrow account of an amount determined by the Board of County Commissioners, as denoted on the adopted fee schedule, shall be paid by check to Orange County to pay associated consultant review fees during all phases of the application review process. The Board of County Commissioners shall determine the amount of charges or fees assessed to an applicant on account of an outside consultant in advance and incorporate these charges and fees into an application fee that is based on the reasonable costs of the services the County incurs in connection with the application review. The fees and charges paid by the applicant for the services of a consultant shall not exceed what is usual and customary for wireless facilities and support structures. The foregoing does not prohibit the County from imposing additional reasonable cost-based fees for the actual costs incurred by the County for a consultant's review of an application due to amendments or revisions to the original application. The amount of the consultant charges incorporated into the application fee shall be separately identified and disclosed to the applicant upon request. Any unused funds in the account after either the approval of the Certificate of Occupancy (CO), or the expiration of the Special Use Permit approval, whichever is sooner, shall be returned to the designated party.

5.10.9 Removal of Wireless Support Structures and Facilities

(A) The owner of any facility shall be required to provide a minimum of 30 days written notice to the County Clerk prior to abandoning any facility.

(B) County Determination

Under the following circumstances, the County may determine that the health, safety, and welfare interests of the County warrant and require facility removal:

(1) Facilities that have been abandoned (i.e. not used as facilities) for a period exceeding 90 consecutive days or a total of 180 days in any 365 day period, except for periods caused by force majeure or Acts of God, in which case, repair or removal shall commence within 90 days of abandonment;

(2) Permitted facilities fall into such a state of disrepair that it creates a health or safety hazard;

(3) Facilities have been located, constructed, or modified without first obtaining, or in a manner not authorized by, the required Special Use Permit or Conditional District approval, or any other necessary authorization and the ~~Special Use Permit~~development approval may be revoked.

(C) If the County makes such a determination as noted above, then the County shall notify the holder of the ~~Special Use Permit~~development approval for the facility within 48 hours that said facility shall be removed.

(D) The holder of the ~~Special Use Permit~~development approval, or its successors or assigns, shall dismantle and remove such facility, and all associated structures, from the site and restore the site to as close to its original condition as is possible, such restoration being limited only by physical or commercial impracticability, within 90 days of receipt of written notice from the County. However, if the owner of the property upon which the facility are located wishes to retain any access to the facility, the owner may do so with the approval of the County.

(E) If a facility is not removed or substantial progress has not been made to remove the facilities within 90 days after the permit holder has received notice, then the County may order officials or representatives of the County to remove the facility at the sole expense of the owner or ~~Special Use Permit~~development approval holder.

(F) If the County removes, or causes to be removed a facility, and the facility owner does not claim and remove it from the site to a lawful location within ten days, then the County may take steps to declare the facility abandoned, and sell them and their components.

(G) Temporary Use Permit/Agreement

(1) Notwithstanding anything in this Section to the contrary, the County may approve a temporary use permit/agreement for the facility, for no more than 90 days, during which time the holder of the ~~Special Use Permit~~development approval shall develop a suitable plan for facility removal, conversion, or re-location, subject to the approval of the County, and the holder of the ~~Special Use Permit~~development approval and the County shall execute an agreement to such plan.

(2) If such a plan is not developed, approved and executed within the 90 day time period, then the County may take possession of and dispose of the affected facility in the manner provided in this Section and utilize the bond.

~~5.10.10 Ham Radio Antenna~~

(A) Standards of Evaluation

(1) Shall be for the private use of the property owner on which they are located.

(2) Shall not exceed 90 ft. in height.

(3) Minimum setbacks from the base of the antenna to the property boundary shall be equal to 110% of the tower height.

SECTION 5.11: STANDARDS FOR WASTE MANAGEMENT FACILITIES

5.11.1 Solid Waste Collection Facilities Owned and Operated by A Public Agency for the Purpose of Disposal of Household Waste by Orange County Residents

(A) Standards of Evaluation

(1) The site shall consist of a parcel, or easement across a parcel, (whether owned or leased by the public agency) which has been recorded by the Orange County Register of Deeds.

(2) The parcel or easement across the parcel, (whether owned or leased by the public agency) on which the facility is located shall contain a minimum area of 40,000 square feet.

(3) The parcel or easement shall have frontage on a State maintained road.

(4) A Type B landscape buffer, 30' in width, shall be provided along the perimeter of the parcel or easement.

(5) Fencing at least six feet in height shall be provided between the landscape buffer and the improved portion of the parcel or easement.

(6) An entrance sign shall identify site as a sanitation collection site, and shall identify the responsible public agency. The sign shall contain a maximum of nine square feet and shall not exceed eight feet in height. Instructional signs may be erected as needed within the facility.

(7) The entrance to the site shall contain a travelway a minimum of 30' in width.

5.11.2 Landfills

~~**(A) Use Standards**~~

~~**(1)** Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(B)~~(A) Submittal Requirements and Standards of Evaluation for ~~Class A Special Use Permits~~NR-CD District

(1) Submittal Requirements

In addition to the basic information required by Section 2.9~~7~~ the following information shall be submitted as part of the application:

(a) Typical cross sections showing extent of overburden, extent of fill and water table elevation, based on mean sea level datum;

(b) Proposed handling and storage areas for overburden, by products and fill materials;

(c) Proposed fencing, screening and gates, parking, service and other areas;

(d) Any areas proposed for ponding; and

(e) Access roads to the site, as well as on site roads, with indication of surface treatment to limit dust, and sight distances on all roads used for access to the site.

(f) An Operations Plan which shall include:

(i) The date of commencement of operations and their expected duration.

(ii) Proposed hours and days of operation.

(iii) Complete description of operation, including source of materials, method of compaction, type of sealing proposed, types and number of equipment to be used.

(iv) Any phasing of operations and relationship among phases.

(v) Operating practices to be followed to ensure compliance with applicable performance standards in Section ~~2.7.7(E).~~6.4.[114]

(g) A Rehabilitation Plan which shall include:

(i) A statement of planned future use of the site, including detailed methods of accomplishment.

(ii) A map, to the same scale as the Site Plan, showing final proposed topography, landscaping and ground cover proposed and any drainage or other structures proposed.

(iii) A phased plan of rehabilitation, related to the operations plan, showing how the rehabilitation will relate to the fill operations and the date of final completion.

(2) Standards of Evaluation

(a) All operations associated with the fill shall conform to the following performance standards:

(i) Direct illumination resulting from the operation shall not fall upon any land not covered by the application.

(ii) Equivalent sound levels at the boundaries of the fill site shall not exceed the following standards:

TABLE 5.11.2.A.2.I: SOUND LEVEL STANDARDS FOR WASTE MANAGEMENT FACILITIES

TIME	DECIBEL LIMIT
7:00 a.m. to 7:00 p.m.	68 dBA
7:00 p.m. to 7:00 a.m.	58 dBA

(iii) Vibration levels at the boundaries of the fill site shall not exceed the following standards:

TABLE 5.11.2.A.2.II: VIBRATION LEVEL STANDARDS FOR WASTE MANAGEMENT FACILITIES

TIME	DECIBEL LIMIT
Steady State	1.0 inches/second
Impact	2.0 inches/second

[1] The maximum particle velocity shall be the maximum displacement sums of three mutually perpendicular components, recorded simultaneously, multiplied by the frequency in cycles per second.

For purposes of this Ordinance, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than 60 per minute. Discrete impulses which do not exceed 60 per minute, shall be considered impact vibrations.

[114] Update to correct section reference.

(b) The Rehabilitation Plan shall be referred to the Orange County Soil and Water Conservation District for review and recommendation, in particular regarding the landscape material specified, the planting and maintenance proposed to ensure continuous growth and development, and the acceptability of the proposals for the handling of lakes, ponds, etc.

(c) The permanent roads, defined as those to be used in excess of one year, within the fill site shall be surfaced with a dust free material, such as soil cement, bituminous concrete or Portland Cement concrete.

(d) Roads other than permanent roads shall be treated with dust inhibitors, to be specified in the Operations Plan, which will reduce to a minimum the generation of dust from the road surfaces as a result of wind or vehicular action. Properly operated water wagons are an acceptable means of dust inhibition.

(e) Where the proposed fill shall take place within 300 feet of a dwelling, school, church, hospital, commercial or industrial building, public building, or public land, a security fence at least six feet high shall be installed.

(f) The Operations Plan and the Rehabilitation Plan shall be coordinated so that the amount of disturbed land is kept to the absolute minimum consonant with good practices and so that rehabilitation proceeds in concert with filling.

5.11.3 Waste Management Facility, Hazardous and Toxic

(A) Standards for ~~Class A Special Use Permit~~NR-CD District

(1) Submittal Requirements

In addition to the information required in S~~s~~ection 2.~~7~~9, the following shall be supplied as part of the application:

(a) A copy of the application filed with the North Carolina Department of Health and Human Services for a hazardous waste management facility.

(b) A detailed description of the type facility planned. Included in this description will be the size of the project, size of the site, the type storage involved, and the method of permanent disposal anticipated.

(c) Letters from the appropriate agencies that the facility has adequate protection against fire, vandalism and personal injury.

(d) Survey of floodplain and floodway location on the site plan.

(e) An emergency management plan that has been submitted to the appropriate North Carolina State agency, and approved.

(2) Standards of Evaluation

(a) All necessary State permits have been applied for and granted to the applicant.

(b) The description of the type facility planned, including a detailed description of the type wastes to be stored or disposed of on the site, the size of the finished project, method of storage or final disposal.

(c) Adequate fire, police and rescue protection can be provided. The appropriate agencies have written letters confirming adequate protection.

(d) The site is of adequate size to provide a buffer for adjacent properties. The buffer shall also be of sufficient size to prevent adverse effects in adjacent property.

(e) Access to the site is directly from an interstate, arterial, or major collector street.

(f) Accident prevention/emergency management plan approved by the State.

(g) Location of flood plain if any is on site.

(h) The site plan has buffer from streams.

SECTION 5.12: STANDARDS FOR EXTRACTIVE USES

5.12.1 Borrow Pits for Federal and State Highway Projects

(A) Use Standards

(1) Permitted by right in all districts in accordance with the provisions of Section 5.1.~~1~~2 of this Ordinance.

(B) Standards of Evaluation

(1) The borrow pit is located within one-half mile of the construction site;

(2) An Erosion Control Plan has been approved by the Department of Environment, Health and Natural Resources;

(3) The material extracted is to be used solely for a State or Federal road construction project; and

(4) Road construction plans include provision for reclaiming the excavated area. If the reclamation plan involves filling the excavated area, the fill material must be inert material defined as beneficial fill by the Solid Waste Branch of the Department of Environment and Natural Resources, provided that the debris is also associated with a State or Federal Highway road construction project. Inclusion of reusable or recyclable materials in the reclamation or filling of the borrow pit should be minimized. A proposed debris recycling program or a statement as to why material will not be recycled must be submitted for review by Orange County.

5.12.2 Extraction of Earth Products

(A) Use Standards

~~**(1)** Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~**(2)**~~**(1)** Processing of materials on-site, beyond incidental mechanical consolidation or sorting to facilitate transportation off-site for further processing, is prohibited.

(B) Submittal Requirements and Standards of Evaluation for ~~Class A Special Use Permit~~NR-CD District

(1) Submittal Requirements

In addition to the information required by Section 2.~~7~~9, the following shall be submitted as part of the application:

(a) 26 copies of the site plan, prepared by an appropriately licensed professional, which shall contain the following:

(i) Extent of area to be excavated or mined.

(xii) Operating practices will be followed to comply with the performance standards applicable to the operation (See ~~Subsection 2.7.7(E)~~Section 6.4[115]).

(c) A Rehabilitation Plan which shall include:

(i) A statement of planned rehabilitation of the excavated land, including detailed methods of accomplishment and planned future use of the rehabilitated land.

(ii) A map showing the final topography, after rehabilitation, to the same scale as the Site Plan, depicting any water areas and methods of preventing stagnation and pollution thereof, landscaping and ground cover proposed to be installed, and the amount and type of back fill to be employed, if any.

(iii) Typical cross sections showing planned rehabilitation.

(iv) A phasing and timing plan, related to the phasing and timing portion of the Operations Plan, showing the progression of the rehabilitation and the date when it will be complete.

(v) The method of disposing of all equipment, structures, dikes and spoil piles associated with the operations.

(vi) A written legal description or survey of the property, prepared by a North Carolina registered land surveyor or engineer.

(2) Standards of Evaluation

(a) The applicant demonstrates that the extractive use operation fulfills primarily a local need as opposed to a regional need in terms of supplying sand and/or gravel for building and construction purposes.

(b) All operations associated with extraction shall conform to the following performance standards:

(c) Direct illumination resulting from the operation shall not fall upon any land not covered by the application.

(d) Equivalent sound levels at the boundaries of the extraction site shall not exceed the following standards:

TABLE 5.12.2.A.2.D: VIBRATION LEVEL STANDARDS FOR EXTRACTION SITES

TIME	DECIBEL LIMIT
7:00 a.m. to 7:00 p.m.	68 dBA
7:00 p.m. to 7:00 a.m.	58 dBA

(e) Vibration levels at the boundaries of the extraction site shall not exceed the following standards:

TABLE 5.12.2.A.2.E.: VIBRATION LEVEL STANDARDS FOR EXTRACTION SITES

[115] Update to correction section reference.

(m) The applicant shall submit operational reports, prepared on an annual basis, detailing the amounts of materials extracted, extent of extractive area, depth of extractive area, and results of groundwater test borings.

(n) Annual inspections of the operation shall be conducted by the Planning Director following submittal of the annual operations reports to determine compliance with the provisions of the ~~Special Use Permit~~development approval.

(o) In cases of abandonment or termination of operations for a period of 12 consecutive months, application for a new ~~Special Use Permit~~development approval is required.

(p) The Board of County Commissioners shall require for all extractive uses a performance guarantee to ~~insure~~ ensure that the provisions of the Rehabilitation Plan are met. Such performance guarantee shall be in a form approved by the County Attorney. The amount of such guarantee shall cover the cost of rehabilitation on a per acre basis, if the cost does not exceed the amount posted with the State. If the rehabilitation cost exceeds the amounts required by the State then the difference shall be made up in a bond to Orange County.

SECTION 5.13: STANDARDS FOR AGRICULTURAL USES

5.13.1 Agricultural Processing Facility

(A) Use Standards

(1) Shall not be permitted: within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional District application.[116]

~~(1)~~**(2)**

~~(a) As a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(b) Within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional Zoning District application.~~

(B) Standards of Evaluation

(1) Application materials shall include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

[116] Existing restriction being relocated since there is no longer an (a) and (b) in the subsection.

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

(2) If located adjacent to residentially zoned property, all buildings and outdoor storage areas shall be located a minimum of 100 feet from the property line.

(3) Outdoor storage areas shall be screened from the view of any adjacent residentially zoned property.

5.13.2 Agricultural Processing Facility, Community

(A) Use Standards

(1) Allowed as more than ~~1~~one principal use if location on a bona fide farm. Refer to Section 6.2.5 of this Ordinance.

(B) Standards of Evaluation

(1) If located in an AR or RB zoning district, facility shall be located on the bona fide farm of one of the cooperative farm partners or must be permitted as an ASE-~~CZ~~CD.

(2) The building shall not exceed 10,000 square feet in size.

(3) Application materials shall include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

(4) If located adjacent to residentially zoned property, all buildings and outdoor storage areas shall be located a minimum of 100 feet from the property line.

(5) Outdoor storage areas shall be screened from the view of any adjacent residentially zoned property.

5.13.3 Cold Storage Facility

(A) Standards of Evaluation

(1) If located adjacent to residentially zoned property, all buildings and outdoor storage areas shall be located a minimum of 100 feet from the property line.

(2) Outdoor storage areas shall be screened from the view of any adjacent residentially zoned property.

(3) The site shall be located on a major road, as classified in the Orange County Comprehensive Plan, unless permitted as an ASE-~~CZ~~CD.

5.13.4 Community Farmers' Market

(A) Use Standards

(1) Allowed as more than one principal use if located on a bona fide farm. Refer to Section 6.2.5 of this Ordinance,

(B) Standards of Evaluation

(1) The minimum lot size shall be 3 acres unless permitted as an ASE-~~CZ~~CD.

(2) If located adjacent to residentially zoned property, all buildings and vendor areas shall be located a minimum of 100 feet from the property line.

5.13.5 Composting Operation

(A) Use Standards

(1) Operations involving the on-site grinding of materials shall only be permitted within the ~~AS~~ NR-CD and ASE-~~CZ~~ CD Zoning Districts.

(2) Operations involving on-site grinding of materials shall not be permitted~~:~~ within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional District application.[117]

~~(a) As a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(b) Within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional Zoning District application.~~

(B) Standards of Evaluation for ~~Class A Special Use Permit or ASE-CZ~~Conditional ~~Zoning~~ Districts

(1) The minimum lot size shall be 10 acres unless permitted as an ASE-~~CZ~~CD.

(2) All operations shall be located a minimum of 150 feet from all property lines.

(3) The site shall be located on a major road, as classified in the Orange County Comprehensive Plan, unless permitted as an ASE-~~CZ~~CD.

(4) Outdoor storage areas shall be screened from view of adjacent properties and the road right-of-way.

(5) All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

(6) Compost piles shall not exceed 15 feet in height.

(7) Operations that include grinding shall adhere to the following:

(a) Grinding shall be permitted only during the hours of 7 a.m. and 7 p.m., or as otherwise specified on the permit.

(b) Grinding area shall be located a minimum of 1,000 feet from any existing dwelling unit located on adjacent properties.

(c) Grinding area shall be located a minimum of 300 feet from all property lines.

(8) Application materials shall include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the

[117] Existing restriction being relocated since there is no longer an (a) and (b) in the subsection.

proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

5.13.6 Cooperative Farm Stand

(A) Use Standards

(1) Shall be permitted as more than one principal use if located on a bona fide farm. Refer to Section 6.2.5 of this Ordinance.

(B) Standards of Evaluation

(1) In addition to the application materials required in Sections 2.5.2 and 2.4.3, the following shall also be required:

(a) The number and location of participating cooperative farm partners.

(b) A description of the facility, including size of structure(s) and access locations.

(c) Number of employees, if any.

(d) Frequency and hours of operation.

(2) Sales of any products not produced on the farm(s) of one of the cooperative farm partners shall be incidental, related to, and a subordinate component of farm stand sales in scale and profit.

5.13.7 Equestrian Center

(A) Standards of Evaluation for ~~Class A Special Use Permit or ASE-CZ~~ Conditional ~~Zoning~~ Districts

(1) Minimum lot size: 15 acres.

(2) Site shall have direct access to a major road, as classified in the Orange County Comprehensive Plan, and shall use said road as the primary access, unless approved otherwise in the ~~permit~~conditions of approval.

(3) All structures, facilities, storage areas, and parking areas shall be setback a minimum of 100 feet from all property lines.

(4) Parking area(s) shall include sufficient space for parking and maneuvering trucks and horse trailers.

(5) Loudspeakers and public address systems shall not be used before 7 a.m. or after 7 p.m. if an existing residence is located within 1,000 feet of the facility, unless approved otherwise in the ~~permit~~conditions of approval.

(6) All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

(7) Application materials shall include a comprehensive groundwater study, for

facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

5.13.8 Farm Equipment Rental, Sales and Service

~~**(A) Use Standards**~~

~~**(1) Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.**~~

~~(B)~~(A) Standards of Evaluation

(1) Outdoor display and storage of equipment shall be permitted in the side and rear yards of the primary structure and shall be screened from view of adjacent properties.

(2) Service bays shall be located at the side or rear of a structure and shall not be visible from adjacent residential property or the road right-of-way.

(3) The site shall be located on a major road, as classified in the Orange County Comprehensive Plan, unless permitted as an ASE-~~CZ~~CD.

(4) Parking shall not be located in the front yard space.

(5) Application materials shall include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

5.13.9 Farm Supply Store

(A) Standards of Evaluation

(1) Outdoor storage of products shall be permitted in the rear yard of the primary structure and shall be screened from view of adjacent properties.

(2) Outdoor storage areas shall not be permitted to encroach upon required parking spaces.

(3) All structures and outdoor storage areas shall be located a minimum of 100 feet from adjacent residentially zoned property.

(4) The site shall be located on a major road, as classified in the Orange County Comprehensive Plan, unless permitted as an ASE-~~CZ~~CD.

(5) Parking shall not be located in the front yard space.

(6) Application materials shall include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

5.13.10 Feed Mill

~~**(A) Use Standards**~~

~~**(1)** Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(B)~~(A) Standards of Evaluation

(1) The minimum lot size shall be 3 acres, unless permitted as an ASE-~~CZ~~CD.

(2) All structures, equipment, and outdoor storage areas shall be located a minimum of 100 feet from all property lines.

(3) The site shall be located on a major road, as classified in the Orange County Comprehensive Plan, unless permitted as an ASE-~~CZ~~CD.

(4) Outdoor storage shall be permitted in the rear yard of the primary structure and shall be screened from view of adjacent properties.

(5) Application materials shall include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the

proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

5.13.11 Greenhouses with On Premise Sales

(A) Use Standards

(1) Shall be permitted as more than one principal use if located on a bona fide farm. Refer to Section 6.2.5 of this Ordinance.

(B) Standards of Evaluation

(1) If located in an AR zoning district, the minimum lot size shall be 3 acres, unless permitted as an ASE-~~CZ~~CD.

(2) If located in an AR zoning district, outdoor storage shall be located in the side or rear yards and shall be setback a minimum of 100 feet from the property line.

5.13.12 Meat Processing Facility, Community

(A) Use Standards

(1) Shall be permitted as more than one principal use if located on a bona fide farm. Refer to Section 6.2.5 of this Ordinance.

(B) Standards of Evaluation

(1) The building shall not exceed 10,000 square feet in size.

(2) If located adjacent to residentially zoned property, all buildings, outdoor storage areas, and animal pens shall be located a minimum of 100 feet from the property line.

(3) Outdoor storage of products shall be permitted in to the rear yard of the primary structure and shall be screened from view of adjacent properties.

(4) In addition to the application materials required in Section 2.5 or 2.9, as applicable, the following shall also be required:

(a) The number of location of participating cooperative farm partners.

(b) Number of employees, if any.

(c) Frequency and hours of operation.

(d) A comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average

single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(i) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(ii) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(iii) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

5.13.13 Meat Processing Facility, Regional

(A) Use Standards

~~Use shall not be:~~permitted within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional District application.[118]

(1)

~~(a) Permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance; or~~

~~(b) Permitted within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional Zoning District application.~~

(B) Standards of Evaluation for ~~Class A Special Use Permit or ASE-CZ~~Conditional ~~Zoning~~ Districts

(1) The minimum lot size shall be 15 acres.

(2) If located adjacent to residentially zoned property, all buildings, outdoor storage areas, and animal pens shall be located a minimum of 300 feet from the property line.

(3) Outdoor storage of products shall be permitted in the rear yard of the primary structure and shall be screened from view of adjacent properties.

(4) Site shall have direct access to a major road, as classified in the Orange County Comprehensive Plan, and shall use said road as the primary access, unless approved otherwise in the permit.

(5) All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

[118] Existing restriction being relocated since there is no longer an (a) and (b) in the subsection.

(6) In addition to the information required by Section~~s 2.7 or~~ 2.9~~, as applicable~~, application materials shall also include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

5.13.14 Non-Farm Use of Farm Equipment

(A) Use Standards

(1) Shall be permitted as more than one principal use if located on a bona fide farm. Refer to Section 6.2.5 of this Ordinance.

(B) Standards of Evaluation

(1) Equipment shall be screened from view from adjacent properties and road(s).

(2) Outdoor storage of materials such as gravel, dirt, or plants shall be limited in both area and duration.

(3) On-site retail sales shall not be permitted.

5.13.15 Stables, Commercial

~~**(A) Use Standards**~~

~~**(1)** Use shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~**(B)**~~**(A) Submittal Requirements and Standards of Evaluation for ~~Class~~ B Special Use Permit or ~~ASE-CZ or MPD-CZ~~Conditional ~~Zoning~~ Districts**

(1) Submittal Requirements

In addition to the information required by Sections 2.7 or 2.9, as applicable, the following information shall be supplied as part of the application for approval of this use:

(a) Plans for all barns, boarding facilities, exercise yards, riding arenas, and related improvements, including signage.

(b) Site plan showing the improvements listed in a) above, other structures on the same lot, and structures on adjacent property.

(c) A comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning

district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(i) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(ii) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(iii) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

(2) Standards of Evaluation

(a) Minimum lot size: 5 acres for up to 10 horses, increasing by ½ acre for each horse over 10.

(b) No part of any building, structure, exercise yard, or riding arena, in which animals are housed or exercised shall be closer than 150 feet from a property line, except property occupied by the owner/operator of the facility. These minimum distances shall not apply if all portions of the facility, in which animals are housed, are wholly enclosed within a building.

(c) The site plan shows parking, access areas and screening devices for buildings, riding arenas, and boarding facilities.

(d) A sign clearly visible from the ground shall be posted at the main entrance to the facility and shall contain the names, addresses, and telephone numbers where persons responsible for the facility may be contacted at any hour of the day or night. The sign shall comply with dimensional requirements as set forth within this Ordinance.

5.13.16 Stockyards / Livestock Markets

(A) Use Standards

(1) Use shall not be~~:~~ permitted within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional District application.[119]

~~(a) Permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance; or~~

~~(b) Permitted within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional Zoning District application.~~

(B) Standards of Evaluation

(1) The minimum lot size shall be 10 acres.

(2) Site shall have direct access to a major road, as classified in the Orange County Comprehensive Plan, and shall use said road as the primary access, unless

[119] Existing restriction being relocated since there is no longer an (a) and (b) in the subsection.

approved otherwise in the permit or conditions of approval, as applicable.

(3) All structures, facilities, storage areas, and parking areas shall be setback a minimum of 100 feet from all property lines.

(4) Parking area(s) shall include sufficient space for parking and maneuvering trucks and stock trailers.

(5) Loudspeakers and public address systems shall not be used before 7 a.m. or after 7 p.m. if an existing residence is located within 1,000 feet of the facility, unless approved otherwise in the permit or conditions of approval, as applicable.

(6) All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

(7) If located adjacent to residentially zoned property, all animal pens shall be located a minimum of 300 feet from the property line.

(8) Application materials shall include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

SECTION 5.14: STANDARDS FOR MANUFACTURING, ASSEMBLY, PROCESSING, AND DISTRIBUTION USES – FOOD

5.14.1 Manufacturing, Assembly, Processing, and Distribution Uses – Food

(A) Standards For NC-2 Zoning District

(1) Uses shall be limited to 10,000 sq.ft. of building area.~~205~~[120]

(B) Standards for EDB-1 and EDE-1 Zoning Districts

(1) Uses shall be limited to 20,000 sq.ft. of building area.

5.14.2 Microbrewery

(A) Use Standards

(1) Microbrewery Production Only and Microbrewery with Minor Events land uses, as defined within this Ordinance, shall be permitted as more than one principal use if located on a bona fide farm. Refer to Section 6.2.5 of this Ordinance.

(2) Microbrewery with Major Events, as defined within this Ordinance, shall:

[120] Extraneous text.

(a) Only be permitted within the ASE-~~CZ~~ CD and MPD-~~CZ~~ CD Zoning Districts.

(b) Shall not be permitted within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional ~~Zoning~~ District application. ~~Refer to Section 5.1.3 of this Ordinance.~~[121]

(3) Specific Standards for RB and AR Zoning Districts

(a) Only Microbrewery, Production Only shall be permitted for development.

(B) Submittal Requirements

(1) Applications for a Microbrewery, Production Only; Microbrewery with Minor Events; and Microbrewery with Major Events land uses, as defined within this Ordinance, shall include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use

(2) Additional Submittal Requirements for Microbrewery with Minor Events and Microbrewery with Major Events

(a) In addition to the requirements in Sections 2.7 and/or 2.9, as applicable, the following information shall be submitted with the application materials:

(i) Description of special events to be held on-site, including frequency of events, hours of operation, anticipated attendance, and any other pertinent details.

(ii) Location of overflow parking area(s) if required parking is not anticipated to accommodate all special events.

(iii) A map depicting surrounding uses and the distance to residential structures.

(iv) A description of retail sales and facility tours, if proposed.

(C) Standards of Evaluation for Microbrewery, Production Only ~~Class B~~ Special Use Permit or OR/M, I-1, I-2, I-3, ~~ASE-CZ, and MPD-CZ~~and Conditional ~~Zoning~~ Districts

(1) If located in an AR or RB zoning district, the microbrewery must be located on a bona fide farm.

[121] Unnecessary text.

(a) A microbrewery, production only, that is located on a bona fide farm, and which utilizes primarily crops produced on-site is considered a bona fide farming use and is not subject to zoning regulations.

(b) A microbrewery, production only, that does not utilize primarily crops produced on-site, regardless of whether it is located on a bona fide farm, is not considered a bona fide farming use and is subject to the regulations contained in this Ordinance.

(2) If located adjacent to residentially zoned property, all buildings shall be located a minimum of 100 feet from the property line.

(D) Standards of Evaluation for Microbrewery with Minor ~~Events Class B Special Use Permit or ASE-CZ and MPD-CZ~~Zoning Districts

(1) Site shall have direct access to a major road, as classified in the Orange County Comprehensive Plan, and shall use said road as the primary access, unless approved otherwise in the permit or conditions of approval, as applicable.

(2) If located adjacent to residentially zoned property, all structures, facilities, storage areas, and parking areas shall be setback a minimum of 100 feet from all property lines.

(3) Events shall be limited to no more than 150 people at one time and shall occur no more than 12 days per year.

(4) Loudspeakers and public address systems shall not be used before 7 a.m. or after 7 p.m. if an existing residence is located within 1,000 feet of the facility, unless approved otherwise in the permit or conditions of approval, as applicable.

(5) Special events shall cease no later than 9 p.m. on Sunday through Thursday or 11 p.m. on Friday and Saturday, unless approved otherwise in the permit or conditions of approval, as applicable.

(6) Food services are not allowed unless approved in the permit or conditions of approval, as applicable.

(7) Retail sales and facility tours are intended to be minor components of the overall use as a microbrewery that produces craft malt beverages. Retail sales may include complementary items but are intended to be comprised primarily of products produced on-site. The permit or conditions of approval, as applicable, may specify limits to these activities.

(E) Standards of Evaluation for a Microbrewery with Major Events for ~~ASE-CZ or MPD-CZ~~Conditional ~~Zoning~~ Districts

(1) Site shall have direct access to a major road, as classified in the Orange County Comprehensive Plan, and shall use said road as the primary access, unless approved otherwise in the permit or conditions of approval, as applicable.

(2) If located adjacent to residentially zoned property, all structures, facilities, storage areas, and parking areas shall be setback a minimum of 100 feet from all property lines.

(3) Major events may attract more than 150 people at one time and may occur more frequently than twelve times per year.

(4) Loudspeakers and public address systems shall not be used before 7 a.m. or after 7 p.m. if an existing residence is located within 1,000 feet of the facility, unless approved otherwise in the permit or conditions of approval, as applicable.

(5) Special events shall cease no later than 9 p.m. on Sunday through Thursday or 11 p.m. on Friday and Saturday, unless approved otherwise in the permit or conditions of approval, as applicable.

(6) Food services are not allowed unless approved in the permit or conditions of approval, as applicable.

(7) The permit or conditions of approval, as applicable, may limit the frequency of events.

(8) Retail sales are intended to be comprised primarily of products produced on-site but may include complementary items.

5.14.3 Winery

(A) Use Standards

(1) Winery Production Only and Winery with Minor Events, as defined within this Ordinance, shall be permitted as more than one principal use if located on a bona fide farm. Refer to Section 6.2.5 of this Ordinance.

(2) Winery with Major Events, as defined within this Ordinance, shall:

(a) Only be permitted within the ASE-~~CZ~~ CD and MPD-~~CZ~~ CD Zoning Districts.

(b) Shall not be permitted within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional ~~Zoning~~ District application. ~~Refer to Section 5.1.3 of this Ordinance.~~[122]

(3) Specific Standards for RB and AR Zoning Districts

(a) Only Winery, Production Only shall be permitted for development.

(B) Submittal Requirements

(1) Applications for a Winery, Production Only; Winery with Minor Events; and Winery with Major Events as defined within this Ordinance shall include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

(2) Additional Submittal Requirements for Winery with Minor Events and Winery with Major Events

(a) In addition to the requirements in Sections 2.7 and/or 2.9, as applicable, the following information shall be submitted with the application materials:

(i) Description of special events to be held on-site, including

[122] Unnecessary text.

frequency of events, hours of operation, anticipated attendance, and any other pertinent details.

(ii) Location of overflow parking area(s) if required parking is not anticipated to accommodate all special events.

(iii) A map depicting surrounding uses and the distance to residential structures.

(iv) A description of retail sales and facility tours, if proposed.

(C) Standards of Evaluation for a Winery, Production Only ~~Class B~~ Special Use Permit or ~~ASE-CZ~~Conditional ~~Zoning~~ Districts

(1) If located in an AR or RB zoning district or land use classification, as designated in the Comprehensive Plan, the winery must be located on a bona fide farm.

(a) A winery, production only, that is located on a bona fide farm, and which utilizes primarily crops produced on-site is considered a bona fide farming use and is not subject to zoning regulations.

(b) A winery, production only, that does not utilize primarily crops produced on-site, regardless of whether it is located on a bona fide farm, is not considered a bona fide farming use and is subject to the regulations contained in this Ordinance.

(2) If located adjacent to residentially zoned property, all buildings shall be located a minimum of 100 feet from the property line.

(D) Standards of Evaluation for a Winery with Minor Events ~~Class B~~ Special Use Permit or ~~ASE-CZ and MPD-CZ~~Conditional ~~Zoning~~ Districts

(1) Site shall have direct access to a major road, as classified in the Orange County Comprehensive Plan, and shall use said road as the primary access, unless approved otherwise in the permit or conditions of approval, as applicable.

(2) If located adjacent to residentially zoned property, all structures, facilities, storage areas, and parking areas shall be setback a minimum of 100 feet from all property lines.

(3) Events shall be limited to no more than 150 people at one time and shall occur no more than 12 days per year.

(4) Loudspeakers and public address systems shall not be used before 7 a.m. or after 7 p.m. if an existing residence is located within 1,000 feet of the facility, unless approved otherwise in the permit or conditions of approval, as applicable.

(5) Special events shall cease no later than 9 p.m. on Sunday through Thursday or 11 p.m. on Friday and Saturday, unless approved otherwise in the permit.

(6) Food services are not allowed unless approved in the permit or conditions of approval, as applicable.

(7) Retail sales and facility tours are intended to be minor components of the overall use as a winery that produces wine. Retail sales may include complementary items but are intended to be comprised primarily of products produced on-site. The permit or conditions of approval, as applicable, may specify limits to these activities.

(E) Standards of Evaluation for a Winery with Major Events ~~ASE-CZ and MPD-CZ~~Conditional ~~Zoning~~ Districts

(1) Site shall have direct access to a major road, as classified in the Orange County Comprehensive Plan, and shall use said road as the primary access, unless approved otherwise in the permit or conditions of approval, as applicable.

(2) If located adjacent to residentially zoned property, all structures, facilities, storage areas, and parking areas shall be setback a minimum of 100 feet from all property lines.

(3) Major events may attract more than 150 people at one time and may occur more frequently than twelve times per year.

(4) Loudspeakers and public address systems shall not be used before 7 a.m. or after 7 p.m. if an existing residence is located within 1,000 feet of the facility, unless approved otherwise in the permit or conditions of approval, as applicable.

(5) Special events shall cease no later than 9 p.m. on Sunday through Thursday or 11 p.m. on Friday and Saturday, unless approved otherwise in the permit or conditions of approval, as applicable.

(6) Food services are not allowed unless approved in the permit or conditions of approval, as applicable.

(7) The permit or conditions of approval, as applicable, may limit the frequency of events.

(8) Retail sales are intended to be comprised primarily of products produced on-site but may include complementary items.

SECTION 5.15: STANDARDS FOR MANUFACTURING, ASSEMBLY, PROCESSING, AND DISTRIBUTION USES – OTHER THAN FOOD

5.15.1 ~~Manufacturing, Assembly, Processing and Distribution Uses - Other Than Food~~

(A) ~~Standards For EI and I-1 Zoning District~~

(1) ~~Uses shall be limited to 10,000 sq.ft. of building area.~~

(B) ~~Standards for EDB-1 and EDE-1 Zoning Districts~~

(1) ~~Uses shall be limited to 20,000 sq.ft. of building area.~~

5.15.2 Metal Fabrication Shop

(A) Standards for ASE-~~CZ~~ CD Zoning District

(1) Facility must be located on a bona fide farm.

(2) Minimum lot size: 3 acres.

(3) Maximum building size: 3,000 square feet.

(4) If located adjacent to residentially zoned property, all buildings and operations must be located a minimum of 200 feet from the property line.

5.15.3 Research Facility With Manufacturing

(A) Standards for the O/RM Zoning District

(1) The following Multiple Uses are permitted in the O/RM zoning district when the Principal Use type is Research Facility With Manufacturing and shall adhere to the standards of Section 5.15.3(A)(2):

(a) Financial Services

(b) ~~Service land uses, limited to Beauty & Barber Shops, Laundry and Dry Cleaning Services~~

(c) ~~Eating and Drinking Establishments limited to Nightclubs, Bars, Pubs, Restaurants Carry Out and General.~~

(d) ~~Retail, limited to 12,000 sq.ft. of building area~~

(e) Manufacturing, Assembly, Processing, and Distribution Uses – Other, limited to Printing & Lithography

(2) Multiple Uses, identified in Section 5.15.3(A)(1), are permitted only in accordance with the following standards:

(a) The site plan shall identify the square footage of each structure by type of use.

(b) The Principal Use type of Research Facility With Manufacturing must be established on the site.

(c) The Multiple Use shall not exceed 25% of the total square footage of all structures on the site.

5.15.4 Sawmills

(A) Use Standards

(1) Use shall not be~~:~~ permitted within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional District application.[123]

~~(a) Permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance; or~~

~~(b) Permitted within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional Zoning District application.~~

(B) Standards of Evaluation

(1) Minimum lot size: 5 acres.

(2) All structures, equipment, and storage shall be located a minimum of 100 feet from the property line.

(3) Hours of operation shall be limited to the hours between 7 a.m. and 7 p.m.

(4) Site shall have direct access to a major road, as classified in the Orange County Comprehensive Plan, and shall use said road as the primary access, unless approved otherwise in the permit or conditions of approval, as applicable.

SECTION 5.16: STANDARDS FOR AUTOMOTIVE/TRANSPORTATION RELATED USES

5.16.1 Airports, General Aviation, Heliports, STOL

~~**(A) Use Standards**~~

~~**(1)** Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(B)~~(A) Submittal Requirements and Standards of Evaluation for ~~Class A Special Use Permit~~NR-CD District

(1) Submittal Requirements

In addition to the information required in S~~s~~ection 2.~~7~~9, the following shall be submitted as part of the application:

(a) A configuration diagram depicting the layout of runways, taxiways, approach zones and overrun areas. These diagrams should also be on aerial photographs that show the area within five miles of the proposed site.

[123] Existing restriction being relocated since there is no longer an (a) and (b) in the subsection.

(b) Isotonic contours showing the effects of aircraft operations upon land within one mile of the boundary of the proposed site.

(c) The number and type of aircraft proposed to be stored including also the storage areas for aircraft, fuel and motor vehicles, service areas for aircraft.

(d) How on site fire and rescue services shall be provided and a letter from the appropriate agency stating services are available and adequate to protect the proposed facility.

(e) List land uses within the final approach zones of the airport.

(f) Certification that all Federal Aviation Administration (FAA) and State standards and requirements have been met.

(2) Standards of Evaluation

(a) All F.A.A. and State regulations are met as a condition of approval.

(b) The site and its operation will not adversely affect existing adjacent land uses.

(c) Land sufficient to provide approach zones and overrun areas is owned or controlled by the applicant.

(d) Adequate land area is provided for all of the proposed uses, buildings and storage areas.

(e) Screening of buildings, storage and maintenance areas is provided from adjacent residential land.

(f) Letters from appropriate fire and rescue agencies that protective services can be provided at an adequate level.

(g) Access shall be directly onto a State maintained road.

(h) Compatible land uses are located in the final approach areas of the airport.

~~**5.16.2 Bus Terminal and Garage**~~

~~**(A) Use Standards**~~

~~(1) Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~**5.16.3 Motor Freight Terminal**~~

~~**(A) Use Standards**~~

~~(1) Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~**5.16.4 Motor Vehicle Maintenance**~~

~~**(A) Use Standards**~~

~~(1) Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~**5.16.5 Motor Vehicle Repair**~~

~~**(A) Use Standards**~~

~~(1) Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~5.16.6~~5.16.2 Motor Vehicle Sales / Rental

(A) Use Standards

~~(1) Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(2)~~(1) Within the NC-2, EC-5, and E-I Zoning Districts the display of vehicles outdoors shall be limited to 32 vehicles per acre of property.

~~(3)~~(2) Within the GC-4, I-1, I-2, I-3, EDB-1, EDB-2, EDE-2, EDH-4, and EDH-5 the display of vehicles outdoors shall be limited to 45 vehicles per acre of property.

(B) Submittal Requirements

(1) In addition to the information required by Section 2.5, the site plan shall show the area for the display of vehicles for sale or rental.

(C) Standards of Evaluation

(1) Property shall have frontage and direct access onto a State maintained roadway.

(2) Areas of the property designated for the display of vehicles for sale or rent shall be improved with an all-weather surface (i.e. concrete, asphalt, gravel) and shall not be used for any other purpose.

(3) Additional vehicles, other than those offered for sale, rent or staff/customer designated parking as required under Section 6.9 of this Ordinance, can be stored on-site and shall be screened from view from adjacent properties and public rights-of-way. Such vehicles shall not be included in the display limit calculation.

~~5.16.7~~5.16.3 Motor Vehicle Service

~~**(A) Use Standards**~~

~~(1) Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(B)~~(A) **Standards for the LC-1, NC-2, and EC-5 Zoning Districts**

(1) Shall be limited to no more than 10,000 sq.ft. of building area.

SECTION 5.17: STANDARDS FOR MEDICAL USES

~~5.17.1 Hospital~~

~~**(A) Use Standards**~~

~~(1) Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~5.17.2~~5.17.1 Medical Uses

~~**(A) Use Standards**~~

~~(1) Shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.~~

~~(B)~~(A) **Standards for the LC-1, NC-2, CC-3, O/RM, EDH-1, EDH-2, and EDH-3 Zoning Districts**

(1) Shall be limited to no more than 10,000 sq.ft. of building area.

~~5.17.3~~5.17.2 Veterinary Clinic

(A) Standards of Evaluation for ~~Class B~~ Special Use Permit or ~~ASE-CZ or MPD-CZ~~Conditional ~~Zoning~~ Districts

(1) In the AR and ASE-~~CZ~~ CD zoning districts, this use is intended primarily for large animal facilities but may also contain an ancillary small animal component.

(2) If located adjacent to residentially zoned property, all buildings and facilities shall be located a minimum of 100 feet from the property line.

~~5.17.4~~5.17.3 Veterinary Hospital

(A) Standards of Evaluation for ASE-~~CZ~~ CD Zoning District

(1) In the ASE-~~CZ~~ CD zoning district, this use is intended primarily for large animal facilities but may also contain an ancillary small animal component.

(2) If located adjacent to residentially zoned property, all buildings and facilities shall be located a minimum of 100 feet from the property line.

SECTION 5.18: STANDARDS FOR ASSEMBLY USES

5.18.1 Assembly Uses, All Subtypes[124]

(A) Use Standards

(1) Assembly uses with an occupancy of 300 or more persons shall not be permitted within the Rural Buffer land use classification, as designated by the adopted Comprehensive Plan, as part of a Conditional ~~Zoning~~ District application.

(B) Standards for all Residential Zoning Districts

(1) Unless otherwise denoted within this section, assembly land uses shall observe the following minimum setbacks:

TABLE 5.18.1.A: ASSEMBLY SETBACK STANDARDS IN RESIDENTIAL DISTRICTS

SETBACK	DISTANCE (FEET)
Front	45
Side	50
Rear	50

(C) Standards for LC-1, NC-2, and EC-5 Zoning Districts

(1) Assembly Uses shall not exceed 100 persons at any given time.

(2) All activities shall be conducted indoors.

5.18.2 Community Center

(A) Submittal Requirements and Standards of Evaluation for ~~Class B~~ Special Use Permit or Conditional Districts

(1) Submittal Requirements

[124] Clarify that the standards in this section apply to all types of "Assembly Uses" in the Table of Permitted Uses.

In addition to the information required by Section 2.7 or 2.9, as applicable,, the following information shall be supplied as part of the application for approval of this use:

(a) A description of the exact type of facility planned, the size of the building, the number of participants; a signed statement from the owners or operators that the facility will be operated by a non-profit organization.

(b) A site plan showing the location of the existing and proposed buildings, access points, parking, service areas, and outdoor recreation areas.

(c) Building plans for all existing or proposed structures.

(d) Landscape plan, at the same scale as the site plan, showing existing or proposed trees, shrubs, ground cover and any other landscape materials.

(2) Standards of Evaluation

(a) Lot size shall be adequate for the method of sewage disposal, and for the other improvements proposed or required.

(b) The site plan shall show the boundaries of the site, the distances to the nearest residential structures, access points, parking areas, service area, location of proposed existing buildings.

(c) The landscape plan shall be at the same scale as the site plan and should show how the facilities will be screened from the adjacent properties, in addition, to proposed or existing trees, shrubs, and ground cover.

(d) Elevations of buildings should show that the buildings preserve the residential character of the area.

5.18.3 Museum

(A) Standards of Evaluation for ~~Class B~~ Special Use Permit or ~~ASE-CZ~~Conditional ~~Zoning~~ Districts

(1) Within the AR and RB Zoning District or Land Use classification, as depicted in the Comprehensive Plan,[125] a museum shall be limited to a Rural Heritage Museum.

(2) If located adjacent to residentially zoned property, all buildings, facilities, and parking areas shall be located a minimum of 100 feet from the property line.

(3) The maximum building size in an AR or RB zoning district shall be 5,000 square feet.

5.18.4 Retreat Center

(A) Submittal Requirements and Standards of Evaluation for ~~Class B~~ Special Use Permit

(1) Submittal Requirements

In addition to the information required by Section 2.7, the following shall be submitted as part of the application:

(a) A site plan prepared in accordance with Section 2.5, also showing the following (existing or proposed):

(i) Buildings,

[125] Necessary addition to preserve intent since, when a parcel is rezoned to a Conditional District, it is technically no longer an AR or RB zoning district.

(ii) Storage areas,

(iii) Fencing and gates,

(iv) Outdoor recreation areas

(v) Access road(s) to the site, as well as on site roads, with an indication of type of proposed surface.

(vi) Distances to the nearest residential structure.

(b) A description of the type of facility planned, the size, capacity, and use of proposed buildings; a signed statement from the owners or operators that there shall be no activity allowed that will have adverse effects on adjacent property. The statement shall also include a complete list of all recreational activities that will take place on the site.

(c) A phasing plan, when necessary, indicating the area to be developed in each phase with time periods for construction of each phase. This may be indicated on the site plan.

(2) Standards of Evaluation

(a) Unless public sewer is proposed to be extended, the adequacy for the method of sewage disposal will be determined by the lot size and soil suitability. Appropriate letters from the Orange County Environmental Health Department, local jurisdictions and/or the State Division of Environmental Management shall be submitted to indicate preliminary approval.

(b) The landscape plan shall show how the facilities will be screened from the adjacent properties. A minimum 30 foot Type B buffer, as indicated in Section 6.8 shall be observed around the perimeter of the property.

(c) If private recreational facilities are proposed, the improvements must meet the site improvement requirements in Section 7.11 of this Ordinance. The site plan for recreational facilities shall be reviewed by the Orange County Recreation and Parks Director.

(d) Off street parking requirements shall be provided in accordance with Section 6.9 of this Ordinance.

5.18.5 Rural Special Events

(A) General Standards for Evaluation ~~or ASE-CZ or MPD-CZ Zoning Districts~~for All Zoning Districts

(1) Must be located on a bona fide farm.

(2) In addition to the requirements in Section 2.5 or 2.9, as applicable, the following information shall be submitted with the application materials:

(a) Description of special events to be held on-site, including frequency of events, hours of operation, anticipated attendance, and any other pertinent details**.**

(b) Location of parking area(s).

(c) A map depicting surrounding uses and the distance to residential structures.

(3) The temporary or seasonal commercial activities that comprise the special event must pertain to agricultural or rural-related activities.

(4) If located adjacent to residentially zoned property, all structures, facilities, storage areas, and parking areas shall be setback a minimum of 100 feet from all property lines.

(5) Events permitted by right in the AR, RB, and AS zoning districts shall be limited to no more than 150 people at one time and shall occur no more than 12 days per year. Events exceeding these limits must be approved as an ASE-~~CZ~~ CD or MPD-~~CZ~~CD.

(6) Loudspeakers and public address systems shall not be used before 7 a.m. or after 7 p.m. if an existing residence is located within 1,000 feet of the facility, unless approved otherwise in the permit or conditions of approval, as applicable.

(7) Special events shall cease no later than 9 p.m. on Sunday through Thursday or 11 p.m. on Friday and Saturday, unless approved otherwise in the permit or conditions of approval, as applicable.

(8) Food services are not allowed unless approved in the permit or conditions of approval, as applicable.

(9) Documentation shall be submitted from the Fire Marshal and Building Inspections Department stating that all areas open to the public meet state regulations.

5.18.6 Theater

~~**(A) Use Standards**~~

~~**(1) Drive-in Theaters shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.**~~

~~**(B)**~~**(A) Standards for the NC-2 and CC-3 Zoning Districts**

(1) Shall be located in-doors. No outdoor performances or drive-in theater facilities shall be permitted.

(2) Limited to 100 patrons per individual performance,

~~Section 5.19: STANDARDS FOR GOVERNMENT USES~~

~~5.19.1 Government Uses~~

~~**(A) Use Standards**~~

~~**(1) Military Installations shall not be permitted as a Conditional Use District. Refer to Section 5.1.3 of this Ordinance.**~~

~~Section 5.20:~~SECTION 5.19: STANDARDS FOR OFFICE AND FINANCIAL SERVICE USES

~~5.20.1~~5.19.1 Office and Financial Service Uses

(A) Use Standards

(1) Specific Standards for the LC-1, NC-2, EC-5, EDH-1, and EDH-2 Zoning Districts

(a) Uses shall be limited to 15,000 sq.ft. of building area.

(b) No outdoor storage of equipment or materials shall be permitted.

(c) Drive-thru facilities are prohibited,

(2) Specific Standards for EDB-1 and EDE-1 Zoning Districts

(a) Uses shall be limited to 30,000 sq.ft. of building area.

(b) No outdoor storage of equipment or materials shall be permitted.

~~5.20.2~~5.19.2 Building/Trade Contractors Office with Equipment Storage Yard

(A) Use Standards in GC-4 Zoning District[126]

(1) Equipment storage yards shall be:

(a) Setback a minimum of 50 ft. from all property lines.

(b) Enclosed by a minimum 6 ft. high fence.

(c) Screened along all sides with a Type A Land Use Buffer as detailed in Section 6.8 of this Ordinance.

~~5.20.3~~5.19.3 Research Facility Without Manufacturing

~~**(A) Use Standards**~~

~~**(1)** Use shall not be permitted as a Conditional Zoning District. Refer to Section 5.1.3 of this Ordinance.~~

~~(B)~~(A) Standards for the NC-2 Zoning District

(1) Uses shall be limited to 12,000 sq.ft. of building area.

~~(C)~~(B) Standards for the O/RM Zoning District

(1) The following Multiple Uses are permitted in the O/RM zoning district when the Principal Use type is Research Facility Without Manufacturing and shall adhere to the standards of Section ~~5.15.2(C)(2)~~5.19.3(B)(2):

(a) Financial Services

(b) Service land uses limited to Beauty & Barber Shops, Laundry and Dry Cleaning Services

(c) Eating and Drinking Establishments limited to Nightclubs, Bars, Pubs, Restaurants Carry Out and General

(d) Retail, limited to 12,000 sq.ft. of building area.~~/~~

(e) Manufacturing, Assembly, Processing, and Distribution Uses – Other, limited to Printing & Lithography

(2) Multiple Uses, identified in Section 5.15.2(~~C~~B)(1), are permitted only in accordance with the following standards:

(a) The site plan shall identify the square footage of each structure by type of use.

(b) The Principal Use type of Research Facility Without Manufacturing must be established on the site.

(c) The Multiple Use shall not exceed 25% of the total square footage of all structures on the site.

~~Section 5.21:~~SECTION 5.20: STANDARDS FOR RETAIL USES

~~5.21.1~~5.20.1 Retail

(A) Use Standards

(1) Specific Standards for the LC-1, NC-2, and EC-5 Zoning Districts

(a) Uses shall be limited to 12,000 sq.ft. of building area.

(b) No outdoor sales/displays shall be permitted.

[126] The Table of Permitted Uses indicates use standards apply only in the GC-4 district. Since the use is also permitted by right in certain Industrial districts, language should be added here to provide clarity as to intent.

(2) Specific Standards for the CC-3 Zoning District

(a) Uses shall be limited to 24,000 sq.ft. of building area.

(b) Outdoor sales/displays shall be permitted subject to the following:

(i) No more than 20% of the property area shall be utilized to support outdoor sales/displays.

(ii) Displays shall not be located within any required parking, septic disposal, or land use buffer area on the property.

(iii) Displays shall not block entrances and exists to the structure.

(3) Outdoor sales/displays shall be allowed in other districts subject to the following:

(a) No more than 25% of the property area shall be utilized to support outdoor sales/displays.

(b) Displays shall not be located within any required parking, septic disposal, or land use buffer area on the property.

(c) Displays shall not block entrances and exists to the structure.

~~5.21.2~~5.20.2 Country Store

(A) General Standards for Evaluation

(1) Outdoor storage of products shall be permitted in the rear yard of the primary structure and shall be screened from view of adjacent properties.

(2) Outdoor storage areas shall not be permitted to encroach upon required parking spaces.

(3) All structures and outdoor storage areas shall be located a minimum of 100 feet from adjacent residentially zoned property.

(4) The site shall be located on a major road, as classified in the Orange County Comprehensive Plan, unless permitted as an ASE-~~CZ~~CD.

(5) Parking shall not be located in the front yard space.

(6) Application materials shall include a comprehensive groundwater study, for facilities expected to use more groundwater on an annual basis than an average single family residence (which uses 240 gallons of water per day) built at the highest density the existing zoning district would allow. For example, if the existing zoning district allows a residential density of 1 unit for 2 acres and the proposed use is on a six acre parcel (which could yield 3 residences), the proposed use(s) may use three times the water used by an average single family residence (or 720 gallons per day, on an annualized basis) before a comprehensive groundwater study is required. The water usage rates of any existing use subject to zoning regulations located on the same lot shall be taken into account when determining if a comprehensive groundwater study is required. Said study shall detail:

(a) The amount of water anticipated to be used on a daily, weekly, monthly, and annual basis by regulated uses located on the parcel (e.g., water usage by bona fide farm uses is not required to be included);

(b) An analysis of the amount of groundwater withdrawal considered to be safe and sustainable in the immediate vicinity; and

(c) An analysis of whether other wells in the vicinity of the proposed use are expected to be affected by withdrawals made by the proposed use.

~~Section 5.22:~~SECTION 5.21: STANDARDS FOR MISCELLANEOUS USES

~~5.22.1~~5.21.1 Major Subdivision

(A) Standards for ~~Class A Special Use Permit~~Conditional Districts

(1) Submittal Requirements

In addition to the information required in Section 2.~~7~~9, the following shall be submitted as part of the application:

~~(a) Notification~~

~~Stamped envelopes addressed to each owner of property within 500 feet of the property proposed for subdivision. The names and addresses of property owners shall be based on the current listing as shown in the Orange County Land Records system.~~[127]

~~(b)~~(a) Development Schedule

A statement, from the applicant, indicating the anticipated development schedule for the build out of the project.

~~(c)~~(b) Water and Wastewater

(i) If the proposed lots are to be served by a public water system, proof of water supply and service availability in the form of a certified copy of a resolution to that effect enacted by the governing body of the water system providing the water to serve the lots in the subdivision.

(ii) If the proposed lots are to be served by a public sewer system proof of public sewer service availability in the form of a certified copy of a resolution to that effect enacted by the governing body of the sewer system providing the sewer service to the lots in the subdivision.

(iii) If the proposed lots are to be served by a community water and/or sewer system, proof that the system(s) will be operated either directly by or through contract with the water and/or sewer provider whose service area or interest area it is, as defined in the Water and Sewer Management Planning and Boundary Agreement and Map adopted December 3, 2001, and as may be amended from time to time.

(iv) If the proposed lots are to be served by individual wells or community wells, a professionally prepared groundwater yield analysis relating the proposed wells to the U.S. Geological Survey Water Resources Investigations Report 00-4286 and any later USGS Water Resource Investigation Report data available.

(v) If the proposed lots are to be served by individual septic systems the Environmental Health Division shall submit a report indicating approval for each building lot and for the open space if a homeowners' association amenity is proposed to be constructed within the open space.

~~(d)~~(c) Open Space Connectivity

A map that demonstrates that the open space composition, accessibility, shape and size requirements as set forth in Section 7.13 of this Ordinance are to be met.

[127] Redundant language as Section 2.9 already requires this.

~~(e)~~(d) Natural & Human-Made Resources

A written and graphic site analysis illustrating soils, depth to water table, slope, hydrology, vegetation, natural areas and habitats of special concern, infrastructure and other constructed features, historic and archaeological sites, and visual analysis of views into and from the site.

~~(f)~~(e) Pedestrian / Bicycle Plan

(i) If the subdivision is located in a Transition Area designated as such on the Land Use Element of the Comprehensive Plan, a plan for sidewalks or pedestrian/bike lanes as part of the public roads using, where appropriate, alternative North Carolina Department of Transportation design guidelines that include pedestrian/bike lanes as part of the public road system.

(ii) For proposals not located in a Tt~~t~~ransition Aa~~a~~rea an off-road, pedestrian plan shall be submitted.

~~(g)~~(f) Landscape Plan Details

A landscape and tree preservation plan that shows the following:

(i) The proposed locations, and types of, plantings,

(ii) The existing natural landscape with existing topography,

(iii) The width of roadside and perimeter buffers to be left undisturbed,

(iv) The open space (proposed undisturbed and proposed improved) as well as type of ownership.

(2) Additional Submittal Requirements - For all applications of over 40 lots

(a) Solid Waste

The location within the subdivision of a solid waste convenience center(s) intended to serve the subdivision and, where appropriate, the area in which the subdivision is located.

(b) Biological Inventory

(i) A biological inventory which identifies the following:

a. Habitat diversity,
b. Species diversity,
c. Species of special concern such as those designated as threatened or endangered,
d. Last known sighting,
e. Candidate species likely to be present which may warrant protection,
f. Specimen trees outstanding in size and/or species, and
g. The status and source of the information compiled in the inventory.

(ii) The biological inventory shall be accompanied by an analysis describing the following:

a. Habitat integrity,
b. Relationships between habitats and to ecological communities offsite,
c. Any existing threats to flora and fauna and
d. Potential for habitat enhancement.

(c) Environmental Mitigation

A mitigation plan is required when any wetland or other environmentally sensitive area identified in the biological inventory will be altered as a result of development of the subdivision or construction of homes or other buildings and structures associated with the subdivision. The mitigation plan shall include the following:

(i) An assessment of the ecological value of resources that will be lost and a statement of how that value will be replaced through mitigation;

(ii) A specific statement of the goals and objectives, i.e., exactly what steps will be taken to compensate for lost habitat, etc.;

(iii) Detailed descriptions in the form of grading plans, construction plans, and planting plans to illustrate how the objectives will be carried out;

(iv) A monitoring and maintenance plan to measure success of the mitigation based on stated objectives. Include a list of parties responsible for monitoring and maintenance, a schedule for each, and how results will be reported to the Planning and Inspections Department;

(v) A plan showing how the site will be protected from impacts by human and unwanted animal intrusion, alternate plant species and construction methods that could be used in the event adjustments or substitutions are needed until the mitigation area is established; and

(vi) A financial guarantee is required for the total cost of the mitigation project. Once the installation is complete, 30% of the amount of the letter of credit or escrow will be held for 12 months or until the site is established, whichever is greater.

(d) Traffic Study

(i) A traffic impact study is required with all applications for the following:

a. Subdivisions with more than 40 lots outside of ~~t~~Transition ~~a~~Areas, and
b. Subdivisions with more than 80 lots within ~~t~~Transition ~~a~~Areas.

(ii) The study shall include an analysis of the need for public road improvements, including pedestrian-oriented enhancements, for on-site and off-site improvements as said improvements relate to the level of service impacted by the development.

(iii) The traffic impact study shall be prepared in accordance with the requirements of Section 6.17.

(3) Standards of Evaluation

(a) The project meets all applicable design standards and other requirements of this Ordinance.

(b) The project meets all service provision criteria as set forth below:

(i) Fire – identifies the primary and secondary responders and the source(s) of water.

(ii) Police – identifies the primary and secondary responders.

(iii) Rescue services – identifies the primary and secondary responders.

(iv) Water Supply – source and capacity of water supply.

(v) Wastewater Treatment Methods – provider and capacity of wastewater treatment source.

(c) Habitats shall be identified and evaluated in the biological inventory required by Section ~~5.17.6~~5.21.1(A)(2)(b)and are subject to the following:

(i) An undisturbed buffer is required around the boundary of habitats of rare, threatened, or endangered species as shown on the biological inventory. Buffer width shall be determined by site evaluation in consultation with the applicant's biologist and County staff;

(ii) Habitat enhancements as described in the biological inventory shall be made for a broad range of species to help mitigate the loss of wildlife habitat during construction. Examples include:

a. Preserving, planting, and maintaining a variety of native vegetation (also dead trees and snags);
b. Installing structures conducive for nesting such as bird houses or bat boxes designed and located for various species; or
c. Creating wetlands;

(iii) Conservation easements or other acceptable means such as dedication to a public agency, or conservancy or a homeowner's association are required to protect wetlands and other habitats while insuring proper long-term maintenance; and

(iv) Provide barriers or fencing, and signage at the edge of habitat buffers to prohibit vehicular and pedestrian access. Limited access may be allowed if proposed in a sensitive manner for environmental education purposes.

(d) Landscaping and Buffers

(i) Existing vegetation shall be preserved as indicated on the approved landscape plan in accordance with the provisions of Section 6.8 of the this Ordinance;

(ii) Tree protection measures shall be installed and maintained between all areas of disturbance and trees to be retained as shown on the approved landscape plan. A detail of the tree protection barrier proposed shall be included as part of the landscape plan submitted with the application;

(iii) Corridors connecting habitats identified in the biological inventory shall be preserved along streams, buffers, or other wooded areas. If destroyed during construction, such connections shall be restored using appropriate plant materials;

(iv) Trees and stumps cleared for roads and building construction shall either be used for timber purposes or shredded for landscape mulch, composted, buried or otherwise disposed of BUT NOT BURNED.

(v) Berms, fences and landscaping walls may be used with plant materials for screening, provided such features are designed and located in harmony with other site features and functions;

(vi) To minimize visual impact by blending architecture into the surrounding landscape, foundation plantings are required at all freestanding entrance signs;

Access to the subdivision and access to lots within the subdivision to existing public roads shall conform to and be in compliance with any public road access management plan adopted by Orange County.

(k) Maintenance of Improvements

(i) All site improvements such as roads, utilities (including irrigation and drainage structures), habitat enhancements, recreational amenities, signage, landscaping, open space, etc. will be maintained in function and appearance.

(ii) Maintenance specifications, if any, for on-going site management (including provisions for handling of storm debris in open space areas) shall be submitted as part of the Resources Management Plan and incorporated into Homeowners' Association documents.

~~5.22.2~~5.21.2 Specific Standards for ~~Class A Special Use Permits~~Conditional Districts Within Hillsborough EDD[128]

~~In addition to the general and specific standards for all Special Use Permits, the~~ The following standards shall be addressed by the applicant before ~~the issuance of a Class A Special Use Permit~~approval of a Conditional District within the Hillsborough Economic Development District:

(A) General Provisions

(1) This section establishes criteria pertaining to appearance in the design of a site, buildings and structures, landscaping, signs, and other miscellaneous features that are observed by the public.

(2) Aesthetic criteria are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles which result in creative solutions that will promote visual appearance within the city and county, preserve taxable values, and promote the public health, safety and welfare.

(B) General Design Standards

(1) Harmonious and efficient organization

(a) The site plan shall be organized harmoniously and efficiently in relation to existing topography, the size and type of plot, the character of adjoining property, and the type and size of buildings.

(b) The site will be developed to facilitate orderly development of surrounding property and with minimal disturbance to the natural environment.

(2) Preservation of natural state

(a) Desirable vegetation or other unique natural features shall be preserved in their natural state when practical.

(b) The Environmental Protection Plan shall include the locations of all existing trees 12" diameter four feet above the ground.

(3) Enhancement of residential privacy

(a) The site plan shall provide reasonable visual, lighting, and sound privacy for all adjacent dwelling units.

(4) Emergency access

[128] This section was moved from Section 5.3.2 (a section pertaining to Special Use Permits) because uses in the Hillsborough EDD that formerly required a Class A SUP are suggested to be processed through the Conditional District process. The automatic hierarchical numbering scheme has changed without being marked as a change, but is consistent with existing Section 5.3.2; proposed revisions to the text are indicated as changes.

(a) Structures and other site features shall be arranged to permit practical emergency vehicle access to all sides of buildings.

(5) Access to public ways

(a) Every structure and dwelling unit shall have access to a public street, walkway or other area dedicated to common use.

(6) Non-motorized circulation

(a) A non-motorized circulation system shall be provided which is direct, efficient, and pleasant.

(b) The system shall be complementary to, but independent of the vehicular circulation system.

(7) Design of access and egress drives

(a) The location, size, and numbers of ingress and egress drives to a site will be strictly limited to minimize the negative impacts on public streets and on adjacent property. This shall include formal entryways and access to outparcels from inside the development only.

(8) Coordination with off-site circulation systems

(a) The arrangement of rights-of-way or easements for circulation shall coordinate with the pattern of existing and planned streets, pedestrian and/or bicycle pathways and transit routes in the area.

(b) Connection to adjacent properties is encouraged where possible.

(9) Stormwater control

(a) Protective measures shall ensure that removal of stormwater runoff will not adversely affect neighboring properties or the public storm drainage system.

(b) Provisions shall be made for construction of stormwater facilities including grading, gutters, and piping to direct stormwater and prevent erosion.

(c) Surface water on all paved areas shall be collected at intervals that do not obstruct vehicular or pedestrian traffic.

(10) Exterior lighting

(a) The location, type, size and direction of exterior lighting shall not cause glare or direct illumination that interferes with adjacent properties or safety of public rights-of-way.

(11) Protection of property values

(a) Elements of a site plan shall be arranged to have minimum negative impact on values of adjoining property and other on-site uses.

(C) Specific Standards

(1) Unless otherwise indicated herein, the relevant standards for the specific Economic Development Zoning Districts shall apply.

(2) Where actions, designs, or solutions proposed by the applicant are not literally in accord with the applicable regulations of this Ordinance, but the Board of County Commissioners ~~makes a finding in the particular case~~determines that public purposes are satisfied to an equivalent or greater degree, the Board of County Commissioners may make specific modification of the regulations in the particular case. Any modification of regulations shall be explicitly indicated in the ~~approved permit~~conditions of approval.

(3) Relationship of buildings to site

Landscape elements included in these criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utility structures. New and existing vegetation shall be maintained in a flourishing manner.

(a) Natural or existing topographic patterns contributing to the beauty and utility of a development shall be preserved and developed. Modification to topography will be permitted where it contributes to good appearance and does not adversely affect significant natural features and drainageways.

(b) Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance.

(c) Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important visual corridors, and provide shade.

(d) Unity of design shall be achieved by repetition of certain plan varieties and other materials and by correlation with adjacent developments.

(e) Plant material shall be selected for its structure, texture, and color for interest and for its ultimate growth. Use of native plants is encouraged; others that will be hardy, harmonious to the design, and of good appearance can be allowed.

(f) Appropriate curbs, tree guards or other devices shall be employed to protect plants susceptible to injury by pedestrian or motor traffic.

(g) Parking areas and trafficways shall be enhanced with landscaped spaces containing trees or tree groupings.

(h) Service yards and other unsightly places shall be screened by use of walls, fencing and/or planting.

(7) Signs

(a) Every sign shall have appropriate scale and proportion in its design and in its visual relationship to buildings and surroundings. A unified signage plan shall be submitted and approved with the ~~Special Use Permit~~Conditional District.

(b) Every sign shall be designed as an integral architectural element of the building and the site to which it principally relates.

(c) The colors, materials and lighting of every sign shall be harmonious with the building and site to which it principally relates.

(d) The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the total area of the sign face.

(e) Freestanding signs shall not be pole-mounted.

(8) Maintenance, planning and design factors

(a) Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.

(b) Provisions for cleaning buildings and structures and control of dirt and refuse shall be included in the design. Configurations that tend to accumulate debris and dirt shall be avoided.

ARTICLE 6: DEVELOPMENT STANDARDS

SECTION 6.1: GENERAL STANDARDS

6.1.1 Establishment of Dimensional Requirements

The required minimum lot size, minimum lot width, required front, side and rear setbacks, maximum building height and maximum lot coverage and permitted intensity of development for each of the ~~general~~ conventional districts shall be as shown in this Article and Article 3 of this Ordinance.

6.1.2 Town of Chapel Hill Land Development Standards

The regulations governing minimum lot size, minimum lot width, required yard setbacks, maximum building height and other dimensional requirements controlling the permitted intensity of development as contained in the Town of Chapel Hill Land Development Ordinance are hereby adopted by reference as fully as though set forth herein. The regulations shall be applicable to that portion of the Transition Area located within the Chapel Hill Joint Development Review Area as prescribed in the adopted Joint Planning Area Land Use Plan and the adopted Joint Planning Area Land Use Map.

6.1.3 Town of Carrboro Land Development Standards

The regulations governing minimum lot size, minimum lot width, required yard setbacks, maximum building height and other dimensional requirements controlling the permitted intensity of development as contained in the Town of Carrboro Land Use Ordinance are hereby adopted by reference as fully as though set forth herein. The regulations shall be applicable to that portion of the Transition Area located within the Carrboro Joint Development Review Area as prescribed in the adopted Joint Planning Area Land Use Plan and the adopted Joint Planning Area Land Use Map.

SECTION 6.2: LOT & BUILDING STANDARDS

6.2.1 Regulations Encumbering Land Required to Satisfy Regulations

No portion of a lot, used in connection with an existing or proposed building, structure or use, and necessary for compliance with the dimensional regulations of this Ordinance shall, through sale or otherwise, be used again as part of the lot required in connection with any other building, structure or use.

6.2.2 Modifications of Dimensional Requirements

Except as provided in this Ordinance, all structures shall conform to the dimensional requirements established in Article 3 of this Ordinance.

(A) Height Limitations

(1) Within any zoning district the height of a building may exceed the maximum building height established in Article 3 provided that one foot additional front, rear, and side setbacks are provided for every two feet of additional height. Regardless of additional setbacks provided, in no case shall a building's height exceed 75-feet unless modified as per (2) below.

(2) The height limits of this Ordinance may be modified upon appeal to the Board of Adjustment in accordance with Section 2.10 of this Ordinance. The Board, when approving an application for modification of the height limitation, may affix to that approval reasonable conditions to protect the public health, safety and general welfare.

(B) Flexible Developments

(1) Minimum lot area, lot width, and setback requirements as specified in Article 3 of this Ordinance may be reduced for lots created as part of a Flexible Development subdivision as provided in Section 7.13 of this Ordinance.

(C) Flag Lots

(1) Flag lots as defined in Article 10 are accommodated for as provided in Section 7.7 of this Ordinance.

(D) Reuse of Existing Farm Buildings within the Rural Buffer Zoning District

(1) Setback requirements may be lessened through the appropriate permitting process for agricultural support enterprise uses that reuse farm buildings in existence as of May 5, 2015 that are currently located within the required setback area.

(a) This provision applies to agricultural support enterprise uses currently zoned RB.

(b) The setback width shall not be lessened to a distance less than the setback required in the RB ~~general use~~conventional zoning district.

(c) For purposes of this subsection, agricultural support enterprise uses shall be defined as those permitted in the ASE-~~CZ~~ CD zoning district, as detailed within Section 5.2~~.3~~ [129] of this Ordinance.

6.2.3 Clustering

(A) UNIV-CA & UNIV – PW Watershed Protection Overlay Districts

(1) Clustering of residential lots is permitted in accordance with Section 7.12 of this Ordinance.

(2) Each lot shall contain a minimum of one acre.

(B) All Other Overlay Districts

Clustering of residential lots is permitted in accordance with Section 7.13 of this Ordinance.

6.2.4 Irregular Lots

Any irregular lot of record at the time these regulations became effective may be subdivided in compliance with applicable subdivision regulations and improvement requirements, to create additional regular lots, provided that such lots meet all requirements of the district and that no residual substandard lots remain as a result of such action.

6.2.5 Principal Uses

There shall be no more than one principal use on any zoning lot except where:

(A) Permitted as a ~~CU District or CZ~~Conditional ~~-~~District; or

(B) The parcel is located within an Economic Development District, Commercial Transition Activity Node, Commercial-Industrial Transition Activity Node, Rural Neighborhood Activity Node, or Rural Community Activity Node, as designated by the Comprehensive Plan; or

(C) The parcel is less than 2 acres in size, and non-residential multiple uses are proposed within a single principal structure; or

(D) One of the uses is an unstaffed telecommunications tower subject to a year-to-year or other short term lease; or

[129] Old section reference that should have been changed with 2019 amendments.

(E) ~~The use(s) is/are marked with ^ in the Table of Permitted Uses (Section 5.2.1) and is/are located on a bona fide farm.~~The use is ~~allowed~~located on a bona fide farm, and is in accordance with the use-specific standards in Article 5 which allow for more than one principal use in such cases.[130]

6.2.6 Principal Structures

(A) Residential

(1) There shall be no more than one principal structure permitted on any residential zoning lot, with the exception of the following:

(a) Multi-family developments which have received approval as a ~~CU District or CZ~~Conditional District, or

(b) Temporary use of mobile homes for custodial care approved in accordance with the provisions of Section 5.4.4(B), or

(c) During the installation or construction of a permanent unit on the same lot, as provided in Section 5.4.4 of this Ordinance, or

(d) Duplexes, on lots that have twice the required lot area of the zoning district.

(B) Non-Residential

(1) There shall be no more than one principal structure permitted by right on any non-residential zoning lot greater than two acres in size, unless:

(a) Permitted as a ~~CU District or CZ~~Conditional District, or

(b) The zoning lot is located within an Economic Development District, Commercial Transition Activity Node, Commercial-Industrial Transition Activity Node, Rural Neighborhood Activity Node, or Rural Community Activity Node, as designated by the Comprehensive Plan; or

(c) ~~The structure(s) is/are located on a bona fide farm and is/are utilized for a use(s) that is/are marked with ^ in the Table of Permitted Uses (Section 5.2.1)~~. The use is ~~allowed~~located on a bona fide farm, and is in accordance with the use-specific standards in Article 5 which allow for more than one principal use in such cases.[131]

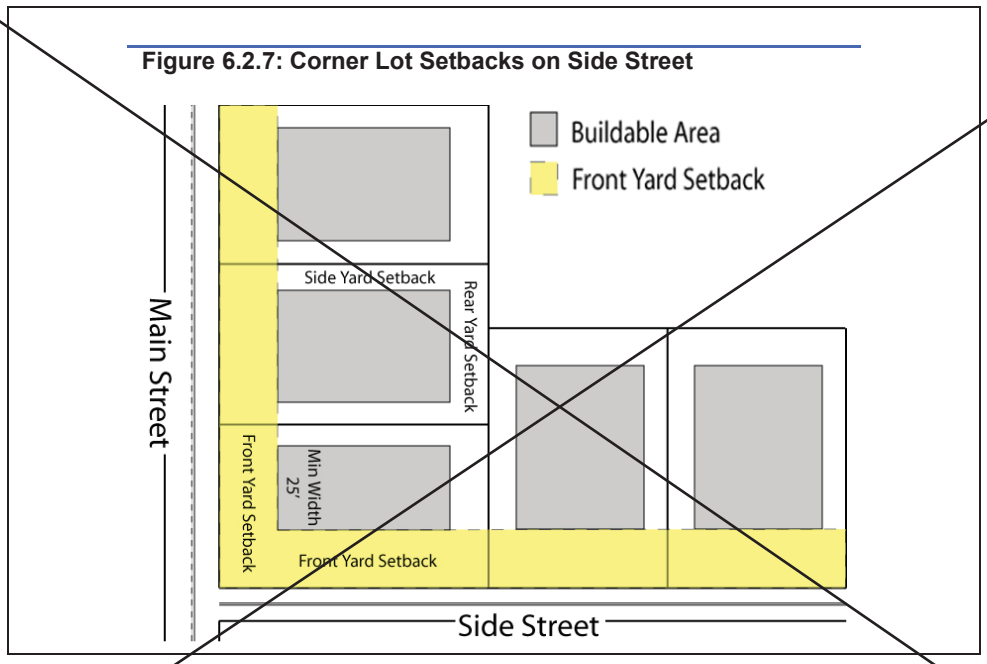
~~6.2.7 Corner Lot Setback on the Side Street~~

~~Any corner lot of record in a residential zoning district abutting a side street shall meet the minimum required setbacks of the zoning district in which it is located; provided, however, that this requirement does not reduce the width of area suitable for building to less than 25 feet.~~

[130] When the table of permitted uses was updated in 2019, the way these uses were handled in Article 5 was changed. This subsection should have been revised in 2019 but was not.

[131] When the table of permitted uses was updated in 2019, the way these uses were handled in Article 5 was changed. This subsection should have been revised in 2019 but was not.

Figure 6.2.7: Corner Lot Setbacks on Side Street



6.2.8 Additional Setbacks Required in for Non-Residential Lots Abutting Residential Zoning Districts

In all non-residential zoning districts, except I-1, I-2, I-3, and EI, required side and rear setbacks adjacent to residentially zoned land, shall be equal to the required side or rear setback of the adjacent residential district.

6.2.9 Permitted Projections Into Required Open Space[132]

(A) Certain architectural features, such as cornices, eaves and gutters, may project into the required open space as follows:

(1) Three feet into required front open space,

(2) One foot into the required rear open space, and

(3) One foot into required side open space.

(B) An unenclosed balcony or porch, fire escape, or metal awning may project into the required open spaces as follows:

(1) A distance not to exceed five feet into the required front or rear open space, or

(2) A distance not to exceed three feet into the required side open space

(C) A porch which is screen or glass enclosed shall be considered an enclosed porch

(D) An enclosed vestibule, containing not more than 40 square feet, may project into the required front open space for a distance not to exceed four feet.

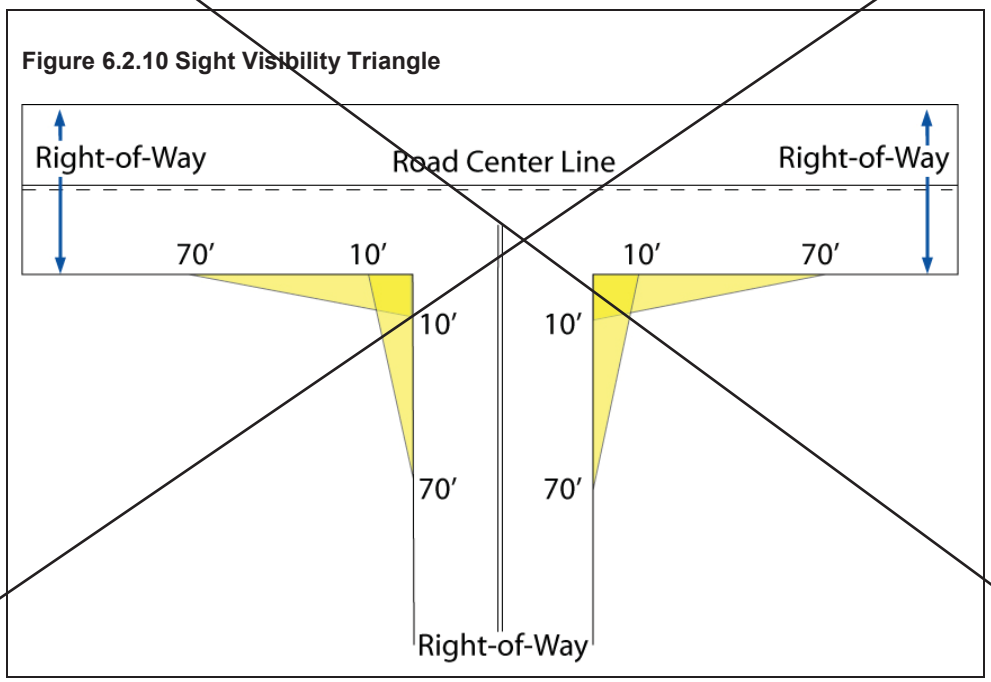
6.2.10 Visibility at Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow~~n~~ in such a manner as to materially block vision between a height of three and ten feet above the center line grades of the intersecting streets in the area inscribed by triangles formed by connecting the point ten feet

[132] As noted in Article 3, a future study should analyze the continued need for the ratio requirements. This section is part of the ratios and, if the ratios are retained, the language is this section should be modernized since "open space" means something different to many people (and in other sections of the UDO), than it is used here and in the ratios.

from the corner of right-of-way along the street with lesser traffic volume and 70 feet from the corner of right-of-way along the street of higher traffic volume (see Figure 6.2.10) unless otherwise required by the NCDOT. The area of the sight visibility triangle shall be included in the dedicated right-of-way. Setbacks shall be measured from the edge of right-of-way defined by the triangle.

Figure 6.2.10 Sight Visibility Triangle



6.2.11 Open Space and Building Spacing For Attached Residential, Multi-Family Residential, and Lodging Units[133]

(A) Purpose and Intent

Yards, courtyards, and other open space required herein in relation to structures or portions of structures containing dwelling or lodging units are intended to perform a variety of functions, including the following:

(1) Ensuring adequate privacy, desirable outlook, natural light and ventilation;

(2) Providing access to and around buildings, off-street parking and loading space and service areas;

(3) Preserving space for landscaping;

(4) Maintaining spacing between buildings and portions of building for reducing potential adverse effects of noise, odor, glare, or hazards from fire; and

(5) Providing recreation space near buildings.

(B) Location of Required Yards and Courtyards

(1) Except in the case of fixed yards required adjacent to streets, required yards and courtyards relating to residential uses subject to these regulations, need not be at ground level if and to the extent that, in other locations their functions, nature, orientation, areas, access, and improvements are appropriate to uses within the building and adjoining buildings, and particularly to adjacent uses at the same level of the building and nearby buildings.

[133] A future study should include consideration of modernizing the language in this section.

SECTION 6.3: LAND USE INTENSITY MEASURES[134]

6.3.1 Applicability

(A) In accordance with Article 3 of this Ordinance, the standards established in this Section shall be applicable to those districts and uses subject to the Land Use Intensity system.

(B) For residential zoning districts and residential uses, except where application to other uses is specifically indicated, floor area, open space, livability space, and recreation space ratios shall be applied only to such land area, floor area, open space, and related elements as are incidental to and compatible with residential uses.

(C) For non-residential zoning districts and non-residential uses, except where application to other uses is specifically indicated, floor area, open space and pedestrian/landscaped space ratios shall be applied only to such land area, floor area, open space and pedestrian/landscape use and accessory uses incidental to and compatible with non-residential uses.

6.3.2 Floor Area

(A) Residential

(1) The maximum residential floor area shall not exceed the number of square feet derived by multiplying gross residential land area by the floor area ratio (FAR) applying to that district, as established in Article 3 of this Ordinance.

(B) Non-Residential

(1) The maximum floor area shall not exceed the number of square feet derived by multiplying gross land area by the floor area ratio (FAR) applying to that zoning district, as established in Article 3 of this Ordinance.

6.3.3 Open Space

(A) Residential

(1) The minimum open space required shall not be less than the number of square feet derived by multiplying gross residential land area by the open space ratio (OSR) applying to the zoning district, as established in Article 3 of this Ordinance.

(B) Non-Residential

(1) The minimum open space shall not be less than the number of square feet derived by multiplying gross land area by the open space ratio (OSR) applying to that zoning district, as established in Article 3 of this Ordinance.

6.3.4 Livability Space

(A) The minimum livability space required shall not be less than the number of square feet derived by multiplying gross residential land area by the livability space ratio (LSR) applying to the zoning district, as established in Article 3 of this Ordinance.

6.3.5 Recreation Space

(A) The minimum recreation space required shall not be less than the number of square feet derived by multiplying gross residential land area by the recreation space ratio (RSR) applying to the zoning district, as established in Article 3 of this Ordinance.

[134] This section enumerates the ratio requirements of the zoning district charts in Article 3. As noted in Article 3, a future study should analyze the continued need for the ratio requirements and the modernization of the language used in this section.

6.3.6 Pedestrian / Landscape Space

(A) The minimum pedestrian / landscape space shall not be less than the number of square feet derived by multiplying gross land area by the pedestrian/landscape ratio (PLR) applying to that zoning district, as established in Article 3 of this Ordinance.

SECTION 6.4: PERFORMANCE STANDARDS

6.4.1 Applicability

(A) After the effective date of this Ordinance, any use established or changed to, and any building structure, or land developed, constructed or used for, any permitted principal use, or special use, or conditional use, shall comply with all of the performance standards herein set forth for the district involved.

(B) The performance standards contained herein shall apply in commercial, industrial, economic development, and conditional districts.

(C) If any existing use or building or other structure is extended, enlarged, or reconstructed, the performance standards for the district involved shall apply with respect to such extended, enlarged, or reconstructed portion or portions of such use, building, or other structure.

(D) Within 24 months of the effective date of this Ordinance, all presently existing uses of lands, buildings or other structures shall comply with the performance standards as herein set forth for the district subject to performance standards.

6.4.2 Electrical Disturbance or Interference

(A) Commercial, Industrial, and Conditional Zoning Districts

No Permitted Use, Special Use, Conditional Use or Accessory Use shall:

(1) Create any electrical disturbance that adversely affects any operations or equipment other than those of the creator of such disturbance; or

(2) Otherwise cause, create, or contribute to the interference with electronic signals (including television, and radio broadcasting transmissions) to the extent that the operation of any equipment not owned by the creator of such disturbance is adversely affected.

(B) Economic Development Zoning Districts

(1) No use, activity or process shall be conducted which produces electric and/or magnetic fields which adversely affect public health, safety, and general welfare or interferes with the operation, equipment, or radio, television and/or telephone reception, beyond the boundaries of the lot on which the activity is conducted.

(2) All establishments conducting uses, activities or processes which generate electric and/or magnetic fields are expected to comply with applicable Federal Communications Commission (FCC) regulations. Copies of all required FCC permits, including any conditions for reporting and monitoring, must be submitted with the comprehensive site development plan.

(3) In the Hillsborough Economic Development District, residential development shall be discouraged near high voltage transmission lines.

6.4.3 Noise

(A) General Standards

(1) Sound levels shall be measured with an A-weighted filter, constructed in accordance with the specifications of the American National Standards Institute, which automatically takes account of the varying effect on the human ear of different pitches.

(2) All measurements shall be expressed in dB(A) to reflect the use of this A-weighted filter.

(3) Impact Noises

(a) Impact noises are sounds that occur intermittently rather than continuously.

(b) Impact noises generated by sources that do not operate more than one minute in any one hour period are permissible up to a level of 10dbA in excess of the figures listed in Table 6.4.3.B. This exception shall not apply from 7:00 pm to 7:00 am when the adjacent lot is used or zoned for residential purposes.

(c) The impact noise shall be measured using the fast response of the sound level meter.

(4) Noise levels resulting from temporary construction or other temporary activity that occurs between 7:00 am and 7:00 pm shall be exempt from the requirements of this subsection.

(5) Noise levels for the extraction of earth products and landfills shall be as set forth in Sections 5.11 and 5.12.

(B) Commercial, Industrial, and Conditional ~~Zoning~~ Districts

(1) Within the LC-1, O/RM, EI, or I-1 district, no permitted Principal Use, Special Use or Accessory Use shall generate noise that tends to have an annoying or disruptive effect upon uses located outside the immediate space occupied by that use.

(2) The following table establishes the maximum permissible noise levels for permitted uses, special uses, ~~conditional uses~~ and accessory uses in the NC-2, CC-3, GC-4, EC-5, AS, I-2, I-3, and ~~CZ~~ CD districts:

TABLE 6.4.3.B: COMMERCIAL, INDUSTRIAL, AND CONDITIONAL ~~ZONING~~ DISTRICTS MAXIMUM PERMITTED SOUND LEVELS

ZONING OF ADJACENT LOT OR TYPE OF USE IF CONDITIONAL OR "OTHER" DISTRICT	ZONING OF DEVELOPMENT SITE	NOISE LEVEL LIMITS [dBA] FOR GENERATING LAND USE	
		7:00 PM TO 7:00 AM	7:00 AM TO 7:00 PM
Residential	NC-2, I-2 [1]	50	60
	CC-3, GC-4, EC-5, I-3, AS, ~~CZ~~ Conditional Districts [2]	50	60
Commercial	NC-2, I-2 [1]	60	65
	CC-3, GC-4, EC-5, I-3, AS, ~~CZ~~ Conditional Districts [2]	65	70
Industrial	NC-2, I-2 [1]	65	70
	CC-3, GC-4, EC-5, I-3, AS, ~~CZ~~ Conditional Districts [2]	70	75

NOTES:
[1] Measurements shall be taken at the boundary line of the zoning lot.
[2] Measurements shall be taken at the boundary line of the zoning district.

(4) The values stated in Tables 6.4.4.B & 6.4.4.C may be multiplied by 2 for impact vibrations.

(5) Vibrations resulting from temporary construction or other temporary activity that occurs between 7:00 am and 7:00 pm shall be exempt from the requirements of this subsection.

(6) Vibration levels for the extraction of earth products and landfills shall be as set forth in Sections 5.11 and 5.12.

(B) Commercial, Industrial, and Conditional Districts

(1) No permitted Principal Use, Special Use or Accessory Use in LC-1, O/RM, EI, or I-1 districts may generate transmitted vibration that is perceptible to the human sense of touch, measured at the outside boundary of the structure occupied by the use generating the vibration.

(2) No permitted Principal Use, Special Use, ~~Conditional Use~~ or Accessory Use in the NC-2, CC-3, GC-4, EC-5, I-2, I-3, and AS, and ~~CZ~~ Conditional Districts~~districts~~ may generate any ground transmitted vibration in excess of the limits set forth in the following table:

TABLE 6.4.4.B: COMMERCIAL, INDUSTRIAL, AND CONDITIONAL DISTRICTS MAXIMUM PERMITTED GROUND-TRANSMITTED VIBRATION

ZONING OF ADJACENT LAND USE	ZONING OF DEVELOPMENT SITE	MAXIMUM PARTICLE VELOCITY FOR GENERATING LAND USE (INCHES PER SECOND)
Residential	NC-2 & I-2 [1]	0.02
	CC-3, GC-4, EC-5, I-3, AS, & ~~CZ~~ Conditional Districts [2]	0.20
Non-residential	NC-2 & I-2 [1]	0.10
	CC-3, GC-4, EC-5, I-3, AS, & ~~CZ~~ Conditional Districts [2]	0.20

NOTES:
[1] Measurements taken at the boundaries of the zoning district lot containing the use generating the vibrations.
[2] Measurements taken at the zoning district boundaries

(C) Economic Development Zoning Districts

(1) Maximum Permitted Ground Transmitted Vibration

TABLE 6.4.4.C: MAXIMUM PERMITTED GROUND-TRANSMITTED VIBRATION

RECEIVING LAND USE	MAXIMUM PARTICLE VELOCITY FOR GENERATING LAND USE (INCHES PER SECOND)
Residential development	0.02
Non-residential development	0.10

(2) Mitigation

(a) Design features used to mitigate vibration must be clearly identified on the site plan.

(b) Applicants must provide documentation of the source and level of vibration, and the specific manner in which the design feature will reduce vibration to acceptable levels.

6.4.5 Air Pollution

(A) General Standards

(1) Any Permitted Principal Use, Special Use, or Accessory Use~~, or Conditional Use~~ that emits any "air contaminant", as defined in G.S. 143-213, shall comply with applicable State of North Carolina standards concerning air pollution, as set forth in Article 21B of Chapter 143 of the North Carolina General Statutes.

(2) No zoning compliance permit or building permit shall be issued with respect to any development covered by Subsection (1) until the State Division of Environmental Management has certified to the Planning Director that the appropriate State permits have been received by the applicant (as provided in G.S. 143-215.108) or that the applicant will be eligible to receive such permits and that the development is otherwise in compliance with applicable air pollution control regulations.

6.4.6 Disposal of Liquid Wastes

(A) No permitted use in any district shall discharge any waste contrary to the provisions of N.C.G.S. 130A (Provisions for Sanitary Sewage Disposal).

(B) No Permitted Principal Use, Special Use, or Accessory Use~~, or Conditional Use~~ in any district shall discharge into the OWASA, Durham or Hillsborough sewage treatment facilities any waste that cannot be adequately treated by biological means.

6.4.7 Hazardous Materials

(A) General Standards

Each permitted use, special use, and accessory use~~, and conditional use~~ is required to comply with all applicable federal, state, and local rules and regulations governing the storage, use, and disposal of hazardous materials.

(B) Additional Standards in Economic Development Districts

(1) Each site plan must be accompanied by a Hazardous Materials Management Plan (HMMP) consisting of the following information:

(a) A Materials Safety Data Sheet (MSDS) which lists the specific hazardous substances that a facility is handling and details its known health impacts, physical properties, and appropriate protective measures. a separate MSDS form must be submitted for each hazardous substance handled.

(b) A Tier Two form which indicates the precise location and quantity of hazardous materials within a plant or place of business.

(c) Building and site plans which indicate the precise location and quantity of hazardous materials.

(2) An Environmental Assessment will be required for any use or facility which qualifies as a small or large generator of hazardous waste as defined by the N.C. Department of Environment and Natural Resources.

(3) Any use or facility which is involved in the long-term storage or disposal of hazardous wastes will be required to submit a full Environmental Impact Statement.

(4) Documentation must be provided as part of the HMMP confirming the following:

(a) That hazardous wastes are being sent to an approved hazardous waste recycling, storage, treatment or disposal facility,

(b) That an EPAID number has been obtained,

(c) That only authorized transporters are used, and

(d) That on-site storage is limited to 180 days (or up to 270 days if the waste is to be transported more than 200 miles).

6.4.8 Utilities

(A) Economic Development Districts

(1) Each permitted use, special use, and accessory use to be served by a public or private water or sewer system must be:

(a) Designed, sized, and constructed to the standards of the utility provider; and

(b) Assured of installation of such services at the time it is approved.

(2) Each MPD-~~CZ~~ CD Master Plan and site plan or NR-CD site plan must be accompanied by documentation from the utility provider that it has reviewed and approved:

(a) Preliminary plans for the proposed water and/or sewer lines;

(b) The adequacy of the existing system(s) to which the connections(s) will be made;

(c) The capacity of the existing water and sewer treatment facilities;

(d) The carrying capacity of the discharge stream or discharge point; and

(e) The method of funding proposed extensions of water and sewer lines.

(3) The approval by the utility provider must in the form of a resolution or other agreement adopted by its board of directors or governing board and must also contain a certification that service to the development project is authorized by any water management plan and discharge permit in effect at the time of approval.

(4) Installation

(a) The location and size of easements for water and/or sewer lines must be approved by and dedicated in the form of a deed of easement to the utility provider.

(b) Where cuts in existing streets are made for water and/or sewer work, all cutting, backfilling, and paving shall be done in accordance with N.C. Department of Transportation and/or municipal specifications and procedures.

(5) Water Use Limitations

Because of the size or remaining excess capacity of treatment plants for some utility providers, uses which require large quantities of water for manufacturing and/or processing operations will require the review and approval of the Board of County Commissioners as a ~~Conditional Use District or CZ~~Conditional -District in accordance with the following:

(a) Applicants for approval of a comprehensive site development plan must submit documented data for the proposed use or a comparable facility which justifies the projected water consumption rates.

(b) If the projected water consumption rates exceed 30,000 gallons per day, the applicant will be required to obtain development approval as a ~~Conditional Use District or CZ~~Conditional District as established in this Ordinance.

6.4.9 Solid Waste

(A) ~~MPD-CZ and~~ Economic Development Districts, MPD-CD, and NR-CD

The following general provisions are applicable to MPD-~~CZ~~ CD and NR-CD applications and each permitted use, special use, and accessory use~~, and conditional use~~ in Economic Development Districts:

(1) All uses and activities must provide secure, safe, and sanitary facilities for the storage and pickup of solid waste and recyclables. Such facilities must be convenient to collection and must be appropriate to the type and size of use or activity being served.

(2) All solid waste and recyclables storage facilities must be screened in accordance with Sections 6.4 and 6.8. of this Ordinance.

(3) All uses and activities must remove recyclable materials from the solid waste generated and make them available for recycling. Recyclable materials, consisting of glass, metal cans, plastic containers, corrugated cardboard and white office paper, newspapers, and motor oil, must not be mixed with or disposed of with other solid waste.

(4) All uses and activities shall remove or cause to be removed all solid wastes from the site or property before harborage of such waste creates a health hazard.

(5) Each Master Plan and site plan must be accompanied by a Solid Waste Management Plan, including a recycling plan and a plan for the management of construction and land clearing debris. The recycling plan must provide information regarding the type and quantity of recyclable materials generated each month, and the facilities to be provided for collection and storage. Management plans for construction and land clearing debris must identify the type and quantity of debris as well as its disposal location.

6.4.10 Service & Outdoor Storage

(A) General Standards

(1) Building service and loading areas must be conveniently located and accessible for normal service and maintenance needs, including the provision of adequate turning radii and parking areas for service vehicles. Such areas are to be located at the side or rear of the principal building(s), and designed so that all service and loading operations occur within the confines of the building site.

(2) Outdoor storage shall be located only to the side and rear of a building. No outdoor storage is permitted to the front of a building.

(3) If located adjacent to residentially zoned property, outside storage areas shall be screened from view of the residentially zoned property and shall be located a minimum of 100 feet from the property line.

(B) Additional Standards in Economic Development Districts

(1) Exterior storage for materials, supplies, and equipment may only be located at the side or rear of a building and only in totally enclosed screened areas. Exterior storage areas must never be located to the front of any building unless screened from view through the use of fencing, walls and/or landscaping, in accordance with Section 6.8 of this Ordinance.

SECTION 6.6: ADDITIONAL STANDARDS FOR OVERLAY DISTRICTS

6.6.1 Highway 70 / ECOD

(A) Ingress and Egress

The following standards shall regulate ingress and egress points within the corridor:

(1) For purposes of determining the allowable number of ingress and egress points on any particular lot, all lots recorded at the effective date of this Ordinance shall be granted at least one ingress and egress point per road front unless access can be provided through some internal means. However, minimization of the total number of driveways along the Highway 70 corridor is desirable through the use of shared driveways or other access management techniques.

(2) Entrances/Exits

(a) On all corner lots, no vehicular openings shall be located closer than 60 feet from the point of intersection of the street right-of-way lines.

(b) To manage access on Highway 70, corner lots may be required to provide ingress and/or egress from the adjacent street.

(c) Entrances/exits shall not exceed 36 feet in width measured at the property line; however, in instances where parking lots serve tractor/trailer traffic, the driveway entrance/exit may be increased to 40 feet in width.

(d) Exits for parking facilities containing more than 36 parking spaces shall contain holding lanes for left-turning and right-turning traffic unless the Planning Director determines that due to the physical features of a site, holding lanes would be unsafe and in accordance with established traffic mitigation standards, should not be required.

(3) Multiple Curb Cut Requirements

(a) A lot fronting on Highway 70 shall have a minimum of 600 feet of road frontage along the street before two curb cuts are allowed, unless the project meets one of the following criteria:

(i) Any mixed-use development where two curb cuts are approved as part of ~~a Special Use Permit or Conditional District, as prescribed~~an approval by the Board of County Commissioners.

(ii) Shared Access

a. In instances where a non-residential land use is proposed next to another non-residential land use and each of the contiguous non-residential land uses will have direct frontage along Highway 70, then the County shall require shared driveway cuts for all such contiguous non-residential land uses.

b. In the event that shared driveway cuts are required, then the owners of the contiguous parcels shall execute reciprocal easement agreements between the separate property owners and have the same recorded in the Office of the Orange County Register of Deeds prior to the issuance of a Zoning Compliance Permit. The easement agreement shall be sufficient to allow for the development of a service road to channel access from Highway 70 to each property. Figure 6.6.2.A.3 shows an example of the shared access.

(3) Landscaping shall be in accordance with an approved landscaping plan.

(4) Any areas left in a natural state shall remain undisturbed except as follows:

(a) Within the buffer areas, necessary ingress, egress and utility service may be allowed, but no other disturbance for site improvements shall be permitted.

(b) Selective clearing of vegetation may be allowed only to remove diseased trees or trees weakened by age, storm, fire or other injury.

(5) Non-residential uses within Transition Areas, as designated by the Comprehensive Plan, may provide one break in the required buffer per lot adjacent to the interstate right-of-way in order to provide an on-site commercial sign and/or building visibility. The break shall constitute no more than 50% of the interstate highway frontage.

SECTION 6.7: ADDITIONAL STANDARDS FOR MPD-~~CZ~~CD

6.7.1 Master Plan

(A) All applications for the MPD-~~CZ~~ CD designation shall be prepared in accordance with Section 2.9 of this Ordinance and shall include a general development plan herein called the 'Master Plan'.

(B) The Master Plan shall be prepared by an appropriately licensed professional and shall include the following:

(1) Map of the development site, including the following:

(a) Overall acreage of the site,

(b) Adjacent rights-of-ways,

(c) Zoning designation and current use of adjacent properties, including those across rights-of-ways,

(d) Streams and other environmental features on-site and within 1,000 feet, and

(e) Any existing structures or improvements on-site.

(2) General layout of development, including the following:

(a) Each development lot/pod and acreage of each,

(b) Interior roadway plan, with cross section detail also showing drainage,

(c) Proposed access points, and

(d) Proposed on-site recreation and/or open space.

(3) Proposed Uses

(a) All uses proposed within the development shall be shown on the Master Plan.

(b) For developments with more than one development lot/pod, the proposed uses shall be listed for each lot/pod.

(c) More than one use may be approved for each lot/pod. However, the Master Plan shall include a compatibility matrix to limit conflicts between adjacent uses.

(v) Electrical service,

(vi) Cable,

(vii) Telephone,

(viii) Fiber Optic, and

(ix) Other.

(b) All onsite utility lines shall be underground, unless approved by the Board of County Commissioners.

(7) Master Sign Plan

(a) A master sign plan, consistent with the standards established in Section 6.12, shall be reviewed and approved as part of the Master Plan.

(b) The sign plan shall include the following:

(i) Location and size of all signs proposed on-site, including wall signs, identification signs, informational signs, etc.,

(ii) Illumination specifications of signs, if any,

(iii) Materials (signs and supports),

(iv) Planting details for ground and pole mounted signs, and

(v) Any other information requested by the Planning Director and/or Board of County Commissioners.

(8) Architectural Concept Plan

(a) An architectural concept plan shall be required for developments with multiple buildings and development lot/pods. The plan shall address the following:

(i) Architectural theme on-site, if any,

(ii) Permitted color palettes,

(iii) Acceptable building materials (i.e. siding, roofing, doors, trim, awnings, etc.),

(iv) Specific design requirements, if any, and

(v) Any other information requested by the Planning Director and/or Board of County Commissioners.

(b) Architectural Concept Plans shall not be required for single-family residential subdivisions approved as a MPD-~~CZ~~CD. However, they may be approved with the Master Plan if proposed by the applicant.

(C) The Master Plan shall be approved by the Board of County Commissioners in conjunction with the ~~CZD~~ Conditional District rezoning application.

6.7.2 Permitted Adjustments

(A) The MPD-~~CZ~~ CD designation permits a prescribed amount of flexibility when developing property and permitted adjustments shall be consistent with the following:

(1) Non-Residential Development Lots/Pods

(a) Maximum intensity of development for each lot/pod, when multiple uses are listed for each, shall be based on traffic generation for each use, in accordance with ITE Trip Generation Manual and may be established on the Master Plan.

(b) The acreage of each development lot/pod may be adjusted by up to 15%, provided the acreage of the entire development site remains the same and a plat has not been approved for the property.

(2) Roadways & Access Points

(a) Shifts in the interior roadways/rights-of-ways shall be considered permitted adjustments provided the following conditions are met:

(i) The roadway/right-of-way is moved less than 50 feet to either side,

(ii) The roadway/right-of-way width remains the same, and

(iii) The roadway/right-of-way shift does not cause a change in the location or design of any intersection with a roadway exterior to the development.

(b) Shifts in the location of roadway access points interior of the development shall be a permitted adjustment, provided the number of access points remains consistent with the approved Master Plan and the locations meet all separation requirements established within this Ordinance.

(c) All points of access from roadways exterior to the development shall be as approved on the Master Plan.

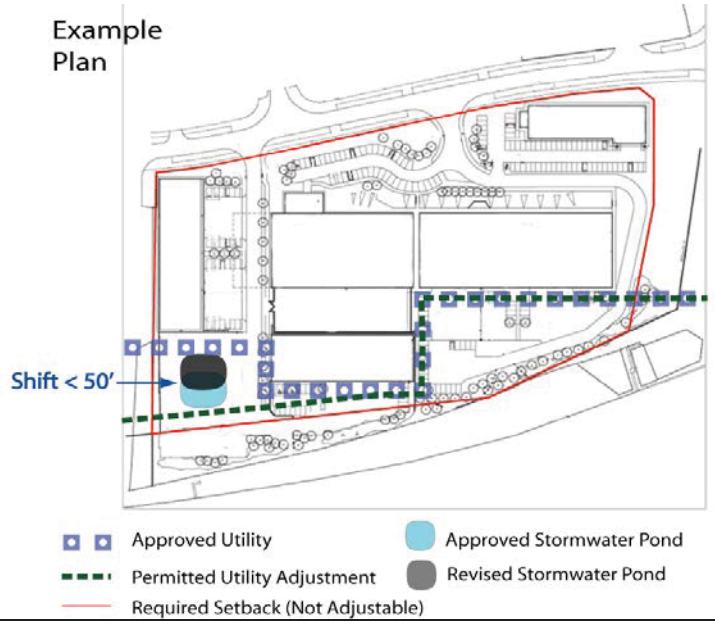
(3) Utilities

(a) Shifts in the location of utilities serving the development shall be a permitted adjustment provided the changes are consistent with the following:

(i) The proposed changes do not impact any perimeter buffers and/or setbacks established on the Master Plan.

(ii) On-site stormwater ponds shown on the Master Plan that are considered part of the buffer for incompatible uses, shall not be shifted more than 50 feet along the perimeter property boundary.

Figure 6.7.2.A: MPD-~~CZ~~ CD Permitted Utility Adjustments



(B) Permitted Adjustments may be approved by the Planning Director. The Master Plan shall be revised to show all permitted adjustments and filed with the Planning Department for incorporation in the approved MPD-~~CZD~~CD. Other changes to the Master Plan shall be approved by the Board of County Commissioners in accordance with the procedures specified in Section 2.9.2 of this Ordinance.

6.7.3 Final Development Plans

(A) Site plans shall be submitted subsequent to MPD-~~CZ~~ CD Master Plan approval in accordance with the procedures established in Section 2.5 of this Ordinance.

(B) Approval of detailed site plans and related material is an administrative action and no public notice or hearing is required.

(C) After a MPD-~~CZ~~ CD district has been established, no zoning compliance permit, permit for land disturbing activity, building permit, or the like, shall be issued for the site, unless and until the Planning Director has approved a site plan, prepared and approved in accordance with Section 2.5 of this Ordinance, for the development as a whole or each development lot/pod, in accordance with the approved Master Plan.

(D) Approval of site plans shall be based on compliance with regulations applying at the time the land was zoned to MPD-~~CZ~~CD.

(E) The Planning Director shall certify that all conditions imposed by the Board of County Commissioners with the approval of the MPD-~~CZ~~ CD and Master Plan have been met and a report shall be provided to the County Manager within 30 days following the approval of a site plan for any property included within the MPD-~~CZ~~CD.

~~6.7.4~~ Start of Construction & Extensions

(A) Site plans shall be approved and construction started in accordance with the timetable approved with the Master Plan. If the site plan(s) have not been approved or no construction has started within the stated time frames, the Master Plan becomes void and of no effect. The owner can request an extension from the Board of County Commissioners upon the favorable recommendation of the Planning Board, if the request is received before the Master Plan expires.

(B) No changes shall be made to the conditions of approval with extension requests. Approval of a time extension shall be based on evidence presented by the applicant showing that approvals have been pursued in a timely manner, and that delays have resulted from factors beyond the control of the developer.

6.7.5 Specific Standards for Hillsborough EDD

In addition to the standards and regulations for all MPD-~~CZ~~ CD districts established in this Ordinance, the standards contained herein shall apply to MPD-~~CZ~~ CD districts in the Hillsborough Economic Development District.

(A) Purpose and Intent

The purpose of the MPD-~~CZ~~ CD in the Hillsborough Economic Development District is to provide locations for a mix of residential, commercial and light industrial uses in a cohesive development that is compatible with the natural terrain and surrounding uses. This district encourages innovation by offering flexibility in design and layout requirements to achieve a greater choice of living and working environments.

(B) Applicability

(1) The minimum size of a MPD-~~CZ~~ CD district shall be 5 acres.

(2) This district shall only be applied where water and sewer are available at the site or are to be made available to the site as part of the development approval process.

(C) Development Standards

(1) Dimensional Requirements

(a) There are no minimum lot sizes within the MPD-~~CZ~~ CD district; However, the Master Plan will set forth the individual lot setbacks in accordance with the General Dimensional Requirements established herein.

TABLE 6.7.5.C: SPECIFIC STANDARDS FOR HILLSBOROUGH EDD

ZONING DISTRICT	MINIMUM ZONING LOT		MINIMUM SETBACKS					MAXIMUM IMPERVIOUS SURFACE COVER (%)	MAXIMUM HEIGHT (FEET)
	AREA (ACRE)	WIDTH (FEET)	FRONT (FEET)	REAR (FEET)	SIDE				
					ONE SIDE (FEET)	COMBINED (FEET)	STREET (FEET)		
MPD-~~CZ~~CD	-	200	60	40	20	40	40	50	60

(b) Single-family and duplex residential uses following the flexible development guidelines established in Section 7.13 of this Ordinance, may reduce the minimum setbacks by 50% and the lot width by 60%.

(2) Internal Access

(a) All outparcels within the MPD-~~CZ~~ CD district shall have internal access to the development.

(b) All parcels shall provide for interconnectivity between parking areas if determined necessary by staff.

(3) No drive through facilities may be constructed in this district.

(4) Consideration of lower cost and affordable housing shall be incorporated into any mixed use development.

(5) A justification for any deviation to development standards must state a public benefit or purpose.

(D) Plan Approvals

(1) If a MPD-~~CZ~~ CD rezoning application is approved with a Master Plan, the approval does not obviate the need to obtain ~~a Class A Special Use Permit or~~ site plan approval for the individual "pods"/lots shown on the Master Plan in accordance with the provisions of this Ordinance.

(2) ~~A Class A Special Use Permit shall be required if~~If any nonresidential use is located within two hundred feet of a property line of an existing dwelling unit located on a lot smaller than 2 acres in size, an appropriate Conditional District must be approved. See Section ~~5.3.2(C)~~5.21.2 for standards for uses requiring ~~a Class A Special Use Permit~~Conditional District approval.

~~**(3)** No special use permit for a site governed by an approved MPD-CZ Master Plan may be denied for reasons set forth in Section 2.5 or Article 5 of this Ordinance, if the basis for such denial involves an element or effect of the development that has been specifically addressed and approved in the MPD-CZ Master Plan approval process, unless one of the following conditions apply:~~

~~(a) It can be demonstrated that the information presented to the Board of County Commissioners at the MPD-CZ Master Plan approval stage was materially false or misleading, or~~

~~(b) Conditions have changed substantially in a manner that could not reasonably have been anticipated, or~~

~~(c) The plan has changed substantially in its impacts, or~~

~~(d) A basis for denial for reasons set forth in Section 2.5 or Article 5 is demonstrated by clear and convincing evidence.~~[135]

~~(4)~~(3) A site plan shall not be accepted by staff for review until the MPD-~~CZ~~ CD Master Plan has been approved.

~~(5) The Planning Director shall have the discretion to require a modification to the approved MPD-CZ Master Plan should the submitted site plan violate, in the Planning Director's opinion, the provisions set forth in Section 6.7.5(D)(3) above.~~

SECTION 6.8: LANDSCAPING, BUFFERS & TREE PROTECTION

6.8.1 Purpose and Intent

The standards of this section provide for the preservation of existing vegetation and for the installation and maintenance of new vegetation and other landscape architectural features. The purpose of these standards is to:

(A) Protect, preserve, and enhance the visual appeal, character, and value of Orange County;

(B) Enhance the beauty of the built environment;

(C) Enhance the privacy and welfare of citizens by separating incompatible land uses;

(D) Allow for the ecological benefits provided by plant materials including: protection of land from erosion and storm water runoff; minimize noise, water, light and air pollution; mitigation of the heat island effect; recharging of aquifers; and protection and enhancement of wildlife habitats; and

(E) Preservation of natural forested tree areas.

6.8.2 Applicability

The landscaping and buffering standards of this section shall apply to all proposed land development for which a site plan, special use permit, MPD-~~CZ~~ CD Master Plan, preliminary plat in the case of major subdivisions or a final plat in the case of minor subdivisions, is required.

6.8.3 Variations

(A) In some cases the strict adherence to this section of the Ordinance would serve no useful purpose, in which case the Planning Director, may modify the buffer and landscape standards of this Section where:

(1) The topography of a site and/or the size of a proposed lot are sufficient to serve the purpose of a buffer;

(2) Existing structures, utilities, gardens or active farmland are located in the buffer or setback areas;

(3) Existing vegetation is damaged, unhealthy, or poses a safety threat; or

(4) An existing residence or structure with established lawn areas and/or plant beds is contained within a proposed subdivision lot.

(B) The Planning Director may require alternative buffers or landscaping, including locations other than those typically required, when a modification to the requirements of this section is warranted in order to meet the intent of the specified standards.

(C) When a proposed lot includes one or more of the conditions listed above, the Planning Director is empowered to waive the requirements for screening or additional

[135] The language in (3) is no longer necessary since review/approval would be via a Conditional District rather than an SUP.

(a) All shrubs shall be cold hardy and heat tolerant.

(b) Upright shrubs shall be a minimum of 15 inches in height at the time of planting.

(c) Shrubs shall not be planted closer than three feet on center. Shrubs shall not be planted closer than three feet to planted trees, nor within six feet of existing protected trees; however, no more than 25% of the root protection zone of an existing tree may be disturbed with new plantings.

(d) When planted as a hedge, the maximum spacing for 24-inch high deciduous shrubs shall be 36 inches on center. Spacing for other size shrubs shall be determined by the Planning Director or designee based on the proposed species.

(4) Preferred Species

The Planning Director shall maintain a list of plants by type and their preferred location or use on sites developed under this Section. The list shall include drought tolerant and native species

(5) Prohibited Plants

The Planning Director shall maintain a list of plants that are not permitted for any use due to their invasive tendencies. Such species shall not be planted as landscaping for any purpose.

(D) Installation

(1) The International Society of Arboriculture[136] (ISA) maintains standards for tree plantings. All installations shall adhere to the standards published by the ISA. The Planning Director will have available the planting details as a booklet.

(E) Maintenance

(1) All plantings must be maintained in a healthy state. Should any vegetation that was required to meet the standards of this section die within two years of planting, the plants must be replaced with the same or comparable species.

(2) The Planning Director may conduct inspections to monitor the health and status of the required landscaping.

6.8.6 Land Use Buffers

(A) Purpose

Land use buffers are intended to screen and buffer lower intensity/density uses from incompatible higher intensity/density land uses. Buffers reduce adverse visual effects, as well as noise, dust, and odor.

(B) Applicability

Land use buffers will be required based on the zoning district of the proposed use and the zoning district of the adjacent uses.

(C) Location

(1) Required land use buffers shall be located along the interior or street lot lines nearest the adjacent streets, land uses and/or zoning designations. Buffers shall not be located on any portion of an existing or proposed street right of way, drainage or utility easement.

(2) No building or structure of any type shall be erected, constructed or installed in a required land use buffer.

[136] Correct misspelling.

(D) Land Use Buffer Table

TABLE 6.8.6.D: LAND USE BUFFERS

		ZONING OR USE OF ADJACENT PROPERTIES											
		RB, AR, RI	R-2, R-3	R-4, R-5	R-8, R-13	HP-~~CZ~~CD	O/RM, NC-2, LC-1	CC-3,GC-4, EC-5	EI, I-1, I-2, I-3, PID	INTERSTATE HIGHWAY	ARTERIAL STREET	COLLECTOR STREET	ACTIVE FARM/ AGRICULTURE
Zoning or Use of Subject Property	RB, AR, R1	-	A	A	B	F	E	F	F	F	E	B	B
	R-2 & R-3	A	-	A	B	F	D	F	F	F	D	B	B
	R-4 & R-5	A	A	-	B	F	C	E	E	F	C	B	B
	R-8 & R-13	B	B	B	-	F	B	D	D	F	C	B	B
	HP-~~CZ~~CD	F	F	F	F	-	F	F	F	F	F	F	F
	O/RM, NC-2, LC-1	E	D	C	B	F	-	-	-	F	B	B	D
	CC-3, GC-4, EC-5	F	F	E	D	F	-	-	-	F	B	B	D
	EI, I-1, I-2, I-3, PID	F	F	E	E	F	-	-	-	F	B	B	D
	AS, ASE-~~CZ~~CD	D	A	A	A	F	A	A	A	F	B	B	B

Note: MPD-~~CZ~~CD, R-CD, and NR-CD buffers to be determined at time of approval.

(E) Natural Buffers

(1) If there is existing, healthy, natural vegetation in the area of a required buffer, it must be preserved. If the vegetation is removed for any reason, other than in accordance with an approved landscape and tree preservation plan, the dimensions of the buffer shall be increased 50% and the number of required plantings shall be increased 50%.

(2) The critical root zones of trees within the buffer must be protected if the applicant seeks credit for preservation of existing trees. For example, if a required buffer has a dimensional width of 30 feet, and the critical root zone extends beyond the 30 feet, the buffer will be extended to the edge of the critical root zone in the area around the tree.

(3) If necessary, a natural buffer will be supplemented with additional plantings in order to meet the Constructed Buffers standards established herein.

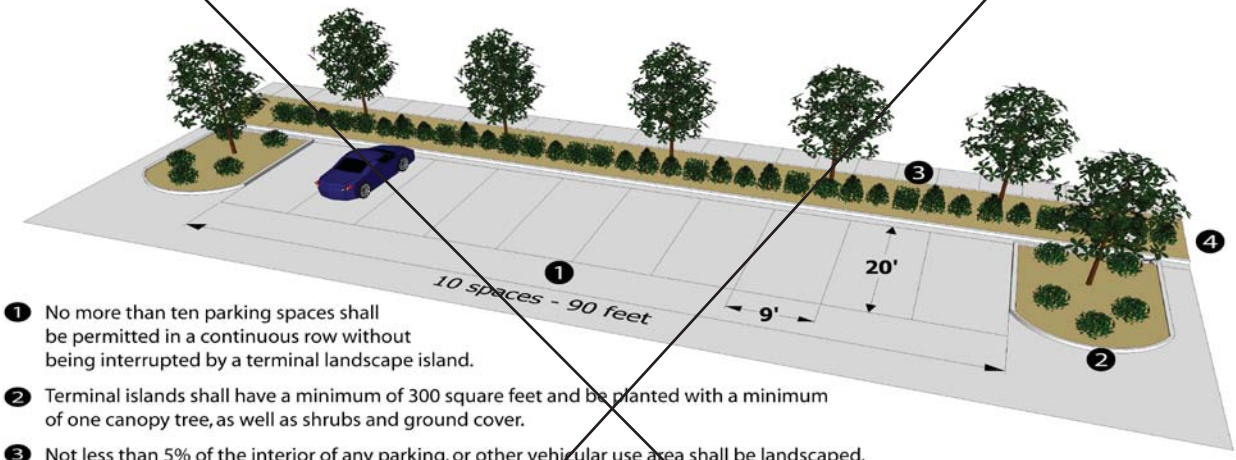
(F) Constructed Buffers

(1) If existing plantings are not sufficient to meet the buffer standards established in this Section, additional plantings shall be installed.

(2) The plant units listed below will be considered comparable, and therefore interchangeable, as set forth below.

b. The location of the required interior landscaping is at the option of the owner or developer and may include median strips and required terminal islands.

Figure 6.8.7.D: Vehicular Use Area Landscaping, Terminal Islands



1. No more than ten parking spaces shall be permitted in a continuous row without being interrupted by a terminal landscape island.
2. Terminal islands shall have a minimum of 300 square feet and be planted with a minimum of one canopy tree, as well as shrubs and ground cover.
3. Not less than 5% of the interior of any parking, or other vehicular use area shall be landscaped.
4. A landscaped area of at least 10 feet in width shall be provided between the vehicular use area and the right-of-way.

6.8.8 Credits for Existing Vegetation

(A) Healthy vegetation that is retained may be credited toward landscaping requirements.

(B) Vegetation to be saved shall meet all requirements of Section 6.8.4, Protection of Existing Vegetation.

(C) Healthy canopy trees may be retained and credited toward landscaping requirements if each tree proposed for credit has a caliper of at least two inches, and credit will be given on a one-for-one basis.

(D) Credit shall be allocated on a one-for-one basis for healthy evergreen trees, deciduous understory trees, evergreen understory trees or shrubs. The size of material shall not be taken into account except where such material is below the required minimum planting size, in which case no credit shall be granted.

(E) In order to receive credit for any retained trees, 100% of the critical root zone shall remain undisturbed. Trees with critical root zones outside the protected area shall not count toward any landscaping requirements unless consistent with Section 6.8.6(E)(2).

6.8.9 Screening

(A) Applicability

(1) The standards contained herein shall apply to the following:

(a) Air handlers and similar mechanical equipment in multifamily or nonresidential development;

(b) ~~Class B outdoor~~Outdoor storage for nonresidential development[137];

(c) Loading areas; and

[137] This appears to be either an outdated or partial term. Staff recommends correcting the term to encompass what staff believes the intent is.

(d) Trash handling facilities, including dumpsters and recycling.

(2) All rooftop equipment shall be screened or setback so that it is not visible from any adjacent right-of-way, except that solar panels shall be exempt from screening requirements.

(B) Standards

Features and uses specified above shall provide a visual obstruction from adjacent properties in conformance with the following standards:

(1) The screen may be composed of view-obscuring vegetation used individually, or in combination with a wall, semi-opaque fence, or berm. The screen height shall be eight feet from the ground, except that utilities and trash handling facilities shall be screened to the height of the facilities plus six inches.

(2) A minimum opacity of at least 80% that obscures views from the ground to the height of the object being screened shall be attained.

(3) Plant materials shall be at least two feet tall at the time of installation and reach the desired height within three years of planting.

(4) Except for screening around roof-top equipment, one upright shrub of an evergreen species shall be installed per four linear feet of any wall or fence that faces off-site.

(5) Trash and recycling containers must be contained within a gated, durable and attractive enclosure, compatible with building architecture. Shrubs shall be planted around the foundation.

(C) Fences and Walls

(1) Fences and walls shall not be required to adhere to the setback requirements detailed within this Ordinance but shall be located on the property of the individual erecting the structure.

(2) Fences and walls shall be compatible with building architecture.

(3) Fences and walls shall be setback a minimum of ten feet from any property line adjoining a road right-of-way, either public or private, to ensure adequate site visibility.

(4) Fences shall not exceed 12 feet in height.

(5) Privacy fences shall be erected to that support posts and slats are visible and accessible from the individual's property that erected the structure.

(6) Chain link fencing is not permitted in areas visible from adjacent properties, parking areas, street or pedestrian walkways unless it is screened through use of evergreen shrubs.

(D) Credit for Other Landscaping

Plant material in project boundary buffers may be counted towards the planting requirements of this section when located to serve both functions.

6.8.10 Landscape and Tree Preservation Plan

(A) Whenever land development for which a site plan, special use permit, MPD-~~CZ~~ CD Master Plan, preliminary plat in the case of major subdivisions or a final plat in the case of minor subdivisions, is required, a landscape and tree preservation plan meeting the requirements of this Section must be submitted for review and approval in accordance with the provisions in Article 2 of this Ordinance.

(B) Landscape and tree preservation plans shall be prepared by certified landscape architects or other landscape professionals with a proficiency in preparing landscaping plans, with the exception of minor subdivisions. If a minor subdivision

(such as a letter of credit or performance bond) sufficient to cover 110% of the installed landscaping costs has been posted with the Planning and Inspections Department.

6.8.12 Additional Standards for Economic Development Districts

(A) Landscape and Tree Preservation Plan

The Landscape and Tree Preservation Plan shall be prepared in accordance with the requirements of Section 6.8.10.

(B) Preservation of Existing Features

(1) Natural features such as streams and ponds, hillsides, rock formations, unique vegetation and natural areas, wildlife habitats, and other similar features must be incorporated into the overall development concept.

(2) Building sites, parking areas, and other uses shall be situated in such a way as to protect existing tree stock having a diameter of one-foot or greater when measured four and a half feet above ground level.

(3) Trees to be saved shall be noted on the landscape and tree preservation plan and appropriate measures to protect the tree stock from damage during construction, including no grading within the critical root zone, shall be indicated in accordance with Section 6.8.4.

(4) Where possible, trees shall be protected in stands or clusters.

(5) The siting of buildings shall take advantage of scenic views and take into consideration the impact of new structures on views from off-site.

(6) Where ever possible, access to views are to be preserved for adjacent property owners and passing motorists.

(7) Scenic views and visual elements within the visual corridor shall be identified and preserved where possible.

(C) Buffering Neighboring Uses

(1) A minimum buffer of 100 feet in width is to be provided at the boundary of all Economic Development Districts.

(2) In accordance with Section 6.6.~~-4~~5, a buffer of 100 feet in width is to be maintained adjacent to the right-of-way of interstate highways.

(3) In the Buckhorn EDD, a buffer of 150 feet is required on the portion of the boundary adjacent to the Clearview Subdivision and adjoining residential area on the north side of West Ten Road.

(4) In the Hillsborough EDD, a buffer of 100 feet is required along the Old 86 roadway corridor. For properties located within the EDH-1 zoning district, a 50 foot wide buffer is required.

(5) Limited breaks in required interstate highway buffers may be allowed in accordance with Section 6.6.~~54~~(5).

(6) Buffers may consist of existing wooded areas. If existing vegetation is not sufficient for screening, a planted buffer shall be augmented and interspersed, consisting of 50-75% evergreen trees reaching a minimum mature height of 30-feet.

(7) In lieu of the Land Use Buffers required in Section 6.8.6, buffers between adjacent land uses, whether internal or external to the project, shall be provided in accordance with the Land Use Buffer Schedule that follows.

(8) Trees with a caliper of six inches or greater should be considered for preservation.

TABLE 6.8.12.C: LAND USE BUFFER SCHEDULE

A WHEN THIS LAND USE IS BEING DEVELOPED AND…	B ABUTS THIS EXISTING LAND USE… NOTE: "ABUTTING LAND USES INCLUDE THOSE ACROSS A STREET (OTHER THAN AN INTERSTATE HIGHWAY) FROM A PROPOSED DEVELOPMENT	"A" PROVIDES A BUFFER WIDTH OF …. NEXT TO "B"
Residential, all types	Residential, all types	N/A
	Finance	20
	Government, Information, Recreation, Retail, Services, Non-Residential Use/Reuse of Historic Buildings	30
	Other (all other Use Types in Section 5.2~~.2~~)	50
	Interstate Highway (See also Section 6.6.~~3~~4)	100
	Arterial Road	30
	Collector Road	20
	Railroad	40
	Transmission Lines	40
	Undeveloped Parcel	20
Finance	Residential, all types	20
	Finance	20
	Government, Information, Recreation, Retail, Services, Non-Residential Use/Reuse of Historic Buildings	20
	Other (all other Use Types in Section 5.2~~.2~~)	N/A
	Interstate Highway (See also Section 6.6.~~3~~4)	100
	Arterial Road	20
	Collector Road	20
	Railroad	20
	Transmission Lines	20
	Undeveloped Parcel	20
Government, Information, Recreation, Retail, Services, Non-Residential Use/Reuse of Historic Buildings	Residential, all types	30
	Finance	20
	Government, Information, Recreation, Retail, Services, Non-Residential Use/Reuse of Historic Buildings	20
	Other (all other Use Types in Section 5.2~~.2~~)	N/A
	Interstate Highway (See also Section 6.6.~~4~~3)	100
	Arterial Road	20
	Collector Road	20
	Railroad	20
	Transmission Lines	20
	Undeveloped Parcel	20
Other (all other Use Types in Section 5.2.2)	Residential, all types	40
	Finance	20
	Government, Information, Recreation, Retail, Services, Non-Residential Use/Reuse of Historic Buildings	40
	Other (all other Use Types in Section 5.2~~.2~~)	N/A
	Interstate Highway (See also Section 6.6.~~4~~3)	100
	Arterial Road	20
	Collector Road	20
	Railroad	20
	Transmission Lines	20
	Undeveloped Parcel	20
Note: See Article 10 for the definition of "Transmission Lines."		

(D) Landscaped Parking Areas

In addition to the requirements contained in Section 6.8.7(D), projects in Economic Development Districts shall require the following:

The overall scope and purpose of the lighting plan is to allow staff to work with the property owner to prevent excessive and unnecessary lighting on the property prior to installation of the proposed fixtures avoiding potential costly compliance remedies upon completion of the project.

(B) Submittal Requirements

(1) With the exception of single-family and duplex residential plot plan submittals, a lighting plan shall be submitted with site plan, MPD-~~CZ~~ CD Master Plan or preliminary plat approval documents when outdoor lighting fixtures are proposed. Any development project proposing outdoor lighting shall not be permitted until the proposed lighting plan is approved in accordance with the provisions of this Ordinance.

(2) Lighting Plans shall comply with the following standards:

(a) Lighting plans shall be completed and sealed by a professional engineer and shall contain all required information as detailed herein;

(b) Plans, drawn to a maximum scale of one inch equaling 40 feet, shall show the exact location, type, and height of all outdoor luminaries, existing and proposed, including building, pole and ground fixtures;

(c) The plan shall include a detailed description of the luminaries, including lamps, poles or other supports and shielding devices, which may be provided as catalogue illustrations and product specifications from the manufacturer. As part of this requirement, all lighting plans shall contain inset drawings of all proposed lighting fixtures including any directional controls (i.e. shields, reflectors, refractors, etc.) that will aim and limit the angle of illumination. The lighting detail shall also show the vertical angle of illumination for all proposed fixtures that will be used to determine the required shielding angle;

(d) A lighting plan shall delineate the horizontal position of all lighting fixtures proposed for a parcel of property; and

(e) Photometric data, such as that furnished by the manufacturer, showing the angle of light emission and lumen output shall be required. An example of a photometric plan is as follows:

(F) Temporary Construction and Financial Institution Signs

(1) Shall not exceed 24 square feet in area, per sign;

(2) May not to exceed two signs per building site;

(3) Signs shall be erected only after a Building Permit authorizing construction on-site has been issued; and

(4) Signs must be removed within seven days after construction work has been completed and the certificate of occupancy has been issued.

(G) Directional/Informational Signs

(1) May be displayed on parcels of property utilized for non-residential purposes.

(2) May not exceed two square feet in area.

(3) May contain corporate logos or other similar graphical displays so long as they provide some necessary information to patrons (i.e. entrance and exit locations, one-way entrance ways, drive through entranceways, ATM location, etc.).

(4) A maximum of three directional/informational signs may be displayed on a non-residential parcel of property.

(H) Temporary Real Estate Signs, in excess of four square feet in area

(1) One sign shall be permitted per building site, not to exceed 24 square feet in area.

(2) Signs shall not be placed within any public street right-of-way.

(3) Signs must be removed after property has been transferred.

(I) Landmark Signs

Signs shall be erected only after the historical significance of the particular site has been verified and that proposed location of the sign has been approved by the Orange County Planning Department and all other related agencies (i.e. NC Department of Transportation).

6.12.12 Signs Permitted in Specific Zoning Districts

The following signs shall be permitted in the zoning districts indicated, in accordance with all other provisions of this Section and specific standards for each sign established herein:

(A) Flags

All flags shall comply with the following provisions, except for those in cemeteries which are regulated by Section 6.12.13(C).

(1) In residential zoning districts (RB, AR, R1, R2, R3, R4, R5, R8, ~~and~~ R13and R-CD), up to three flags and one flagpole per lot shall be allowed. Each flag shall be a maximum of twenty four (24) square feet in area. The flagpole shall be a maximum of twenty four (24) feet in height. Flagpoles shall be setback at least twenty (20) feet from all property lines.

(2) In all other zoning districts, up to three flags and three flagpoles shall be allowed. Each flag shall be a maximum of ninety six (96) square feet in area. Each flagpole shall be a maximum of fifty four (54) feet in height. Flagpoles shall be setback at least twenty (20) feet from all property lines.

(3) Flags lawfully in existence on the date this provision was first advertised, which do not conform to the provisions of this Unified Development Ordinance, but which were in compliance with the applicable regulations at the time they were constructed, erected, affixed or maintained must be regarded as nonconforming.

(a) For the purpose of amortization, nonconforming flags may be continued from the effective date of this subsection for a period not to exceed one year.

(b) Flags which were unlawful under the prior versions, and which do not conform to the current ordinance, must be removed immediately.

(c) Any flag or flagpole which is altered, relocated, or replaced, must be immediately brought into compliance with all provisions of this code.

(4) Depictions of flags, when placed on structures, shall comply with the remaining provisions of this Section.

(B) On-Premise Commercial Signs

(1) These signs shall comply with all state and county building codes and the National Electric Code. Clearance of signs is required from high voltage power lines and signs shall be located in such a way that they will maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with the National Electric Code specifications, provided that no sign shall be installed closer than ten feet horizontally or vertically from any conductor or public utility guy wire.

(2) On-premise commercial signs shall be permitted within the following zoning districts: LC-1, NC-2, CC-3, GC-4, EC-5, O/RM, EI, I-1, I-2, I-3, AS, MPD-~~CZ~~CD, HP-~~CZ~~CD, ASE-~~CZ~~CD, REDA-~~CZ~~CD-1, NR-CD and all of the Economic Development zoning districts.

(3) All on-premise commercial signs shall be setback ten feet from the front, side, and rear property lines or the edge of any existing or projected street right-of-way line whichever is greater. In cases where a property abuts a residential zoned parcel of property, the side or rear yard setback requirement shall be doubled.

(4) N**umber of Signs Permitted**

(a) One on-premise commercial sign shall be permitted per parcel. However, one additional on-premise commercial sign may be permitted for parcels with frontage on more than one right-of-way in accordance with the provisions of this Section.

(b) Under no circumstances shall more than one three-dimensional sign be permitted on-site.

(c) For multi-tenant buildings and/or sites permitted as a ~~conditional use or~~ conditional ~~zoning~~ district, additional on-premise commercial signs or sign area may be permitted by the Board of County Commissioners.

(5) Height of Signs

(a) Pole signs shall be limited to a height of 24 feet with a mandatory ground clearance of eight feet from the normal or finished grade elevation of the property at the base of the sign

(b) Ground signs shall not exceed six feet in height from the normal or finished grade elevation of the property at the base of the sign

(6) The allowable area for on-premise commercial signs shall be determined as follows:

(a) Single or double-faced signs shall not exceed 32 square feet in area, per sign face. For parcels zoned CC-3, GC-4, O/RM, I-1, I-3, AS, EDB-2, EDE-2, EDH-4, EDH-5, NR-CD and MPD-~~CZ~~ CD signage shall not exceed 72 square feet in area for parcels that:

(i) Are larger than 60,000 square feet in area, and

(ii) Have more than 300 linear frontage along a NC Department of

(6) The height of an off-premise commercial sign shall not exceed 25 feet from the grade of the right-of-way or surface grade beneath the sign, whichever is less. The clearance of an off-premise sign shall not be less than eight feet from the grade of the right-of-way or surface grade beneath the sign, whichever is less.

(7) Off-premise commercial signs shall be limited to 480 square feet of sign area.

(8) In no case shall an off-premise commercial sign be located closer than 1,000 feet to an existing off-premise commercial sign.

(9) Off-premise commercial signs are prohibited within the Major Transportation Corridor (MTC) overlay district.

(10) No person may, for the purpose of increasing or enhancing the visibility of any off-premises commercial sign, damage, trim, destroy, or remove any trees, shrubs, or other vegetation in the following locations:

(a) Within the right-of-way of any public street or road, unless the work is done pursuant to the express written authorization of the North Carolina Department of Transportation;

(b) On property that is not under the ownership or control of the person responsible for such work, unless the work is done pursuant to the express authorization of the property owner where the vegetation is located; and,

(c) In any area where such vegetation is required to remain under a permit issued in accordance with this Ordinance.

(D) Wall Signs

(1) Shall either be mounted or painted on a building.

(2) Wall signs may be internally illuminated and shall comply with all applicable state and county building codes and the National Electric Code.

(3) Wall Signs shall be permitted within the following zoning districts: LC-1, NC-2, CC-3, GC-4, EC-5, O/RM, EI, I-1, I-2, I-3, AS, MPD-~~CZ~~CD, ASE-~~CZ~~CD, REDA-~~CZ~~CD-1, NR-CD and all of the Economic Development zoning districts.

(4) All wall signs shall be offset a minimum of ten feet from the corner of the building on which it is mounted.

(5) Wall signs shall not protrude more than 12 inches from the face of building on which it is mounted.

(6) Number of Signs Permitted

(a) Only one wall sign shall be permitted per building facade. In cases where a building is located on a corner lot, an additional wall sign may be permitted on the building wall facing the second street right-of-way, subject to the requirements of this Ordinance.

(b) For multi-tenant buildings permitted as a ~~conditional use or~~ conditional ~~zoning~~ district additional wall signs may be permitted by the Board of County Commissioners.

(7) The allowable sign area shall be determined as follows:

One square foot of sign area for every foot of building length facing a public right-of-way, not to exceed 32 square feet. For parcels zoned CC-3, GC-4, O/RM, I-2, I-3, AS, EDB-2, EDE-2, EDH-4, EDH-5, NR-CD, and MPD-~~CZ~~ CD signage shall not exceed 64 square feet in area for parcels that:

(a) Are larger than 60,000 square feet in area, and

(b) Contain a structure with more than 100 linear feet of building length facing a public right-of-way, and

(c) Have more than 300 feet of linear frontage along a NC Department of Transportation (NC DOT) maintained roadway.

(8) A changeable copy sign may be utilized as a wall sign.

(9) Wall signs shall not extend above the soffit, parapet, or eave line of the building to which it is attached.

(E) Projecting Signs

(1) Projecting signs shall be mounted on a building.

(2) Projecting signs may be internally illuminated and shall comply with all applicable state and county building codes and the National Electric Code.

(3) Projecting signs shall be permitted within the following zoning districts: LC-1, NC-2, CC-3, GC-4, EC-5, O/RM, EI, I-1, I-2, I-3, AS, MPD-~~CZ~~CD, ASE-~~CZ~~CD, REDA-~~CZ~~CD-1, NR-CD and all of the Economic Development zoning districts.

(4) Projecting signs shall adhere to the minimum setback requirements established for all structures within the zoning district in which it is located.

(5) Only one projecting signs shall be permitted per building facade even in cases of a building located on a corner lot.

(6) The allowable sign area shall be determined as follows:

(a) One square foot of sign area for every foot of building length, facing a public right-of-way, not to exceed 32 square feet in area.

(7) Projecting signs shall clear sidewalks and pedestrian paths by a height of at least ten feet above finished grade.

(8) Projecting signs shall not extend above the soffit, parapet, or eave line of the building to which it is attached.

(9) Projecting signs shall not be located at the corner of a building except at right angles to the building façade.

(F) Window Signs

(1) Window signs shall be permitted within the following zoning districts: LC-1, NC-2, CC-3, GC-4, EC-5, O/RM, EI, I-1, I-2, I-3, AS, MPD-~~CZ~~CD, ASE-~~CZ~~CD, REDA-~~CZ~~CD-1, NR-CD and all of the Economic Development zoning districts.

(2) Window signs shall be limited to a maximum of 30% of the total window area where the sign is to be located.

(3) Window signs may be utilized for advertising specials or sales within the business, or displaying the name and other pertinent business information associated with the principal use.

(4) Signs may be etched, painted or otherwise attached to be made a permanent addition to the pane of glass.

(G) Awning Signs

(1) Awning signs shall be permitted within the following zoning districts: LC-1, NC-2, CC-3, GC-4, EC-5, O/RM, EI, I-1, I-2, I-3, AS, MPD-~~CZ~~CD, ASE-~~CZ~~CD, REDA-~~CZ~~CD-1, NR-CD and all of the Economic Development zoning districts. See Section 6.12.14(E) for additional standards for Awning Signs located in Economic Development Districts.

(2) Awning Signs shall be located above the main entrance to a nonresidential land use and shall contain the name of the use.

(iii) The sign may be either a ground or pole sign,

(iv) Freestanding identification signs shall be set back a minimum of ten feet from all property lines, and

(v) Illumination of freestanding identification signs shall be permitted in accordance with the provisions of this Ordinance,

(b) Wall Signs

(i) Shall either be mounted or painted on a building.

(ii) All wall signs shall be offset a minimum of five feet from the corner of the building face on which it is mounted.

(iii) Wall signs shall not protrude more ~~that~~ than 12 inches from the side of building on which it is mounted.

(iv) Only one wall sign shall be permitted per building except as follows:

a. In cases where a building is located on a corner lot, a second wall sign may be erected on the building wall facing the second street right-of-way subject to the requirements of this Ordinance.

b. If a building façade faces athletic fields or other similar recreational areas on the property, a second wall sign, up to 32 square feet in area, may be erected facing these facilities, not to exceed the allowable sign area as calculated herein,

c. Under no circumstances may more than one wall sign be located on the same building façade.

(v) The maximum sign area shall be determined as follows:

a. One square foot of wall sign area for every linear foot of building length along a right-of-way or facing an athletic field or similar recreational use, not to exceed 32 square feet in area.

(vi) A changeable copy sign can be utilized as a wall sign.

(vii) Wall signs shall not extend above the soffit, parapet, or eave line of the building to which it is attached.

(viii) The sign may be internally illuminated or have external illumination installed consistent with the provisions of this Ordinance.

(c) Informational Signs

(i) Shall be allowed in an effort to provide information concerning individual recreational amenities available on the property and are limited to those signs necessary to identify the name of a specific recreational facility, amenity, or use.

(ii) Signs shall be no larger than 20 square feet in area.

(iii) The sign shall contain information identifying the recreational amenity.

(iv) The number of signs shall be directly proportional to the number of individual recreational amenities present on the site.

(3) Deviations from these standards may be allowed as approved on a case by case basis.

(F) Total Nutrient Removal Rates

Total nutrient removal rates of SCMs, as well as SCMs in a series, will be calculated pursuant to the approved accounting tool.

6.14.8 Peak Runoff Volume

(A) Standards for Falls Lake Watershed

(1) For all new development, there shall be no net increase in peak flow leaving the site from the predevelopment conditions for the 1 year, 24 hour storm.

(B) Standards for Jordan Lake Watershed

(1) For all new development there shall be no net increase greater than 10% in peak flow leaving the site from the predevelopment conditions consistent with 15 A NCAC 02H.1002 (44) and the NCDEQ Stormwater Design Manual..

(C) Calculating Peak Runoff Volume

(1) The following are acceptable methodologies for computing the pre- and post-development conditions for the 1 year, 24 hour storm:

(a) Rational Method,

(b) Peak Discharge Method as described in the USDA Soil Conservation Service's Technical Release Number 55 (TR-55),

(c) Alternative methods must be approved by the County.

(2) The same method must be used for both the pre- and post- development conditions.

6.14.9 Stormwater Management Plan

(A) Required Approval

The Erosion Control Officer shall not issue any permits for new development on any land within Orange County subject to the provisions of this Section, unless and until a Stormwater Management Plan has been reviewed and approved in accordance with Section 2.21.1 of this Ordinance.

(B) Compliance with Requirements

Any person engaged in new development activities as defined by this Section who fails to file a plan in accordance with this Ordinance, or who conducts any new development except in accordance with provisions of an approved Stormwater Management plan shall be deemed in violation of this Ordinance.

(C) Enforceable Restriction

Approval of the Stormwater Management plan shall require an enforceable restriction on property usage that runs with the land, such as a recorded deed restriction or protective covenants, to ensure that future development and redevelopment maintains the site consistent with the approved Stormwater Management plan.

6.14.10 Operation and Maintenance of Stormwater Control Measures (SCMs)

(A) Posting of Financial Security[138]

[138] Staff is noting here that amendments to this section are necessary to conform with SL 2019-79. A proposed amendment package will be forthcoming soon

stormwater control structure and the operation and maintenance plan or manual. After notification by the owning entity, the Erosion Control Officer shall inspect and approve the completed improvements.

(5) Annual Maintenance Inspection Fee

(a) The Fee for the first year shall be paid before:

(i) The release of any Final Certificate of Occupancy for Non-Residential Properties.

(ii) The release of the construction bond for Residential or Non-Residential Properties.

(b) The fee shall be based upon the current Orange County Planning Fee Schedule, and shall be paid to Orange County following each annual inspection.

(c) Failure to pay the Annual Maintenance Inspection Fee shall be deemed a violation of this Ordinance.

6.14.11 Amendments to Approved Plans and Specifications

(A) Minor Amendments to Plans and Specifications

(1) Amendments to the plans and specifications of the SCM and/or the operation and maintenance plan or manual may be approved by the Erosion Control Officer, provided that the changes do not involve a change in the size or location of the structure.

(2) Proposed changes shall be prepared by a North Carolina registered professional engineer or landscape architect (to the extent that the General Statutes, Chapter 89A, allow) and submitted for review by the Erosion Control Officer.

(3) Erosion Control Officer Review

(a) If the Erosion Control Officer approves the proposed changes, the owning entity of the stormwater control structure shall file sealed copies of the revisions with the Erosion Control Officer.

(b) If the Erosion Control Officer disapproves the changes, the proposal may be revised and resubmitted as a new proposal. If the proposal has not been revised and is essentially the same as that already reviewed, it shall be returned to the applicant.

(c) The Erosion Control Officer shall report any such revisions to the Board of County Commissioners at the next available ~~regular~~ business[139] meeting.

(B) Major Amendments to Plans and Specifications

(1) Amendments to the plans and specifications of the SCM and/or the operation and maintenance plan or manual which involve a change in the size or location of the structure may be approved by the Board of County Commissioners after receiving a recommendation from the Erosion Control Officer.

(2) Proposed changes shall be prepared by a North Carolina registered professional engineer or landscape architect (to the extent that the General Statutes, Chapter 89A, allow) and submitted to and reviewed by the Erosion Control Officer.

(C) Revision of Plans Found to be Inadequate

If the County finds that the operations and maintenance plan or manual is inadequate for any reason, the owning entity shall be notified of any required changes and shall prepare

[139] Conforming to updated term for BOCC meetings.

(4) Permit and facilitate full enforcement of all ordinances and regulations concerning the environment in an efficient, coordinated and comprehensive manner.

(B) The intent of the regulations and standards included in this Section is to provide a mechanism for full disclosure of anticipated impacts of developments as herein defined and to make such information publicly available so that citizens of the county may have input into developmental issues before they become moot.

(C) Specifically, the intent of the regulations and standards included in this Section is to require the preparation and evaluation of environmental impact documents for projects that either require certain state permits, or require a local land use permit for development within environmentally sensitive areas, as provided in Section 6.16.3 of this Ordinance.

6.16.2 Exemptions

The following projects and uses are exempt from the Environmental Assessment (EA) and Environmental Impact Statement (EIS) requirements set forth herein and no environmental documentation is required:

(A) Any project involving a total area of two acres or less.

(B) Routine repairs and housekeeping projects.

(C) Routine grounds maintenance and landscaping.

(D) Bonafide farming operations, not including sludge disposal.

(E) Single-family residential development, except those reviewed as ~~MPD-CZ~~a Conditional District.

(F) Any project located outside of the Orange County Planning Jurisdiction, including Transition Areas subject to development regulations of any Town within Orange County.

6.16.3 Environmental Assessment

(A) Applicability

Environmental Assessment is required for non-exempt projects that:

(1) Qualify as a small or large generator of hazardous waste as defined by the North Carolina Department of Health and Human Services (Hazardous Waste Branch of Solid Waste Management Section); and/or

(2) Involves as an integral part of the operation of a commercial or industrial activity more than 10,000 gallons per day of water usage, exclusive of domestic water (25 gpd per employee), and water used for climate control (air conditioning and heating); and/or

(3) Require grading in excess of 40,000 square feet, exclusive of roads, for non-residential or attached residential development; and/or

(4) Require grading in excess of 40,000 square feet, exclusive of roads, for non-residential components of residential development (golf courses, recreation facilities, and the like); and/or

(5) Require any of the following Environmental permits:

(a) A Mining Permit pursuant to the NC Mining Act.

(b) A State NPDES (National Pollutant Discharge Elimination System) Permit, as administered by the NC Division of Water Quality.

(c) A Non-Discharge Permit for a land application waste disposal system

6.17.2 Applicability

(A) Except as provided herein, a traffic impact study shall be required for all special use permits, subdivisions, ~~CZ~~ Conditional District applications, and site plans that meet the following criteria:

(1) Special Use Permit: Estimated traffic generated by the permit exceeds 800 trips/day.

(2) Subdivision: Contains 80 or more dwelling units or the estimated traffic generated by the subdivision exceeds 800 trips/day.

(3) ~~CZ~~ Conditional District Application: Estimated traffic generated by the development exceeds 800 trips/day.

(4) Site Plan: Estimated traffic generated by the development exceeds 800 trips/day.

(B) Orange County may require any special use permit, subdivision, ~~CZ~~ Conditional District application, or site plan application to be accompanied by a traffic impact study when a road capacity or safety issue exists. If one is required, the County will notify the applicant of the reason for the requirement.

(C) If the project is reviewed as a ~~Conditional Use District or~~ MPD-~~CZ~~CD, only one traffic impact study is required for ~~special use permit or~~ Master Plan approval unless revisions are proposed that would increase traffic or change access.

6.17.3 Exemptions

(A) Special use permits, subdivisions with 80 or more dwelling units, or site plans that will generate traffic in excess of 800 trips/day may be exempted from the requirements to prepare and submit a traffic impact study in accordance with the following:

(1) If a traffic impact study has previously been prepared for this particular project or development and there is to be no change in land use or density that would increase travel and no change in access to the external street system, or

(2) Material is submitted to demonstrate that traffic created by the proposed development or subdivision, when added to existing traffic, will not result in a need for transportation improvements.

(B) The Planning Director shall review material submitted in support of an exemption and will determine from that material whether or not to grant the exemption.

(C) If an exemption is granted, documentation of the exemption will be submitted as part of the staff recommendation.

6.17.4 Scoping Meeting

(A) Prior to the preparation of the traffic impact study, a scoping meeting shall be held, including the planning staff, the applicant, and the preparer of the study.

(B) The discussion at this meeting should set the study parameters, including the following:

(1) Study area,

(2) Planned and committed roadway improvements (by NCDOT or others),

(3) Road links and intersections to be analyzed,

(4) Preliminary traffic distribution,

(5) Other planned or approved developments to be considered,

(6) Traffic growth rate,

(7) Available data,

(1) The total traffic demand that will result from construction of the proposed development shall be calculated. This demand shall consist of the combination of the existing traffic generated by the proposed development, and traffic due to other developments and other growth in traffic that would be expected to use the roadway at the time the proposed development is completed.

(2) If staging of the proposed development is anticipated, calculations for each stage of completion shall be made.

(3) This analysis shall be performed for average weekday traffic, the peak highway hour(s) and if appropriate, peak development generated hour(s) for all roadways and major intersections in the study area.

(4) Volume/capacity calculations shall be completed for all major intersections. It is usually at these locations that capacity is most restricted.

(5) All access points and pedestrian crossings shall be examined for adequate sight distance and for the necessity of installing traffic signals. The traffic signal evaluation shall compare the projected traffic and pedestrian volumes to the warrants for traffic signal installation.

(F) Conclusions and Recommended Improvements

(1) Levels of service for all roadways and signalized intersections serving 10% or more of peak hour project traffic shall be reported.

(2) All roadways and/or signalized intersections showing a level of service below D in urban or developed areas or below C in rural areas shall be considered deficient, and specific recommendations for the elimination of these problems shall be listed. This listing of recommended improvements shall include, but not be limited to the following elements:

(a) Internal circulation design,

(b) Site access location and design,

(c) External roadway and intersection design and improvements,

(d) Traffic signal installation and operation, including signal timing, and

(e) Transit service improvements.

(3) All physical roadway improvements shall be shown in sketches.

6.17.6 Submission and Implementation

The traffic impact study will be submitted to the Orange County Planning Department within the applicable time frame indicated herein and reviewed as part of the development review process. Recommendations will be incorporated into the approval process as indicated herein.

(A) Special Use Permit

(1) Time of Submission

The traffic impact study shall be submitted to the Planning Department with and as part of, the application for special use permit.

(2) Implementation

(a) The Planning Department and other agencies or officials as appropriate, shall review the impact study to analyze its adequacy in solving any traffic problems that will occur due to the proposed use.

(b) The ~~Board of County Commissioners or~~ Board of Adjustment~~, as appropriate,~~ shall consider the impact study and the analysis of the impact study before the application is approved or denied.

(c) The ~~Board of County Commissioners or~~ Board of Adjustment~~, as appropriate,~~ may decide that certain improvements on or adjacent to the site or on roadways or intersections for which the improvements are needed to adequately and safely accommodate site traffic are mandatory for special use permit approval and may make these improvements conditions of approval, may require modifications in the use, or may deny the permit.

(B) Subdivision Review

(1) Time of Submission

(a) The sketch plan should be sufficiently detailed to allow the Planning Department to assess the need for a traffic impact study.

(b) The traffic impact study shall be submitted to the Planning Department with and as part of, the preliminary plan application for subdivision approval.

(2) Implementation

(a) The Planning Department and other agencies or officials as appropriate, shall review the impact study to analyze its adequacy in solving any traffic problems that will occur due to the subdivision.

(b) The Planning Department and Planning Board may recommend and the Board of County Commissioners may decide that certain improvements on or adjacent to the site are mandatory for plan approval and may attach these conditions to the approval.

(c) If the Board of County Commissioners concludes that additional improvements are necessary, the applicant shall have the opportunity to resubmit alternative improvement designs for approval.

(C) ~~CZ~~ Conditional District Application

(1) Time of Submission

The traffic impact study shall be submitted to the Planning Department with and as part of, the ~~CZ~~ Conditional District application.

(2) Implementation

(a) The Planning Department and other agencies or officials as appropriate, shall review the impact study to analyze its adequacy in solving any traffic problems that will occur due to the proposed development.

(b) The Planning Department and Planning Board may recommend and the Board of County Commissioners may decide that certain improvements on or adjacent to the site are mandatory for plan approval and may attach these conditions to the approval.

(c) If the Board of County Commissioners concludes that additional improvements are necessary, the applicant shall have the opportunity to resubmit alternative improvement designs for approval.

(D) Site Plan Approval

(1) Time of Submission

The traffic impact study shall be submitted to the Planning Department with and as part of, the site plan.

(2) Implementation

(E) A 50% density bonus may be approved if at least 20% of the units are to be occupied by families earning less than 50% of median income and the remaining 80% of units are occupied by families earning less than 80% of median income. This bonus shall not apply to lands which have been donated to Orange County in exchange for a density bonus pursuant to Section 6.18.3(D) above.

6.18.4 Contract for Sale of Single-Family Residences

(A) Approval of the ~~Special Use Permit~~Conditional District, site plan, ~~CZ application,~~ or preliminary plat shall not occur until there is a executed contract between the property owner and Orange County, which shall also be binding on future owners of the reserved lots.

(B) The contract shall be administered by HCD, and shall include the following provisions:

(1) All sales and re-sales shall be approved by HCD to assure ownership by qualifying buyers in accordance with the following eligibility criteria.

(a) Family income, as defined in Article 10 of this Ordinance, at the time of purchase shall not exceed the limits set forth in Section 6.18.3. Qualifying buyers may have up to $10,000 in net assets, as defined in Article 10 of this Ordinance, at the time of purchase.

(b) At least one member of a qualifying household must have lived or worked in Orange County for the past 12 months.

(2) The contract shall apply to each of the reserved lots, and shall continue to affect a particular lot for a minimum period of 15 years after the initial sale of that lot.

(3) There shall be no occupancy of the unit prior to its sale to a qualifying buyer.

(4) The contract shall include a timeline by which construction and sale of the reserved units will be accomplished.

(5) The resale price of any reserved housing unit shall not, at any time during the life of the contract, exceed the maximum amount affordable to the purchasing household.

(6) The maximum sale or resale price shall be determined by HCD, calculated by using HUD modeling for housing affordability. HUD modeling takes into consideration assumptions such as interest rates, percentage of annual income allowed for housing, and amount of down payment.

(7) In the event that the financial status of the buyer significantly improves prior to the expiration of the contract period, the buyer may lease the unit, provided that the lessee and the lease are approved by HCD. HCD shall use the standards set forth in Section 6.18.5 to determine whether or not to approve the lease. In addition, the term of the lease shall be for a minimum period of two years.

(8) Violation of any of the terms of the contract required by this Ordinance may constitute grounds for revocation of the ~~Special Use Permit and rezoning of the land~~ development approval, as provided in this Ordinance.

6.18.5 Contract for Rental of Duplex or Multi-Family Units

(A) Approval of the ~~Special Use Permit~~Conditional District, site plan, ~~CZ application,~~ or Preliminary Plat shall not occur until there is a contract between the property owner or developer and Orange County, which shall also be binding on future owners of the development.

(B) The contract shall be administered by HCD, and shall include the following provisions:

(1) All rental applications shall be approved by ~~(~~HCD~~)~~ to ~~assure~~ ensure occupancy by qualifying households in accordance with the following eligibility criteria.

(a) Family income, as defined in Article 10 of this Ordinance, at the time of rental shall not exceed the limits set forth in Section 6.18.3. Qualifying renters may have up to $5,000 in net assets, as defined in Article 10 of this Ordinance, at the time of initial rental.

(b) At least one member of a qualifying household must have lived or worked in Orange County for the past 12 months.

(c) Families whose income increases above the eligibility requirements may continue to occupy the rental unit, unless otherwise required through terms of the rental agreement between the lessor and lessee.

(2) Every change in occupancy during the 15 year term of the contract shall be approved by HCD to assure continued compliance with eligibility criteria.

(3) Maximum Allowable Rent

(a) The maximum rent allowed shall be computed by multiplying the applicable percentage of median income by the value of median income at the time of the transaction, then multiplying the resulting value by the maximum percentage of income spent for housing, as recommended by the mortgage banking industry.

(b) The value for median income used in calculating maximum allowable rent shall be adjusted to reflect the maximum family size appropriate for the number of bedrooms, as determined by HCD.

6.18.6 Disclosure of Contract Terms to Potential Home Buyers

(A) Staff from the Planning Department and the Department of Housing and Community Development shall meet with the prospective buyer prior to the purchase to assure that all terms of the contract are fully understood. Explanation of the terms of the contract shall include the following implication:

(1) Building permits for the improvements to the structure may be obtained if the owner wishes to remodel or construct an addition, or construct accessory structures. However, there is no assurance that the investment will be regained if the unit is sold prior to the expiration of the contract due to the requirement that it be purchased by a moderate income household.

(B) Home ownership counseling shall be made available to first time buyers to provide information on such topics as insurance and maintenance. The counseling shall be provided by the Department of Housing and Community Development.

6.18.7 Conveyance of Property to Orange County

(A) Land donated to Orange County pursuant to Section 6.18.3(D) to enable a developer to obtain a density bonus shall be donated in trust for the purpose of the development of affordable housing.

(B) An agreement between the developer and Orange County and the instruments of conveyance shall insure this trust as determined by the County Attorney.

SECTION 6.19: ADEQUATE PUBLIC FACILITIES: SCHOOLS

6.19.1 Purpose

The purpose of this Section is to ensure that, to the maximum extent practical, approval of new residential development will become effective only when it can reasonably be expected that adequate public school facilities will be available to accommodate such new development.

Adequate Public School Facilities (CAPS) for the project has been issued by the School District.

(B) A CAPS shall not be required for a ~~general use~~conventional or conditional district rezoning ~~or special use rezoning~~ or for a master land use plan. However, even if a rezoning or master plan is approved, a CAPS will nevertheless be required before any of the permits or approvals identified in subsection (A) of this section shall become effective, and the rezoning of the property or approval of a master plan provides no indication as to whether the CAPS will be issued. The application for rezoning or master plan approval shall contain a statement to this effect.

(C) A CAPS must be obtained from the School District. The School District will issue or deny a CAPS in accordance with the provisions of the MOUs.

(D) A CAPS attaches to the land in the same way that development permission attaches to the land. A CAPS may be transferred along with other interests in the property to which such CAPS is issued, but may not be severed or transferred separately.

6.19.6 Expiration of Certificates of Adequate Public School Facilities

A CAPS issued in connection with approval of a site plan, special use permit, a major subdivision preliminary plat or a minor subdivision final plat shall expire automatically upon the expiration of such permit approval.

6.19.7 Exemption From CAPS

(A) In recognition of the fact that some new development will have a negligible impact on school capacity, a CAPS shall not be required for the following:

(1) Residential developments restricted by law and/or covenant for a period of at least 30 years to housing for the elderly and/or adult care living and/or adult special needs;

(2) Residential developments restricted for a period of at least 30 years to dormitory housing for university students.

(B) If the use of a development restricted as provided herein changes, then before a permit authorizing such change of use becomes effective, a CAPS must be issued just as if the development were being constructed initially.

6.19.8 Previously Approved Projects and Projects Pending Approval

(A) Except as otherwise provided herein, the provisions of this Section shall only apply to applications for approval of site plans, special use permits, major subdivision preliminary plats or minor subdivision final plats that are submitted for approval after the effective date of this Section.

(B) The provisions of this Section shall not apply to amendments to site plans, special use permits, major subdivision preliminary plats or minor subdivision final plats issued prior to the effective date of this Section so long as the approvals have not expired and the proposed amendments do not increase the number of dwelling units authorized within the development by more than 5% or five dwelling units, whichever is less.

(C) Special Exceptions

(1) The Board of County Commissioners shall issue a special exception to the CAPS requirement to an applicant whose application for approval of a site plan, special use permit, a major subdivision preliminary plat or a minor subdivision final plat covers property within a planned unit development or master plan project that was approved prior to the effective date of this Section, if the Board of County Commissioners finds, after an evidentiary hearing, that the applicant has:

(3) The following provisions shall apply to all development within such areas:

(a) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses, performed according to standard engineering practice, that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the Floodplain Administrator before issuance of floodplain development permit.

(b) If FEMA has approved a Conditional Letter of Map Revision (CLOMR), then a Letter of Map Revision (LOMR) must also be obtained upon completion of the proposed encroachment.

(c) No manufactured homes shall be permitted.

(D) Subdivisions, ~~Manufactured~~ [140]Home Parks, and Major Developments

All subdivisions, ~~manufactured~~ home parks, and major development proposals located within SFHAs shall:

(1) Be consistent with the need to minimize flood damage.

(2) Have public utilities and facilities such as sewer, gas, electric, cable, and water systems located and constructed to minimize flood damage.

(3) Have adequate drainage provided to reduce exposure to flood hazards.

(4) Have provided all Base Flood Elevation (BFE) data adopted by reference per Section 1.1.3 of this Ordinance.

(E) Effect Upon Outstanding Floodplain Development Permits

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the Floodplain Administrator or his/her authorized agents before the time of passage of this Ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of six months subsequent to passage of this Ordinance or any revision thereto, construction or use shall be in conformity with the provisions of this Ordinance.

(F) Enforcement

The provisions of the SFHA shall be enforced in accordance with the requirements contained within Section 9.7 of this Ordinance.

[140] The use type was changed to "Home Parks" when amendments were made in 2018 to allow recreational vehicles as temporary uses.

(b) The use of the lot(s) is in conformity with applicable zoning requirements, and

(c) A permanent means of ingress and egress is recorded for each lot.

7.2.3 Major Subdivisions

(A) A major subdivision is any subdivision that is not an Exempt or Minor subdivision, as classified in subsections 7.2.1 and 7.2.2. Major subdivisions are further classified as follows:

(1) Standard Major Subdivision~~, Standard~~

All subdivisions not classified as an Exempt Subdivision; Minor Subdivision; Major Subdivision,~~-~~Conditional District (R-CD or NR-CD)~~Class A Special Use; or Major Subdivision, Conditional Use~~.

~~(2) Major Subdivision, Class A Special Use, Rural Designated~~

~~A tract of land in a Rural Designated area on the Growth Management System map that is proposed for a subdivision of 21-40 lots.~~

~~(3) Major Subdivision, Class A Special Use, Urban Designated~~

~~A tract of land in an Urban Designated area on the Growth Management System map that is proposed for a subdivision of 21-79 lots.~~

~~(4) Major Subdivision, Conditional Use, Rural Designated~~

~~A tract of land in a Rural Designated area on the Growth Management System map that is proposed for a subdivision of 41 or more lots.~~

~~(5) Major Subdivision, Conditional Use, Urban Designated~~

~~A tract of land in an Urban Designated area on the Growth Management System map that is proposed for a subdivision of 80 or more lots.~~

(2) Major Subdivision, Conditional District (R-CD or NR-CD)[141]

A tract of land that is proposed for subdivision into 21 or more lots.

(B) For the purpose of determining whether a subdivision is a Major Subdivision, ~~Class A Special Use (Rural Designated or Urban Designated)~~Standard ~~,~~ or a Major Subdivision, Conditional ~~Use~~ District ~~(Rural Designated or Urban Designated)~~, the number of lots created shall be determined by counting the cumulative number of lots created, through subdivisions, on a tract or parcel of land as the boundaries of said tract or parcel of land existed in the Land Records of Orange County as of November 5, 2003.

SECTION 7.3: PHASING OF SUBDIVISIONS

A major subdivision may be developed in phases, provided that:

(A) Each phase contains at least five lots, unless depicted on a phasing plan approved by the Board of County Commissioners as part of the preliminary subdivision plat with the express determination that the proposed phasing makes it unlikely that a subdivider would willingly abandon a final phase that contains a required extension of a road or other infrastructure;

(B) The degree and extent of road, water supply, sewage disposal, stormwater management, erosion and sedimentation control, and other required improvements in

[141] Rather than having multiple "levels" of subdivisions, use of the proposed conditional districts simplifies the subdivision review/approval process by having any subdivision of 21 or more lots be approved as a conditional district. 21 or more lots is the existing cut-off for not being considered a "standard" major subdivision.

(B) In all cases, the ~~Recreation and Parks Advisory~~Parks and Recreation[142] Council shall review and make recommendations to the Planning Board and Board of County Commissioners on the provision or dedication of recreation and/or open space areas.

(C) This public Recreational Facilities requirement is in addition to any requirements for privately held passive or active Common Open Space areas.

7.11.2 Area Requirements

(A) At least 1/57 of an acre shall be dedicated for each dwelling unit planned or provided for in the subdivision plan, except where land is located within a Special Flood Hazard Area and/or is characterized by steep slopes (15% or greater), then at least 1/20 of an acre of such land shall be dedicated for each dwelling unit.

(B) If the application of the provisions of Article 3 (Required Minimum Recreation Space Ratio, as shown on the table of each zoning district) and Section 6.3 (Land Use Intensity System) of this Ordinance results in a greater amount of land, then the difference between the application of the standards above and those of the referenced Articles shall be established as private recreation for the use of the residents of the development.

(C) The total land area dedicated as part of a nonresidential subdivision shall be determined by an analysis of the site, the use(s) to be located thereon and the designation of recreation and/or open space sites as shown on the adopted Comprehensive Plan.

(1) The site analysis shall be prepared by the subdivider and shall identify in written and graphic form those areas characterized by:

(a) Steep slopes (15% or greater),

(b) Special flood hazard areas and wetlands,

(c) Rock outcroppings,

(d) Mature woodlands (trees of 18 inches or greater in diameter),

(e) Existing structures and cemeteries, and

(f) Lakes, ponds, rivers and other water resources.

(2) A written and graphic description shall also be submitted by the subdivider which identifies:

(a) The proposed use of each lot in the subdivision,

(b) The approximate amount of building and parking coverage for each lot, and

(c) The approximate number of employees associated with each use.

(3) In no case shall the total land area be less than that required by application of the provisions of Article 3 (Required Minimum Pedestrian/Landscape Ratio, as shown on the Table of each zoning district) and Section 6.3 (Land Use Intensity System) of this Ordinance.

7.11.3 Site Suitability

(A) Land provided or dedicated for active recreational purposes shall be of a character, slope, and location suitable for use as for play areas, tennis courts, multi-purpose courts, picnic areas, ball fields, and other similar recreation uses.

(B) Active recreation areas shall be located on land that is relatively flat (0 to 7-1/2% slopes), free of wetlands and/or flood plains, free of easements for public utility

[142] Update to current name,

transmission lines, and is otherwise capable of accommodating active recreation uses.

(C) Land provided or dedicated for low impact recreation and open space purposes shall be of a character, slope, and location suitable for use for walking, jogging, reading and similar quiet activities, and the preservation of natural features and cultural resources such as steep slopes, rock outcrops, native plant life and wildlife cover, mature woodlands, and water resources.

(D) In all cases, active and low impact recreation sites as well as open space areas designated in the adopted Comprehensive Plan shall be incorporated into the design of the subdivision.

(E) Criteria for evaluating the suitability of proposed recreation areas shall include but not be limited to the following:

(1) Location

(a) Land dedicated for recreation purposes shall be located so as to serve the needs of the residents of the subdivision and the residents of the immediate neighborhood within which the subdivision is located.

(b) As approved by DEAPR, the Orange County Parks and Recreation ~~Board~~Council, and BOCC, land dedicated for public recreation purposes shall also maintain logical access to other private Common Open Space areas.

(c) Recreation areas shall be located so as to provide, insofar as possible, reasonable accessibility to all residents of the subdivision and residents living in the immediate neighborhood.

(d) Recreation areas shall be located where more land more suited for recreational purposes due to shape, level slopes and/or dry soil conditions is present.

(e) Where proposed park sites are shown in the adopted Comprehensive Plan, and a subdivision contains a portion of the park site, then the developer may be required to locate the recreation area in accordance with the park site as shown thereon.

(2) Unity

(a) Land dedicated for recreation purposes shall be a single parcel except where it is determined that two or more parcels are suited to the needs of a particular subdivision.

(b) The Planning Department and/or Planning Board may recommend, and the Board of County Commissioners may require, the dedication of a connecting path in addition to the land required in Section 7.11.2 above.

(i) Where a connecting path is necessary, a path right-of-way of up to 50 feet in width may be required, but in no case shall the path right-of-way be less than 30 feet in width.

(3) Accessibility

(a) Land dedicated for recreational purposes shall have at least 50 feet of frontage on at least one street within the subdivision.

(b) Where a recreation area is not accessible due to lot arrangement, the Planning Department and/or Planning Board may recommend, and the Board of County Commissioners may require, the dedication of connecting paths which link the recreation area with other streets within the subdivision (see figure below).

TABLE 7.11.4.D: SITE IMPROVEMENTS

AGE GROUP	FACILITY	RECOMMENDED SPACE REQUIREMENTS	RECOMMENDED SIZE AND DIMENSIONS	RECOMMENDED ORIENTATION
Senior Citizens	Shuffleboard	570 sq. ft.	10'x52' with 2.5' clearance at both ends 2' clearance on both sides	Long axis north-south
Senior Citizens	Horseshoes	240 sq. ft.	6' square pitchers box Steel stakes 1" diameter, 14" above ground, spaced 40' apart	Long axis north-south
Senior Citizens	Croquet Court	1,800 sq. ft.	25'x55' playing area with 2.5" clearance on all sides	Long axis north-south
Families Adults Senior Citizens	Park Bench Picnic Tables Grills Trash Receptacles	One picnic table per 50 residents with 50 sq. ft. of land per table	Minimum table dimensions – 36"W x 72"L x 30"H Tables, benches, and other similar facilities securely anchored to ground	None other than provision of shading for picnic tables and benches
Families Adults Senior Citizens	Picnic Shelter Structure	One open shelter per 60 residents	Minimum shelter dimensions – 20'x30' with minimum of ten picnic tables and accompanying benches located therein and securely anchored to ground Fireplace shall be installed at one end	None

(E) Parking shall be constructed in accordance with the Standards contained in Section 6.9 of this Ordinance.

7.11.5 Method of Provision or Dedication

(A) Public Recreation Area

(1) Land dedicated for public recreation area as required by this Ordinance shall be designated on both the preliminary and final plat(s) of the subdivision and must be dedicated to an appropriate unit of local government.

(2) Determination of the appropriate unit of local government shall be made by the Board of County Commissioners, upon recommendation from the ~~Recreation and Parks Advisory~~ Parks and Recreation Council and the Planning Board.

(3) Acceptance of the dedication may be one in trust if deemed appropriate by the Board of County Commissioners.

(B) Private Recreation Area

(1) Land provided for private recreation purposes must be conveyed to the trustees provided in an indenture establishing an association of homeowners.

(ii) Composition

Sites chosen for Secondary Open Space Areas must have one or more of the following characteristics or uses:

a. Woodlands

Including forestland for the planting and production of trees and timber, where management practices such as selective timber harvesting and wildlife enhancement are employed. Such woodlands may consist of hardwood, pine, and/or mixed pine-hardwood forests identified as part of:

i. LANDSAT satellite data collected and analyzed under the Albemarle-Pamlico Estuarine Study;

ii. A site analysis conducted by a registered engineer, land surveyor, landscape architect, architect or land planner using aerial photographs and/or satellite imagery;

iii. A required environmental assessment or environmental impact statement; and/or

iv. An independent site study conducted by a trained botanist and/or forester.

b. Farmland

i. Prime agricultural land as identified by the U.S.D.A. Soil Conservation Service in "Important Farmlands: Orange County, N.C." and which is in active use for the production of crops and/or the raising of livestock is particularly encouraged.

ii. Farmland also includes space on individual lots used for gardens, ponds, horse paddocks and barns, and similar uses.

c. Slopes of 15% to 25%

Slopes that require special site planning due to their erosion potential, limitations for septic tank nitrification fields, and terrain or elevation changes. Such areas may be suitable for building, but higher site preparation and construction costs are to be expected.

d. Other Historic and/or Archaeological Sites

As identified from the same sources as for Primary Open Space Area sites (see 7.12.3(C)(1)~~(d)(v)~~(e)[143] above).

e. Public and/or Private Recreation Areas and Facilities Including:

i. “Active recreation areas” such as public recreation areas, including district and community parks as identified in the master recreation and parks plan; and private recreation facilities, including golf courses, playing fields, playgrounds, swimming pools and courts for tennis, basketball, volleyball and similar sports.

[143] Correct reference.

(3) If the residential lots are proposed to be served by septic systems, the "Yield" plan shall show soil suitability for individual septic tanks by a preliminary soil suitability analysis performed in the field on at least 50% of the proposed lots with all of the proposed lots located on a map showing the location of soil types suited for septic systems based on the Orange County, N.C. Soil Survey. The soil suitability analysis and map shall be prepared by a Soil Scientist in consultation with the Soil Scientist of the Environmental Health Division of the Orange County Health Department.

(4) The number of lots achieved through the preparation of a Conventional Subdivision or "Yield" Plan is the number of lots which must be used in preparing the Flexible Development Plan. The number of lots may not be increased through the proposed use of an alternative or community sewage disposal system. Increases are permitted, however, at the Preliminary Plan stage where a more detailed soils analysis clearly demonstrates that a greater number of lots is achievable than shown on an approved Concept Plan.

(B) Design Process

Flexible Development subdivisions shall be designed around both the Primary and Secondary Open Space Areas, which together constitute the total required open space. The design process should therefore commence with the delineation of all potential open space, after which potential house sites are located. Following that, access road alignments are identified, with lot lines being drawn in as the final step.

This "four-step" design process is further described as follows:

(1) Open Space Designation

(a) All potential Open Space Areas, both Primary and Secondary, shall be identified using a site analysis map as described in Section 7.~~14~~13.2(A)(3).[144]

(b) Primary Open Space Areas shall consist of those features described in Section 7.12.4.

(c) Secondary Open Space Areas shall comprise at least half of the remaining land and shall include the most sensitive and noteworthy natural, scenic, and cultural resources as described in Section 7.12.4.

(d) Guidance as to which parts of the remaining land to classify Secondary Open Space Areas shall be based upon on-site visits and the criteria contained in Section 7.12.4.

(2) House Site Location

(a) Potential house sites shall be tentatively located.

(b) The proposed location of houses within each lot represents a significant decision with potential impacts on the ability of the development to meet the criteria contained in Section 7.12.4.

(c) Generally, house sites should be located no closer than 100 feet from Primary Open Space Areas.

(d) House sites may be situated 50 feet from Secondary Open Space Areas to permit the enjoyment of scenic views without negatively impacting Primary Open Space Areas.

(3) Street and Lot Layout

(a) Proposed streets shall be aligned to provide vehicular access to each house in the most reasonable and economical manner.

[144] Correct reference.

(1) A density increase is permitted where more than 33% of the total land area in the Flexible Development is set aside as protected open space. The amount of the density increase shall be based on the following standard:

(a) For each additional acre of protected open space provided in the Flexible Development, one additional building lot or dwelling unit is permitted.

(2) In lieu of providing additional open space in the Flexible Development, the applicant may purchase in fee simple or less than fee (e.g., development rights) land separate from the Flexible Development which is comprised of Primary and/or Secondary Open Space Areas as defined in Section ~~7.13.3~~7.12.4(C)[145]. The amount of the density increase shall be based on the following standards:

(a) For each five acres of Primary Open Space Area preserved off-site, one additional building lot or dwelling unit is permitted.

(b) For each two acres of Secondary Open Space Area preserved off-site in areas which require a two-acre minimum lot size, one additional building lot or dwelling unit is permitted.

(c) For each one acre of Secondary Open Space Area preserved off-site in areas which require a 40,000 square foot minimum lot size, one additional building lot or dwelling unit is permitted.

(3) Land purchased in fee may be dedicated to Orange County. For land purchased in less than fee, a conservation easement dedicated to Orange County shall be recorded which restricts the development potential of the land.

(4) Location of Open Space Bonus Units

Density increases to encourage additional open space are limited to Flexible Developments proposed in the following locations:

(a) Within Transition Areas as designated in the Land Use Element of the Comprehensive Plan. Within such areas, the maximum permitted density is 2.5 dwelling units per acre unless the applicant obtains approval of a zoning district classification which permits a higher density.

(b) Outside of Transition Areas but within an area designated for service by a utility provider as part of an adopted long-range water and/or sewer extension plan. Within such areas, the maximum permitted density is 1.3 dwelling units per acre.

(c) Outside of Transition Areas but within 3/4 of a mile of an interstate corridor or a major thoroughfare designated as a high occupancy vehicle (HOV)/busway route as part of an adopted regional transit plan. Within such areas, the maximum permitted density is 2.5 dwelling units per acre.

(d) Outside of Transition Areas but within 1/2 mile of a transit station designated as part of an adopted regional transit plan. Within such areas, the maximum permitted density is five dwelling units per acre.

Within these locations, public water and sewer service may be extended, provided the applicant can demonstrate that such service is necessary to serve the density increases achieved through the use of the bonus option(s) described above.

7.12.11 Additional Submittal Requirements

In addition to the requirements outlined in Article 2 regarding Major Subdivision Preliminary Plats or Minor Subdivision Final Plats, applications must:

[145] Correct reference.

(c) The date of preparation,

(d) The Parcel Identification Number (PIN) number(s) of the lot(s) subject to the application,

(e) The proposed property lines for each lot,

(f) Common Open Space lots, including type and acreage,

(g) A Site Analysis Map as outlined in UDO 7.13.2 (A)(3) below,

(h) The delineation of any known and required stream buffers on the proposed lot(s),

(i) The proposed method for ingress and egress including a description of how each lot will be afforded access,

(j) A narrative detailing the development of all proposed roadways,

(k) A private road justification, if required under Section 7.8, and

(l) Any other reasonable relevant information.

(B) Final Plat

Final plats shall adhere to the specifications contained in Section 7.~~14~~13[146].3.

7.13.2 Major Subdivisions

(A) Concept Plan

(1) In General

(a) The required Concept Plan for Major Subdivisions consists of three parts:

(i) A Site Analysis Map;

(ii) A Conventional Subdivision Option; and

(iii) A Flexible Development Option.

(b) The Concept Plan shall be prepared according to the "four-step" process for designing Flexible Development subdivisions, as described herein.

(c) The Concept Plan shall be drawn in black ink or pencil to a scale of not less than 200 feet to the inch. The scale chosen shall be large enough to show all required detail clearly and legibly.

(2) Required General Information

Each Site Analysis Map and Development Option shall contain the following general information:

(a) A sketch vicinity map showing the location of the subdivision in relation to the existing street or highway system;

(b) The plotted boundaries of the tract from deeds or maps of record and the portion of the tract to be subdivided;

(c) The total acreage to be subdivided, including tax map, block and lot number reference;

(d) The name, address and telephone number of the subdivider or owner and the person responsible for the subdivision design;

(e) Scale, approximate north arrow and date of plat preparation; and

(f) Name of subdivision.

[146] Correct reference.

(10) When it appears from the developer's plans or otherwise that the non-conforming project was intended to be or reasonably could be completed in stages, segments, or other discrete units, the Planning Director shall not allow the non-conforming project to be constructed or completed in a fashion that is larger or more extensive than is necessary to allow the developer to recoup and obtain a reasonable rate of return on the expenditures he has made in connection with that non-conforming project.

SECTION 8.4: NON-CONFORMING USES INCOMPATIBLE WITH PERMITTED USES

It is the intent of this Ordinance that non-conforming uses shall be considered to be incompatible with the Permitted Uses within the zoning districts. Such non-conforming uses shall not be enlarged or extended in any respect.

SECTION 8.5: NON-CONFORMING SIGNS

8.5.1 Timeframe for Abatement

It is the intent of this Ordinance to regulate signs and to provide for the removal of signs that are non-conforming according to the standards set forth in Section 6.12. For signs in existence on the date of adoption of this Unified Development Ordinance (April 5, 2011):

(A) Within one year of notification by the Planning Director, each sign which does not comply with the provisions of Section 6.2.10 shall either be altered in such a way as to bring it into compliance or removed.

(B) Within five years of notification by the Planning Director, all other signs not in compliance with other provisions of 6.12 shall either be so altered as to bring them into compliance or be removed by the owner of the property.

SECTION 8.6: SPECIAL PERMIT USES

Any land use that:

(A) Was in existence prior to adoption of zoning regulations and would require the issuance of a Special Use Permit under terms of this Ordinance, or

(B) Is made non-conforming due to an amendment of this Ordinance changing the review and approval criteria of said land use from permitted to ~~either~~ a ~~Class A or B~~ Special Use.

Shall be deemed a conforming use of property within the confines of this Ordinance, subject to the following limitation: Any enlargement, replacement or modification of such a use shall require submittal, review, and approval of a Special Use Permit application as though it were a new use.

SECTION 8.7: NON-CONFORMING LOTS

(A) Lot(s) created in conformity with the standards existing and enforced by the County at the time of its creation shall be allowed to be developed in accordance with the provisions detailed herein.

(B) Lots made non-conforming through a rezoning of property shall be allowed to be developed in accordance with the provisions detailed herein.

(C) A one-family detached dwelling and customary accessory structures may be erected, occupied and used on a separate non-conforming lot of record in accord with other requirements applying in the zoning district in which the lot is located.

(D) Lots created in violation of the review and approval procedures detailed herein shall not be recognized or permitted to be developed.

(D) Any tenant or occupant of a property who has control over, or responsibility for, the use or development of the property.

(E) Any other person who participates in, assists, directs, creates, or maintains a situation that constitutes a violation of this Ordinance.

9.3.2 Charges and Entities

(A) A violation may be charged against more than one violator.

(B) For the purpose of this Article, the term "person" includes but is not limited to any individual, group of individuals, or any corporation, partnership, association, company, or business, trust, joint venture, or other legal entity.

SECTION 9.4: ADMINISTRATION OF PERFORMANCE STANDARDS

Determinations necessary for administration and enforcement of performance standards set forth herein range from those which can be made with satisfactory accuracy by a reasonable person using normal senses and no sophisticated equipment to those requiring great technical competence and complete equipment for precise measurement. It is the intent of this Ordinance that:

(A) Where determinations can be made by the Planning Director, using equipment normally available or obtainable without extraordinary expense. Such determinations shall be so made before notice of violation is issued.

(B) Where technical complexity or extraordinary expense makes it unreasonable for the County to maintain the personnel or equipment necessary for making difficult or unusual determinations, procedures shall be available for causing corrections of apparent violations of performance standards, for protecting individuals from arbitrary, capricious, and unreasonable administration and enforcement of performance standard regulations, and for protecting the general public from unnecessary costs for administration and enforcement.

SECTION 9.5: ENFORCEMENT PROCEDURE

9.5.1 Responsibility for Enforcement

The Planning Director shall enforce this Ordinance and the remedies authorized herein and shall have the authority to settle any violations that involve the payment of money to the governing body.

9.5.2 Inspections and Investigations

(A) A program of inspections and investigations to determine compliance with this Ordinance and orders, plans, permits, certificates, and authorizations issued under this Ordinance, is hereby authorized.

(B) Upon receipt of a complaint or other information suggesting a violation of this Ordinance, the Planning Director shall investigate the situation and determine whether a violation exists in accordance with the provisions of this Ordinance.

9.5.3 Initial Notice of Violation

(A) On determining that a violation exists, the Planning Director shall, whenever possible, make contact with the violator either in person or via telephone to discuss the violation and review the necessary steps to correct the violation.

(B) The Planning Director shall give the responsible person(s) and the landowner, if the landowner is not the responsible person(s)[147], written notice of the violation, either ~~in person, or by certified or registered mail, return receipt~~ by personal delivery, electronic delivery, or first class mail.~~requested. A copy of the notice shall also be~~

[147] New requirement in NCGS 160D-404 and conforming language to new requirements.

~~sent by regular mail~~. ~~Service shall be deemed sufficient if the notice by certified mail is unclaimed or refused, but the notice by regular mail is not returned by the post office within ten days after mailing, provided that a notice of violation is posted in a conspicuous place on the premises affected.~~ The Planning Director shall certify that the notice was provided.

(1) The notice shall:

(a) Describe the nature of the violation and its location,

(b) State the actions necessary to correct the violation,

(c) Specify a reasonable time period in which the violation must be corrected,

(d) State the remedies and penalties authorized herein that the Planning Director may pursue if the violation is not corrected within the specified time limit,

(e) Invite the alleged violator to meet with the Planning Director to discuss the violation and how it may be corrected, and

(f) Contain a statement indicating that the decision referenced within the notice can be appealed to the Orange County Board of Adjustment as detailed within this Ordinance. This statement shall include language indicating that the appeal must be filled within 30 days from the date of the initial notice and shall provide the deadline for the submittal of the appeal application.

9.5.4 Appeals

(A) Any person aggrieved by the Planning Director's determination of a violation or a correction order may appeal that determination or order to the Board of Adjustment in accord with the provisions of Section 2.27 of this Ordinance, including payment of the appropriate fee.

(B) Except as provided in Section 2.27, an appeal generally stays all further actions, including any accumulation of fines,[148] to enforce a notice of violation, correction order, or Stop Work Order, until the Board of Adjustment has made a decision concerning the appeal.

(C) Civil Penalty Citations subsequent to the initial notice of violation may not be appealed to the Board of Adjustment.

(D) As detailed within Sections 2.12 and 2.27, the Board of Adjustment shall hear the appeal and may affirm, modify, or revoke the Planning Director's determination of a violation.

(E) If there is no appeal, the Planning Director's determination of the nature and degree of the violation are final.

9.5.5 Timeline for Abatement

The time allotted to abate an identified violation shall be at the sole discretion of the Planning Director and shall be based upon what is deemed a reasonable amount of time to abate the identified violation. The following standards shall apply"

(A) Within 30 days of receipt of an initial notice of violation, correction order, or Stop Work Order, the owner of the property on which the violation occurs may submit to the Planning Director a written request for extension of the specified time limit for correction of the violation.

[148] Update to conform to new language in NCGS 160A-388.

SECTION 9.6: PENALTIES, REMEDIES, AND ENFORCEMENT POWERS

9.6.1 In General

(A) The Planning Director may pursue one or more of the remedies and penalties described herein or otherwise authorized by common law or statute to prevent, correct, or abate a violation of this Ordinance.

(B) Use of one of the authorized remedies and penalties does not preclude the use of any other authorized remedies or penalties, nor does it relieve any party to the imposition of one remedy or penalty from imposition of any other authorized remedies or penalties.

9.6.2 Permit Revocation

(A) In accord with the provisions of this Ordinance, the Planning Director, upon a written determination, may revoke any permit, certificate, or other authorization granted under this Ordinance for failure to comply with the provisions of this Ordinance or the terms and conditions of a permit or authorization granted under this Ordinance.

~~(A)~~(1) Revocation of any permit or authorization shall follow the same development review and approval process required for issuance of the development approval, including any required notice or hearing.[149]

(B) Any permit, certificate, or authorization mistakenly issued in violation of State law or local ordinance, or issued on the basis of misrepresentations by the applicant, owner, or owner's agent may be revoked without such written determination.

9.6.3 Permit Denial or Conditioning

(A) As long as a violation of this Ordinance remains uncorrected, the Planning Director may deny or withhold approval of any permit, certificate, or other authorization provided for in this Ordinance that is sought for the property on which the violation occurs.

(B) The Planning Director may also condition a permit, certificate, or authorization on the correction of the violation and/or payment of a civil penalty, and/or posting of a compliance security.

9.6.4 Injunctive and Abatement Relief in Superior Court

(A) A violation may be corrected by any appropriate equitable remedy, a mandatory or prohibitory injunction, or an order of abatement as authorized by NCGS 153A-123.

(B) The Planning Director shall have the authority to execute an order of abatement if the violator does not comply with such order, and the costs of the execution shall be recovered by a lien on the property in the nature of a mechanic's or materialman's lien.

9.6.5 Criminal Penalties

(A) Any person, firm or corporation who violates the provisions of this Ordinance or fails to comply with any of its requirements shall, upon conviction, be guilty of a Class 3 misdemeanor and shall be fined not more than a maximum of $500.00, imprisonment of up to 30 days, or both, for each violation, as provided in NCGS Section 14-4.

(B) The Planning Director may refer a violation to the District Attorney for institution of criminal prosecution of the alleged violator.

[149] New requirement in NCGS 160D-403(f).

9.6.6 Stop Work Order

(A) If a building or structure is erected, constructed, reconstructed, altered, repaired, converted, moved or maintained, or any building, structure or land is used in violation of a Stop Work Order, the Planning Director, in addition to other remedies, may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, moving, maintenance or use, to restrain, correct or abate the violation, to prevent occupancy of the building, structure or lands, or to prevent any illegal act, conduct, business or use in or about the premises.

(B) Notice of a Stop Work Order shall be in writing, directed to the person(s) conducting the violating activity and/or the property owner, and shall state the reasons for the issuance of the Order, and the conditions under which activity may be resumed. Notice shall be given by registered or certified mail, return receipt requested. A copy of the notice shall also be sent by regular mail. Service shall be deemed sufficient if the notice by certified mail is unclaimed or refused, but the notice by regular mail is not returned by the post office within ten days after mailing. Upon issuance of such Order, and posting of same on the site of the violation, all work on the site of the violation shall cease, except those activities necessary to bring the site into compliance with this Ordinance.

(C) The person(s) conducting the violating activity and/or the property owner may appeal the Stop Work Order to the Board of Adjustment pursuant to Section 2.27 of this Ordinance.

9.6.7 Civil Penalty

(A) The Planning Director may impose one or more civil penalties and issue one or more Civil Penalty Citations for a violation as provided in this subsection. If the violator does not pay the penalty, the Planning Director may collect it in a court through a civil action in the nature of a debt.

(B) Notice

The Planning Director shall give the responsible person(s) and the landowner, if the landowner is not the responsible person(s), written notice of the civil penalty citation, either by personal delivery, electronic delivery, or first class mail ~~in person, or by certified or registered mail, return receipt requested. When service is made by certified mail, a copy of the notice shall also be sent by regular mail. Service shall be deemed sufficient if the notice by certified mail is unclaimed or refused, but the notice by regular mail is not returned by the post office within ten days after mailing, provided that a notice of civil penalty citation is posted in a conspicuous place on the premises affected.~~ The notice shall include a copy of the notice of violation, the amount of the penalty, information about where to pay the penalty, the deadline for payment, which shall be ten days from the date of the notice, and the possibility of civil and/or criminal enforcement. The Planning Director shall certify that the notice was provided.[150]

(C) Penalty Amount

The Planning Director may impose a penalty of $500.00 per day of violation.

(1) For purposes of assessing the amount of a civil penalty, each day the violation remains uncorrected after receipt of the final notice of violation, correction order, Stop Work Order, or the receipt of the Civil Penalty Citation itself in the case of emergency enforcement, shall constitute a separate violation that subjects the violator to additional civil penalties.

(D) Settlement of Claims

The Planning Director is authorized to determine the amount of payment that will be accepted in full and final settlement of some or all of the claims the governing body may

[150] Conforming language to new requirements.

ARTICLE 10: DEFINITIONS

SECTION 10.1: DEFINITIONS

For the purpose of this Ordinance, certain terms and words are herein defined and interpreted. The order of priority for defining and interpreting terms and words shall be: 1) as defined here in this Article, 2) as defined within the text of this Ordinance, 3) as defined in NCGS Chapter 160D, and 4) as defined by a dictionary or common usage. Those terms and words defined in this Article are as follows:

AASHTO
American Association of State Highway and Transportation Officials.

Accessory Structure
A structure that is located on the same lot as a principal structure and houses an accessory use.

Accessory Use
An activity that may or may not be listed in the Permitted Use Table, which is conducted in conjunction with a permitted principal use, but constitutes only an incidental or insubstantial part of the total activity that takes place on the lot and is customary and ancillary to the established principal use of property. Accessory uses shall comply with all setback requirements for the district in which the use is located. For example, an in-ground swimming pool is required to meet all applicable setbacks including any required fencing around the physical pool, the concrete walkway around the pool, and any pump or utilities associated with the operation of the facility.

Addition
In the context of an existing building or structure, the term means an extension or increase in the floor area or height.

Adult Arcade
Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of Specified Sexual Activities or Specified Anatomical Areas.

Adult Bookstore
A bookstore:

(a) Which receives a majority of its gross income during any calendar month from the sale or rental of publications (including books, magazines, other periodicals, videotapes, compact discs, other photographic, electronic, magnetic, digital, or other imaging medium) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas, as defined in this article; or

(b) Having as a preponderance (either in terms of the weight and importance of the material or in terms of greater volume of materials) of its publications (including books, magazines, other periodicals, videotapes, compact discs, other photographic, electronic, magnetic, digital, or other imaging medium) which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas.

Adult Cabaret
A nightclub, bar, restaurant, theater, concert hall, auditorium or similar commercial establishment that for at least ten percent of its business hours in any day features:

(a) Persons who expose a Specified Anatomical Area; or

(b) Live performances that are characterized by the exposure of Specified Anatomical Areas or by Specified Sexual Activities; or

Built-Upon Area
That portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel areas (e.g. roads, parking lots, paths), recreation facilities (e.g. tennis courts) etc. (Note: Wooden slatted decks and the water area of a swimming pool are considered pervious.)

Building Wall
Any vertical surface of a building or structure (other than a pitched roof) that is integral to and could reasonably be constructed as part of the architecture of the building when a sign(s) are not being contemplated. Examples of building walls include but are not limited to: awnings, canopies, marquees, the vertical portion of gable roofs, parapets, mechanical penthouses, etc.

Camp
A recreation use which may include locations for tents, cabins, or other recreational sleeping structures, but would not include mobile homes or recreational[151] vehicles. A camp may be owned by a profit or not-for-profit corporation.

Canal
See "Ditch."

Canopy, Service Station
A structure made of metal, aluminum, or other material intended to be free standing or affixed to a building that serves as an overhang intended to shield persons from the elements while using the service station.

Center in a Residence
Use type located within a residence offering temporary care to clients, including children, adolescents, and adults, for no more than eight hours in a 24 hour period.

Cessation of Use
For purpose of this Ordinance the term shall mean the vacancy, discontinuation, or abandonment of the use of a structure or parcel of property. A use shall not be considered ceased if the use is being marketed for sale or other forms of conveyance and documentation of such activities is provided.

Channel
A natural water-carrying trough eroded vertically into low areas of the land surface by erosive action of concentrated flowing water or a ditch or canal excavated for the flow of water.

Channel, Effluent
A discernable, confined, and discrete conveyance which is used for transporting treated wastewater to a receiving stream or other body of water.

Chemical storage facility
A building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

Child Care
A program or arrangement where three or more children less than 13 years old, who do not reside where the care is provided, receive care on a regular basis of at least once per week for more than four hours per day from persons other than their guardians or full-time custodians, or from persons not related to them by birth, marriage, or adoption. Child care does not include the following:

a) Arrangements operated in the home of any child receiving care if all the children in care are related to each other or no more than two additional children are in care;

[151] Correct language to how it's used/defined in the UDO.

b) Recreational programs operated for less than four consecutive months in a year;
c) Specialized activities or instruction such as athletics, dance, art, music lessons, horseback riding, gymnastics, or organized clubs for children, such as Boy Scouts, Girl Scouts, 4-H groups, or boys and girls clubs;
d) Drop-in or short-term care provided while parents participate in activities that are not employment related and where the parents are on the premises or otherwise easily accessible, such as drop-in or short-term care provided in health spas, bowling alleys, shopping malls, resort hotels, or churches;
e) Public schools;
f) Non-public schools described in Part 2 of Article 39 of Chapter 115C of the North Carolina Statutes that are accredited by the Southern Association of Colleges and Schools and that operate a child care facility as defined under Child Care Facility for less than six and one-half hours per day either on or off the school site;
g) Bible schools conducted during vacation periods;
h) Care provided by facilities licensed under Chapter 110, Article 7 of the North Carolina General Statutes;
i) Cooperative arrangements among parents to provide care for their children as a convenience rather than for employment; and
j) Any child care program or arrangement consisting of two or more separate components, each of which operates for four hours or less per day with different children attending each component.

Care Facility

Use type offering temporary care to clients, including children, adolescents, and adults, for no more than eight hours in a 24 hour period. Care can be offered regardless of the time of day and whether or not operated for profit. Term includes child care centers, and any other child care arrangement not excluded by General Statute 110-86(2), that provides child care.

a) A child care center is an arrangement where, at any one time, there are three or more pre-school children or nine or more school-aged children receiving child care.
b) A family child care home is a child care arrangement located in a residence where, at any one time, more than two children, but fewer than nine children, receive child care.

Chemical Manufacturing and Processing – Pharmaceutical and Medicine

A land use involved with the transformation of organic and inorganic raw materials by various processes for the formulation of pharmaceutical and medical products for eventual distribution and sale off-site.

Chemical Manufacturing and Processing – Other than Pharmaceutical and Medicine

A land use involved with the transformation of organic and inorganic raw materials by various processes for the formulation of non-pharmaceutical and non-medical products including the creation of base chemicals, dyes, gasses, resins, etc.

Club or Lodge

An assembly land use, operated by a non-profit group, for members and guests.

Cluster Development

A subdivision in which building lots are grouped together through a transfer of allowable density within the subdivided tract. Cluster development permits more efficient development by creating lots with gross land areas smaller than those required for conventional lot-by-lot development, yet maintains application of normal lot density standards to the subdivided tract as a whole by requiring that land area saved by lot size reductions be reserved as permanent open space and/or recreation space.

Cold Storage Facility

A facility used to warehouse perishable foods and products prior to transport.

Commercial-Industrial Transition Activity Node Land

Land designated in the Comprehensive Plan as being near major transportation routes ~~that~~ and which could be provided with public water and wastewater services and which is appropriate for retail and other

commercial uses; manufacturing and other industrial uses; office and limited (not to exceed 25% of any Node) higher density residential uses.[152]

Commercial Transition Activity Node Land

Land designated in the Comprehensive Plan as being[153] focused on designated road intersections within either a 10- or 20-year Ttransition Aarea that is appropriate for retail and other commercial uses.

Common Area

A portion of a development not attributed to an individual lot or owner that is designed for the common usage of the subdivision or development. These areas include Common Open Spaces, entry features, subdivision facilities, mail kiosks, sidewalks, parking lots, and walkways. Construction and maintenance of such areas is the responsibility of the homeowner'/property owners' association.

Common Open Space

Privately held land area set aside, dedicated, owned, and maintained for common use, access, and enjoyment of multiple owners. This type of open space is held within a defined lot or a defined easement area. It may be either restricted to the owners via homeowner'/property owners' association (HOA/POA), or open to others as specified by the association.

- ### Primary Open Space

  These areas have sensitive environmental features and/or significant cultural resource areas, which may make them legally or practically unbuildable. These areas are reserved for passive uses (e.g., forests, pastures, meadows) and low impact active uses (e.g., trails, natural observation).

- ### Secondary Open Space

  Secondary Open Space Areas have fewer restrictions with regard to location, allow more flexibility to improve overall open space design, and have more active uses (e.g., community gardens, playgrounds).

- ### Active Open Space

  A subset or category of open space that defines the type and/or intensity of its use. Active areas are typically built areas and most often contain equipment and/or infrastructure. They are also frequently used by the residents. Examples include: trails, community gardens, and recreation fields, plays areas, pocket parks, and ball courts.

- ### Passive Open Space

  A subset or category of open space that defines the type and/or intensity of its use. Passive areas are typically undisturbed, conserved areas that have little to no direct physical human interaction within that portion of the open space.

- ### Utility Open Space

  A subset or category of open space that defines the type and/or intensity of its use. Utility areas are typically open but contain public and/or private utilities and services. Examples include utility lines or easements (e.g., water, sewer, gas, power), septic drain fields, and repair areas. Additional recreation use of these areas is typically limited based on the type of utility requirements that are in place.

Community Center

An assembly land use operated by a non-profit group, offering social, recreational, or educational activities as a non-commercial activity.

Community Farmers' Market

[152] Staff is suggesting that it be more clear that this type of designation comes from the Comprehensive Plan.
[153] Staff is suggesting that it be more clear that this type of designation comes from the Comprehensive Plan.

An enclosed or open-air facility for the retail sale of locally produced vegetables, flowers, meats, commodities, plants, crafts, etc. For the purpose of this definition, "local" means Orange County and counties that share a border with Orange County.

Composting Operation

A facility designed and used for transforming food, yard waste and other organic material into soil or fertilizer through biological decomposition. This does not include backyard composting bins serving individual families.

Comprehensive Plan

An internally consistent and compatible statement of policies for the long term, physical development of that portion of Orange County under County jurisdiction, consisting of a statement of development policies and maps and text setting forth objectives, principles, standards and plan proposals for physical development.

The Comprehensive Plan also consists of adopted area plans which focus on a portion of the County such as a township, a watershed or an interstate highway interchange. Technical information and/or task force reports prepared as part of a plan element or an area plan and incorporated as part of the appendix of or as a supplement are also considered part of the Comprehensive Plan.

Concentrating Solar Thermal (CST) Devices

Systems that use lenses or mirrors, and often tracking systems, to focus or reflect a large area of sunlight into a small area. The concentrated energy is absorbed by a transfer fluid or gas and used as a heat source for either a conventional power plant, such as a steam power plant, or a power conversion unit, such as a sterling engine. Also known as Concentrated Solar Thermal (CST).

Concrete Processing, Preparation, and Distribution

A land use primarily engaged in the following:

(a) Manufacturing portland, natural, masonry, pozzolanic, and other hydraulic cements;
(b) Batch or mixing plants;
(c) Manufacturing of concrete pipe, brick, and block; or
(d) Manufacturing other concrete products.

~~Conditional Districts~~

~~A zoning technique authorized by N.C.G.S. 153A-342 which allows for the imposition of mutually agreed upon individualized development conditions as part of the legislative rezoning process. The Conditional Use District and Conditional Zoning Districts are subsets of the term Conditional Districts. Land may be placed in a conditional district only upon petition of all of the owners of the land to be included; said petition must be approved following the procedures set forth in Section 2.9 of this Ordinance.~~

~~Conditional Use District (CUD)~~

~~A floating zoning district that has no permitted uses. Applications for a CUD must link the CUD to a general use zoning district and conform with all applicable development regulations for the corresponding general use zoning district. CUDs require approval of both a rezoning application and Class A Special Use Permit; see Sections 2.9.1 and 3.8.~~

Conditional ~~Zoning~~ District ~~(CZD)~~

A ~~specific floating~~ zoning district with specific permitted uses, as detailed within this Ordinance~~.~~, ~~--~~ and as authorized by NCGS 160D-703. The imposition of mutually agreed upon individualized development conditions is allowed as part of the legislative rezoning process.

Controlled Access Highway

A state or city highway, or section thereof, especially designed for through traffic and over, from, or to which highway owners or occupants of abutting property, or others, shall have only controlled right of easement of access. For the purposes of this Ordinance, Controlled Access Highway shall be Interstate 85, Interstate 40, and any area located within the Major Transportation Corridor (MTC) overlay district.

~~General Use~~Conventional ~~Zoning~~ District[154]
The various zoning districts contained in Article 3 of this Ordinance that are not Conditional Districts. Conditions cannot be applied to ~~general use~~conventional ~~zoning~~ districts.

Converted Paper Product Manufacturing, Assembly, and Processing
Land uses involved with the converting of paper or paperboard into finished products. Use does not involve the actual manufacturing of paper or paperboard material on-site.

Cooperative Farm Partner
A local farmer or producer of agricultural products who forms a business arrangement with other local farmers and/or producers to collectively process, market, and/or sell agricultural goods. For the purpose of this definition, "local" means Orange County and counties that share a border with Orange County.

Cooperative Farm Stand
An open-air facility for the retail sale of produce, agricultural products, and/ or plants produced on-site and from not more than 4 other cooperative farm partners.

Country Store
An enclosed market not exceeding 1500 square feet in size for the retail sales of a variety of merchandise, which must include locally produced products. For the purpose of this definition, "local" means Orange County and counties that share a border with Orange County.

County
Orange County Government.

Custodial Care
A form of care that is primarily for the purpose of assisting a person in the activities of daily living or in meeting personal rather than medical needs, which is not intended to provide specific therapy as the result of an illness or injury and does not constitute skilled care. The term shall refer to personal care that does not require the continuing attention or supervision of trained, medical, or paramedical personnel.

Cutoff Fixture
An outdoor lighting fixture shielded or constructed in such a manner that no more 2.5% of the total light emitted by the fixture is projected above the horizontal plane of the fixture.

Day Care
Any child care arrangement under which a child less than 13 years of age receives care away from his own home by persons other than his parents, grandparents, aunts, uncles, brothers and sisters who are not minors, guardians or full time custodians.

Day Care Facility
Any day care center or child care arrangement that provides day care for more than five children, not including the operator's school age children, under the age of 13, on a regular basis of at least once per week for more than four hours but less than 24 hours per day, and those operating fewer than four hours per day that provide care for more children per adult care giver than would be permitted in an AA State licensed center, regardless of the time of day and regardless of whether the same children attend regularly.
The following facilities are not included:

a) Public schools;
b) Non-public schools whether or not accredited by the State Department of Public Instruction, which regularly and exclusively provide a course of grade school instruction to children who are of public school age;
c) Summer camps having children in full-time residence;
d) Bible schools conducted for no more than three weeks during vacation periods; and

[154] The standard term has been changed in NCGS 160D-703.

e) Cooperative arrangements among parents who care only for their own children in an arrangement as a matter of convenience rather than to enable any participating parent to be employed.

Dedication

A gift, by the owner, of land for a specified purpose, or purposes. Because a transfer of property is entailed, dedication must be made by written instrument and is completed with an acceptance.

Designated Public Sewer Service Area

An area located within Orange County's Primary Service Area in the Water and Sewer Management, Planning, and Boundary Agreement, that is currently served by public sewer or is expected to be served by public sewer in the near-term (e.g., 18 months; demonstrated by issuance of an advertisement for bid, or similar device, for construction of public sewer facilities).

Detention Pond

A engineered stormwater control consisting of a pond constructed and maintained in accordance with Appendix A of this Ordinance, which allows for pollutants to settle and provides for the gradual release of the impounded water. The detention pond is the Best Management Practice which must be used within protected watersheds when engineered stormwater controls are required. (See also, Best Management Practices and Engineered Stormwater Controls)

Development

Any constructed change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials. Also includes any land-disturbing activity which adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

Development Activity

In the context of property encumbered by Special Flood Hazard Area this term includes any activity defined as Development which will necessitate a Floodplain Development Permit. This includes buildings, structures, and non-structural items, including but not limited to: fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.

Development, Existing

In the context of Stormwater provisions of this Ordinance for projects that do not require a State permit, shall be defined as those projects that are built, or those projects that at a minimum have established a vested right under North Carolina zoning law as of the effective date of Orange County's Water Supply Watershed Protection Ordinance, or such earlier time that other Orange County ordinances shall specify, based on at least one of the following criteria:

a) Substantial expenditures of resources (time, labor, money) based on a good faith reliance upon having received a valid Orange County approval to proceed with the project, or
b) Having an outstanding building permit in compliance with G.S. ~~153A-344.1~~160D-102 or G.S. ~~160A-385.1~~160D-108, or
c) Having an approved site specific vesting plan or multi-phase~~d~~ development plan in compliance with G.S. ~~153A-344.1~~160D-102 or G.S. ~~160A-385.1~~160D-108.

For projects that require a State permit, such as landfills, NPDES wastewater discharges, land application of residuals, and road construction activities, existing development shall be defined as those projects that are built or those projects for which a State permit was issued prior to August 3, 1992.

Development Intensity Definitions

(See Non-residential Land Area, Non-residential Floor Area, Residential Floor Area, Floor Area Ratio, Open Space, Open Space Ratio, Livability Space, Livability Space Ratio, Recreation Space, Recreation Space Ratio, Pedestrian/Landscaped Space, Pedestrian/Landscaped Space Ratio.)

Development, Multi-phase[155]

~~In the context of vested rights, a multi-phase development is a~~ A development containing 100 acres or more that (i) is submitted for site plan approval for construction to occur in more than one phase, and (ii) is subject to a master development plan with committed elements, including a requirement to offer land for public use as a condition of its master development plan approval. Note that "master development plan" is not the same as the master plan required as part of an MPD-CZ (Master Plan Development) application. ~~in this context is not the same as the master plan required as part of an MPD-CZ (Master Plan Development) proposal/approval.~~

Digital Flood Insurance Rate Map (DFIRM)

The digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

Direct Light

Light emitted directly from the lamp, off of the reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Discharge

The addition of any human-induced effluent either directly or indirectly to state surface waters.

Discharge, Domestic Wastewater

Sewage, unprocessed industrial wastewater, other domestic wastewater, or any combination of these items. Domestic wastewater includes, but is not limited to, liquid waste generated by domestic water using fixtures and appliances, from any residence, place of business, or place of public assembly, even if it contains no sewage. Examples of domestic wastewater include once-through non-contact cooling water, seafood packing facility discharges, and wastewater from restaurants.

Discharge, Industrial

The discharge of industrial process treated wastewater or wastewater other than sewage. Stormwater shall not be considered to be an industrial wastewater unless it is contaminated with industrial wastewater. Industrial discharge includes:

a) Wastewater resulting from any process of industry or manufacture, or from the development of any natural resource;
b) Wastewater resulting from processes of trade or business, including wastewater from laundromats and car washes, but not wastewater from restaurants; or
c) Wastewater discharged from a municipal wastewater treatment plant requiring a pretreatment program.

Disposal

The discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

Disposal, Waste

The use of waters for disposal of sewage, industrial waste or other waste after approved treatment.

Ditch

A constructed channel, other than a modified natural stream constructed for drainage purposes, that is typically dug through inter-stream divided areas. A ditch or canal may have flows that are perennial, intermittent, or ephemeral and may exhibit hydrological and biological characteristics similar to perennial or intermittent streams.

Dwelling, Multi-Family

[155] Definition added due to new vesting rights in 160D. Definition is from the statutory definition.

A building or lot containing three or more dwelling units.

Dwelling, Single Family
A detached building containing one dwelling unit.

Dwelling, Two Family
A detached building containing two dwelling units (duplex).

Dwelling Unit
~~A room or group of rooms forming a single independent habitable unit with facilities used or intended to be used for living, sleeping, cooking and eating by one family; for owner occupancy or for rental, lease or other occupancy on a weekly or longer basis, and containing independent cooking, sanitary and sleeping facilities. Units otherwise meeting this definition but occupied by transients on a rental or lease basis for periods of less than one week shall be construed to be lodging units.~~A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.[156]
Mobile Homes and modular units are to be considered dwelling units under this definition.

EA
An Environmental Assessment.

EA, Completed
An Environmental Assessment that has been accepted by the Orange County Planning Department as technically acceptable for purposes of this Ordinance.

EIS
An Environmental Impact Statement.

EIS, Completed
An Environmental Impact Statement that has been accepted by the Orange County Planning Department as technically acceptable for the purpose of being transmitted to the State Clearinghouse or for being reviewed for adequacy by the Orange County Planning Department.

Easement
A grant of rights by a property owner to another individual, group or governmental unit to make limited use of a portion of real property for a specified purpose.

Eating and Drinking Establishments
Land uses providing for the consumption of food and/or drink to its clientele on or off site,

Economic Development Activity Node
Land in Transition ~~areas~~ Areas of the County, as designated in the Comprehensive Plan,[157] which has been specifically targeted for economic development activity consisting of light industrial, distribution, flex space, office, and service/retail uses. Such areas are located adjacent to interstate and major arterial highways, and subject to special design criteria and performance standards. Flex space typically includes one-story buildings designed, constructed, and marketed as suitable for use as offices but able to accommodate other uses; e.g., warehouse, showroom, manufacturing assembly or similar operations.

Efficiency Apartment
An additional dwelling unit accessory to a single family residence meeting the development criteria outlined within this Ordinance.

Elevated Building

[156] Definition from the NC Building Code, to which local ordinances are now required to conform.
[157] Staff is suggesting that it be more clear that this type of designation comes from the Comprehensive Plan.

A non-basement building, which has its reference level raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns with openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls by allowing entry and exit of floodwaters and the unimpeded movement of floodwaters.

Encroachment
The advance or infringement of uses, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

Engineered (or Structural) Stormwater Controls
A structural Best Management Practice (BMP) used to reduce non-point source pollution to receiving waters in order to achieve water quality protection goals. (See also Best Management Practices and Detention Pond) (Unless otherwise specified, "BMP", when used in this Ordinance, refers to structural BMPs.)

Environmental Document
An EA, EIS, or FONSI, or all of them.

Environmentally Sensitive Areas
Land which is subject to special natural environmental conditions such as flooding that present significant constraints to built development.

Equestrian Center
A facility designed and intended for the display of equestrian skills and the hosting of events including, but not limited to, show jumping, dressage, rodeos, general horse/mule shows, and similar equestrian disciplines. Events may be larger scale, such as horse shows expected to generate more than 80 traffic trips per day, and may be held more frequently than once per month. A commercial stable may be included on the site.

Evidentiary Hearing
A hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision.[158]

Existing Construction
Structures for which, the "start of construction" commenced before March 16, 1981. This term may also be referred to as "existing structures."

Existing manufactured home park or manufactured home subdivision
A manufactured home park or subdivision for which, for flood damage prevention purposes, the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) completed before March 16, 1981.

Extraction of Earth Products
The process of removal of natural deposits of mineral ores, soils or other solids, liquid or gaseous matter from their original location. It does not include any processing of such material, beyond incidental mechanical consolidation or sorting to facilitate transportation to the site of use or location of further processing.

[158] A definition for Evidentiary Hearing was added to 160D-102 to differentiate quasi-judicial proceedings from the former term of "public hearing" which may be considered misleading since a person must have legal standing, as defined in statutes to participate in a quasi-judicial proceeding and have their testimony considered as a basis of a quasi-judicial decision.

Financial Services
Land uses providing economic and financial services to a clientele,

Financially Responsible Person
In regards to soil erosion and sedimentation control provisions, and party or entity who has financial or operation control over a land-disturbing activity and/or the landowner or party/entity in possession or control of the land who had directly or indirectly allowed a land-disturbing activity or had benefited from such activity.

Fixture
The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Flexible Development
A subdivision in which greater flexibility and design creativity is encouraged and allowed to preserve agricultural and forestry lands, natural and cultural features, and rural community character that might otherwise be lost through conventional development approaches. At ~~lease~~ least[159] one-third (33%) of the land within a Flexible Development subdivision must be set aside as open space which may be preserved through:

a) An "estate lot" option where all land is subdivided into lots four acres or greater in size, building lot area including setbacks are established on 50% of each lot, and the land area outside such area is preserved as open space provided that front and side yard setback areas shall not be counted toward meeting the minimum open space requirement except as specified by provisions of Section ~~8.13.4~~7.12.5(A)[160]; or
b) A "conservation-cluster" option where lot sizes are reduced and the land saved through such reductions is preserved as open space on separate lots owned and maintained through a homeowners association, a non-profit land conservancy or unit of state or local government; or
c) A "village" or modified cluster option where dwelling units are clustered around a village green and supporting shops, and the village is surrounded by open space; or
d) Some combination of the above.

Floating Zoning District; Floating Zone
A zoning district that is defined in the text of the Ordinance but which is applied or mapped only upon the approval of a rezoning application/petition.

Flood and Flooding
A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters and the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Boundary and Floodway Map (FBFM)
An official map of a community, issued by the FEMA, on which the Special Flood Hazard Areas and the floodways are delineated. This official map is a supplement to and shall be used in conjunction with the Flood Insurance Rate Map (FIRM).

Flood Hazard Boundary Map (FHBM)
An official map of a community, issued by the FEMA, where the boundaries of the Special Flood Hazard Areas have been defined as Zone A.

Flood Insurance
The insurance coverage provided under the National Flood Insurance Program (NFIP).

[159] Correct misspelling.
[160] Correct section reference.

Frontage, Tenant
Each lineal foot, or major portion thereof, measured along the main entry of a tenant space within a non-residential complex.

Full Cutoff Fixture
See Outdoor Lighting, Full Cutoff Fixture.

Functionally Dependent Facility
A facility, which cannot be used for its intended purpose unless it is located in close proximity to water, such as a docking, or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

Garden Center
Retail sales operation providing lawn and garden supplies and small equipment rental primarily for home landscaping. Typical products include, but not limited to, decorative stone, garden ornaments, decorative pots, container plant stock, and bagged or bulk sand, mulch and topsoil. Seasonal sales such as Christmas trees, pumpkins and flowers are permitted in the outdoor display area.

~~General Use Zoning District~~
~~The various zoning districts contained in Article 3 of this Ordinance that are not Conditional Districts. Conditions cannot be applied to general use zoning districts.~~[161]

Glare
Light emitting from a luminaire, solar panel, glass, or similar reflective surface with an intensity great enough to reduce a viewer's ability to see or to cause annoyance, and, in extreme cases, causing momentary blindness.

Golf Course
A tract of land designed and laid out for the game of golf. Golf courses include, but are not limited to courses open to the general public for a daily user fee, private courses available to members and their guests, courses proposed as single, independent uses, as well as those planned as an accessory use which is part of a residential or recreational development.
A golf course development may also include the following accessory uses and building typically associated with such a facility: club house; restaurant/snack bar; barroom; prop shop; billiards; table tennis, spa/health club; racquetball, hand ball, and tennis courts; swimming pool; locker rooms; and real estate sales office.

Goods, Incidental
Retail goods for sale in a manner customary and subordinate to the provision of a service, eg. Beautician selling hair products.

Gross Floor Area
The area within the perimeter of the outside walls of a building as measured from the exterior face of the exterior walls or from the centerlines of walls separating two buildings, with no deduction for hallways, stairs, closets, thickness of walls, columns, or other interior features.

Group Care Facility
A facility licensed by the appropriate State agency providing room and board for seven to 15 unrelated individuals, excluding staff, who as a result of age, illness, handicap or some specialized program require personalized services or a supervised living arrangement in order to assure their safety and comfort

Group Development

[161] The term has been changed to "Conventional Zoning District" and it has been relocated to appropriate alphabetized placement.

Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966, as amended).

Holiday Decoration

Holiday displays, decorations and greetings, which relate to any federally designated holiday, legal holiday or religious holiday.

Home Occupation, Major

An accessory business use which is owned and operated by the resident of the property, located on a single parcel of land at least five acres in size in the AR and R-1 zoning districts, and is clearly incidental and subordinate to the principal residential use of the property. Major home occupations, which do not meet the standards of a minor home occupation, shall accommodate for larger scale accessory business uses by allowing for an increase in square footage, number of onsite employees, students, customers, clients, and annual events with an approved ~~Class B~~ Special Use Permit.

Home Occupation, Minor

An accessory business use, which is owned or operated by the resident of residentially-zoned property, and is clearly incidental and subordinate to the principal residential use of the property.

Home Park

A parcel of land under single ownership which has been planned and improved in compliance with Sections 3.8 and 5.5.4 for the placement of mobile homes/manufactured homes and Temporary Residential Units for use during the duration of the lease. The term includes mobile home parks developed under previous permitting requirements.

Home Park Space

A parcel of land occupied or intended to be occupied by one and only one Mobile Home or Temporary Residential Unit and for the exclusive use of the occupants of said dwellings.

Immediate Neighborhood

A subdivision or area of the county which distinguishes it from other subdivisions or areas by virtue of its location within the service area of a park site or sites as shown on the adopted "Recreation Service Area Boundaries Map" on file in the Planning Department.

Impervious Surface

A surface composed of any material that impedes or prevents the natural infiltration of water into the soil. Such surfaces include concrete, asphalt and gravel surfaces. These include, but are not be limited to, streets and parking areas, sidewalks, patios, and structures that cover the land.

Infiltration

The absorption of stormwater run-off into the ground. Infiltration allows for pollutants to be filtered from the water prior to its reaching the groundwater table, preventing the deposit of the pollutants directly into drinking water supplies.

Institutional Use

A nonprofit, religious, or public use, such as a church, library, public or private school, hospital, university, or government owned or operated building, structure, or land used for public purpose.

Interested ~~Person~~ Party[162]

For purposes of quasi-judicial evidentiary hearings an interested ~~person~~ party is one who has standing as that term is defined by applicable North Carolina statutory and case law.

Junk Yard

[162] Conforming term to its use in both the UDO and statutes.

An establishment operated or maintained for the purpose of storing, dismantling, salvaging, recycling, buying or selling scrap or used materials such as paper, metals, rubber, rags, glass, wrecked, used or dismantled products and articles, such as machinery, vehicles, appliances and the like.

Junked or Wrecked Motor Vehicles

Motor Vehicles which do not display a current license plate or a current registration sticker and which either: (a) are partially dismantled or wrecked, or (b) cannot be self-propelled or moved in the manner in which originally intended to move.

Kennel (Class II)

An establishment involving animals of any species, excluding domesticated livestock, engaged in any of the following:

a) The owning or keeping, for any purpose, of 20 or more animals
b) The selling and/or training of guard dogs or security dogs
c) The keeping of more than five animals at any given time for the purpose of breeding, boarding, or rehabilitation.

The operator of a Kennel (Class II) shall be allowed to reside on the property to ensure the continuous care of the animals kept on-site.

Lamp

See Outdoor Lighting, Lamp.

Land Area Measurement Definitions

(See Lot Line, Lot Line Front, Lot Line Rear, Lot Line Side, Open Side, Open Space Front, Open Space Rear)

Land-Disturbing Activity

Any use of the land that results in a change in the natural cover or topography that may cause or contribute to sedimentation.

Landfill

A site within which is deposited solid waste material, including trash, construction debris, stumps, branches and limbs, garbage and industrial waste.

Landfill, Discharging

A landfill facility with liners, monitoring equipment and other measures to detect and/or prevent leachate from entering the environment and in which the leachate is treated on site and discharged to a receiving stream. Discharging landfills require a National Pollution System (NPDES) Permit from the North Carolina Division of Water Quality.

Land Use Intensity Definitions

(See Non-residential Land Area, Non-residential Floor Area, Residential Floor Area, Floor Area Ratio, Open Space, Open Space Ratio, Livability Space, Livability Space Ratio, Floor Area Ratio, Open Space, Open Space Ratio, Recreation Space, Recreation Space Ratio, Pedestrian/Landscaped Space, Pedestrian/Landscaped Space Ratio.)

Land Use Permit

A zoning permit, subdivision approval, building permit, site plan, or special use permit~~, or conditional use permit~~.

Land Use Plan

A set of documents and maps that categorize existing patterns of land development and set guidelines for the desirable intensity, density, quantity, type, location and timing of future development based upon the

Livability Space
Livability space is part of total open space appropriately improved and located as outdoor living space for residents and for aesthetic appeal. Such spaces include lawns and other landscaped areas, walkways, paved terraces and sitting areas, outdoor recreational areas, and landscaped portions of street rights-of-way. Such space shall not be used for vehicles, except for incidental service, maintenance or emergency action.

Livability Space Ratio
Livability space ratio is the minimum square footage of non-vehicular outdoor space required for each square foot of land area in residential development. It is open space used for people, planting and visual appeal and does not include vehicular parking and access areas.

Lodgings
Living quarters which do not contain independent kitchen facilities, provided, however, that dwelling units occupied by transients on a rental or lease basis for periods of less than one week shall be considered lodging units even though they contain independent kitchen facilities.

Lodging Unit
A room or rooms connected together, constituting a separate lodging for one family only, physically separated from any other rooms or dwelling or lodging units. Where two or more rooms are connected by a doorway or doorways, and arranged, equipped and furnished in such a manner that they might reasonably be rented, leased or occupied, either individually or in combination, each room shall be construed as a lodging unit.

Logo
An established identifying symbol or mark associated with a business or business entity.

Lot
Land bounded by lines established for the purpose of property division. The term includes water areas included in the property so enclosed. As used in this Ordinance, unless the context indicates otherwise, the term refers to a zoning lot. (See Lot, Zoning).

~~Lot Definitions~~[163]
~~(See Lot, Lot Zoning, Lot Non-Conforming, Lot Non-Legal for Zoning Purposes, Lot Area Net, Lot Area Gross, Lot Building Area Of, Gross Land Area of PD-H Districts, Setback, Lot Regular, Lot Irregular, Residential Land Area).~~

Lot, Flag
An irregularly shaped lot where the buildable portion of the lot is connected to its street frontage by an arm of the lot.

Lot Area, Gross
Where gross lot area is used as a basis for computation of maximum allowable floor area through application of floor area ratios, such gross area shall be computed as net area, defined below, plus half the width of adjoining permanent open space such as streets, parks, water areas and the lake (but not areas on buildable lots) up to the maximum specified for the district. Where such space adjoins lots on two adjacent sides, the area thus added shall include the area required to complete the gap otherwise left at the intersection, as indicated in the diagram below:

[163] Staff is suggesting deleting this "definition" which directs users to other definitions, some of which no longer exist.

Maintain
General servicing and upkeep to keep an object in a safe, operable, and attractive condition.

Major Development Project
Includes, but is not limited to, shopping centers, Conditional ~~Use~~ District projects, and industrial and commercial projects, but does not include any projects of less than two contiguous acres in extent.

Major Intersection
Any intersection where traffic generated by a development proposal will have a significant impact on the operation of the intersection.

Manufactured Home
A dwelling unit, transportable in one or more sections that:

a) Is not constructed in accordance with the standards of the North Carolina Uniform Residential Building Code for One- and Two-Family Dwellings;
b) Is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis,
c) Exceeds 40 feet in length and eight feet in width,
d) The manufacturer voluntarily files certification required by the Secretary of the Department of Housing and Urban Development and complies with the standards established, and
e) Is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities.

Manufactured home park or subdivision
A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Manufacturing Assembly, Processing, and Distribution Use
An establishment engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products. The assembling of component parts into a final product can also be considered part of this category. This term encompasses two different categories of land uses, namely: Manufacturing, Assembly, Processing, and Distribution Uses – Food and Manufacturing, Assembly, Processing, and Distribution Uses – Other.

Market Value
The building value, excluding the land, (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. An independent certified appraisal can establish a market value using: replacement cost depreciated by age of building (Actual Cash Value) or adjusted assessed values.

Massage
The manipulation of body muscle or tissue by rubbing, stroking, kneading, or tapping, applied by hand, arm, foot or mechanical device.

Massage Business
Any establishment or business wherein massage is practiced, including establishments commonly known as health clubs, physical culture studios, massage studios and massage parlors.

Massage, Business Of
The massage or treatment of any person for a fee or in expectation of a gratuity from the person massaged.

Massage, Profession Of
See "massage, business of".

Massage Practitioner
Any person engaged in the business or profession of massage.

Meat Processing Facility, Community
A smaller scale facility where livestock or wildlife is slaughtered, processed, and packaged for personal consumption and/or wholesale or retail sale. The livestock must be raised on the subject farm and from 1 to 4 other cooperative farm partners.

Meat Processing Facility, Regional
A larger scale facility where livestock is slaughtered, processed, and prepared for distribution for wholesale or retail sale.

Medical Uses
See "Health Services."

Metal Fabrication Shop
A facility that is engaged in the shaping of metal and similar materials for wholesale or retail sale.

Microbrewery, production only
A facility that produces less than 15,000 barrels per year of craft malt beverages for wholesale or retail sale and consumption off the premises. Shall be considered a bona fide farming use if located on a farm and using primarily crops produced on-site.

Microbrewery with Minor Events
A facility that produces less than 15,000 barrels per year of craft malt beverages for consumption on- or off-site with limited hours for tours of the facility and tastings of the products produced on-site, and small periodic events that are expected to attract fewer than 150 people to the site. Food services may be permitted under the conditional ~~zoning~~ district or special use permit approval.

Microbrewery with Major Events
A facility that produces less than 15,000 barrels per year of craft malt beverages for consumption on- or off-site with tours of the facility, tastings of the products produced on-site, and periodic events that are expected to attract more than 150 people to the site. Food services may be permitted under the conditional ~~zoning~~ district or special use permit approval.

Mobile Home
A dwelling unit that:

a) Is not constructed in accordance with the standards of the North Carolina Uniform Residential Building for One- and Two-Family Dwellings;
b) Is composed of one or more components, each of which is substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis for placement on a temporary or semi-permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein; and
c) Exceeds eight feet in body width and 32 feet in body length.
d) Is certified by the Secretary of the Department of Housing and Urban Development as meeting applicable standards.

Mobile home shall also mean a double-wide mobile home and shall be considered synonymous with the term manufactured home.

Mobile Home, Accessory
A subordinate structure, the use of which is customarily incidental to the permitted use of the principal buildings. Accessory uses include, but are not limited to:

a) Storage unit,
b) Office, and
c) Classroom facility.

The mobile home, as an accessory structure, must not create non-conforming yards or setbacks. The installation of a mobile home, as an accessory structure, is exempt from the requirements set forth herein. Skirting is required, and the mobile home must be connected to the required utilities, which include the plumbing, heating, air conditioning and electrical systems contained therein, provided the unit is not

Phase of Grading
One of two types of grading: rough or fine.

Photovoltaic (PV)
Technology that converts light directly into electricity.

Place of Worship
An assembly land use primarily providing meeting areas for the support of religious activities, services, and study. The term includes, but it's not limited to: church, temple, mosque, and synagogue.

Portable Building
A building not intended for residential use consisting of one or more modules constructed off the ultimate site of use and transported to that site.

Post-FIRM
Development for which construction started on or after March 16, 1981.

Pre-FIRM
Development for which construction started before March 16, 1981.

Premises
A parcel of land with its appurtenances and buildings which, because of its unity of use, may be regarded as a unit of real estate.

Principally Above Ground Structure
A structure whereby at least 51% of the actual cash value of the structure is located above ground.

Principal Structure
Any building or other structure occupied or used for the purpose of conducting the principal use of the property.

Principal Use
A use which falls under one of the categories listed in the Table of Permitted Uses, which is the primary and chief purpose for which a lot is used.

Professional Services
Establishments that specialize in performing professional, scientific, and technical activities for others. Examples include, but are not limited to, the following: accountants, architects, attorneys, dentists, doctors, engineers, real estate agents, and veterinarians.

Public Body
Any government or governmental agency of the Orange County, the State of North Carolina, or the United States of America.

Public Hearing
A hearing opened at any ~~regular~~ meeting of ~~either~~ the Board of County Commissioners to solicit public comment on a proposed legislative decision ~~or the Board of Adjustments~~.[164]

Public Interest Area

[164] The term "evidentiary hearing" is now used for quasi-judicial matters, which are proposed to be heard only by the Board of Adjustment. Statutes now use the term "legislative hearing" for the former term "public hearing" but staff is not suggesting the term "public hearing" be replaced in the UDO because of the potential confusion it would cause among the public. The term "regular" is no longer used for BOCC meetings due to statutory definitions.

f) Any commercial or other non-residential space.

Residential Land Area

All portions of a parcel or tract of land intended to support residential development of any classification (i.e. single-family, multi-family, etc), including accessory uses, and all land necessary to comply with the provisions of this Ordinance. With respect to subdivisions and Conditional District projects, this term shall be construed as including streets located entirely within the residential portion(s) of the development, common open space, lands accepted for dedication for public purposes, and accessory and commercial uses when developed as part of a mixed use development project.

Residential Use

A use of property characterized by the use of a structure(s) for habitation by an individual, family, or group of unrelated individuals.

Resources Management Plan

A document and map, submitted as a part of a Major Subdivision, ~~Class A Special Use Permit application or a Major Subdivision, Conditional District Atlas Amendment with SUP~~Conditional District application~~,~~ that sets forth, in detail, the location of and the proposed methods for:

a) Protection of natural resources (i.e. habitat maintenance, existing vegetation, and mitigation of environmentally sensitive areas),
b) Ownership and maintenance of open spaces (common open space, proposed conservation easements, and landscape buffers)
c) Provision of services (solid waste management to include recycling, storm water management (temporary and permanent), irrigation systems to include the source of water,
d) The handling of land clearing debris.

Retail Use

An establishment focused on selling goods or merchandise to the general public for personal or household consumption and the rendering of services incidental to the sale of merchandise. Sale of goods or merchandise can be completed either by direct on-site purchase or through the receipt of a request/order of an item that is mailed or picked up by the purchaser. Term includes the rental of durable/convenience goods, merchandise, and equipment.

Retreat Center

An assembly land use operated as a commercial activity.~~,~~[165]

Retrofitting

Measures, such as flood proofing, elevation, construction of small levees, and other modifications, taken on an existing building or its yard to protect it from flood damage.

Riding Stable

An establishment for boarding, breeding, training or raising of horses, ponies, mules, and/or donkeys for a fee; and/or rental of horses, ponies, mules, and/or donkeys for riding, driving, and/or instruction. Exercise rings shall be considered accessory uses to a commercial stable. Smaller scale events, such as horse shows expected to generate less than 80 traffic trips per day, may be held no more often than once per month. The operator of a commercial stable may reside on the property to ensure the continuous care of animals kept on the site.

Riparian Area

An area that is adjacent to a body of water.

Riverine

Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

[165] Correct punctuation.

Road
See "Street."

Rooming House
A host occupied dwelling ~~unit~~ where individual rooms are rented out for occupancy for weekly or longer periods. Individual rooms do not contain kitchen or cooking facilities for occupant use.

Rural Buffer[166]
~~Land~~ Designated lands in the Comprehensive Plan that are adjacent to an urban or transition area that is rural in character and which should remain rural and not require urban services. ~~These lands are also designated in the Joint Planning Agreement between Orange County and the Towns of Carrboro and Chapel Hill.~~

Rural Community Activity Node Land[167]
Land designated in the Comprehensive Plan that is focused on designated road intersections which serve as a nodal crossroads for the surrounding rural community and is an appropriate location for any of the following: church, fire station, small post office, school, or other similar institutional uses and one or more commercial uses.

Rural Designated
Property that is not located in Urban Designated areas as defined in these definitions.

Rural Heritage Museum
A facility which stores and exhibits objects of historical, agricultural, and/or cultural interest for the purpose of educating the public about the rural heritage of Orange County and surrounding areas.

Rural Industrial Activity Node[168]
Land designated in the Comprehensive Plan that is focused on designated road intersections which serves as a nodal crossroads for the surrounding rural community and is an appropriate location for small-scale industrial uses which do not require urban type services.

Rural Neighborhood Activity Node[169]
Land designated in the Comprehensive Plan that is focused on designated road intersections within a Rural or Agricultural Residential area that is appropriate for small-scale commercial uses.

Rural Residential Land[170]
Land designated in the Comprehensive Plan that is in the rural areas of the County that is an appropriate location for low intensity and low density residential development which are not dependent on urban services.

Rural Special Event
A temporary or seasonal commercial activity that occurs on a bona fide farm and which is expected to attract more than 20 people at any given time.

Salvage yard

[166] Staff is suggesting that it be more clear that this type of designation comes from the Comprehensive Plan ~~and JPA.~~
[167] Staff is suggesting that it be more clear that this type of designation comes from the Comprehensive Plan.
[168] Staff is suggesting that it be more clear that this type of designation comes from the Comprehensive Plan.
[169] Staff is suggesting that it be more clear that this type of designation comes from the Comprehensive Plan.
[170] Staff is suggesting that it be more clear that this type of designation comes from the Comprehensive Plan.

A sign that does not meet the requirements of this Ordinance and which has not received legal non-conforming status and which does not have permit authorization, if required, under the terms of previous ordinances.

Sign, Illuminated
A sign illuminated in any manner by an artificial light source.

Sign, Indirectly Illuminated
A sign that is lighted by a light source not seen directly.

Sign, Inflatable
A sign that is inflated to take on a specific shape or figure that is utilized to attract attention to a business event or location, special event, or parcel of property for commercial purposes. Inflatable signs are commonly utilized to announce special sales or events. ~~As per the Orange County Sign Ordinance, Inflatable Signs shall be prohibited throughout the County. Any individual erecting an inflatable sign shall be subject to an immediate notice of violation and be required to remove the sign within the time it would normally take to deflate the sign.~~[171]

- Examples of inflatable signs include:

Sign, Internally Illuminated
A sign whose light source is concealed or contained within the sign itself, and which becomes visible in darkness by shining through a translucent surface.

Sign, Landmark
A sign advertising that a specific structure or site is considered historically significant and is listed in the National Register of Historic Places, U.S. Department of Interior, or designated by local ordinance in accordance with guidelines issued by the U. S. Department of Interior.

Sign Maintenance
The cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

[171] This is not correct. Inflatable signs are allowed, per Section 6.12.11(D)(5).

stenciling of the name of a non-residential establishment and may include hours of operation, phone numbers, and other pertinent information associated with the non-residential land use.

- An example of a window sign includes:

Site Specific ~~Development~~ Vesting[172] Plan

A plan approved by the Orange County Board of Commissioners ~~in accordance with the Class A Special Use Permit process and~~ which describes, with reasonable certainty, the type and intensity of use for a specific parcel or parcels of property located within the County's zoning jurisdiction. A Site Specific ~~Development~~ Vesting Plan shall be deemed approved upon the effective date of the Board of Commissioners' action.

Site Plans, ~~Special Use Permits, Conditional Use Districts,~~ Conditional ~~Zoning~~ Districts, and Preliminary Subdivision Plats may be approved as Site Specific ~~Development~~ Vesting Plans in accordance with the provisions of this Ordinance. Site Specific ~~Development~~ Vesting Plans are required only where an applicant wishes to vest his property rights for a period longer than that otherwise permitted by this Ordinance, in accordance with NCGS 160D-108.

Solar Array – Accessory Use

Include any photovoltaic, concentrated solar thermal, or solar hot water devices that are accessory to, and incorporated into the development of an authorized use of the property, and which are designed for the purpose of reducing or meeting on-site energy needs.

Solar Array – Large Facility

A solar facility located on a developed or undeveloped parcel of property producing more than 20 but less than 100 kilowatts of power that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal (CST) devices, or various experimental solar technologies, with the purpose of supplying power to existing land use(s) as well as the wholesale or retail sale of generated electricity

Solar Array – Public Utility

A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal (CST) devices, or various experimental solar technologies, producing more than 100 kilowatts of power with the primary purpose of wholesale or retail sales of generated electricity.

Solid Waste Disposal Facility

Any facility involved in the disposal of any hazardous or non-hazardous refuses or sludge from a waste treatment plant, water supply treatment plant or air pollution control facility, domestic sewage and sludges generated by the treatment thereof in sanitary sewage collection, treatment and disposal systems, and other material that is either discarded or is being accumulated, stored or treated prior to being discarded, or has served its original intended use and is generally discarded, including solid, liquid, semisolid or contained gaseous material resulting from industrial, institutional, commercial and agricultural operations, and from community activities.

[172] This term was changed in NCGS 160D-108.

Solid Waste Disposal Site
Any place at which solid wastes are disposed of by incineration, sanitary landfill or any other method.

Special Event
A commercial activity, attracting at least 20 people at any given time, that does not involve permanent structures. Examples of special events are craft shows, small festivals, concerts, medical or veterinary clinics, and sites operated by businesses engaged in hosting outdoor social events such as picnics or receptions sponsored by a restaurant or caterer.
Activities which are not included in this definition include:

a) Events of a personal or non-profit, nature such as family reunions and church activities;
b) Farm-related or rural events such as horse shows, 4-H events and auctions; and
c) Fund-raising events for non-profit organizations.

Special Flood Hazard Area (SFHA)
The land in the floodplain subject to a 1% or greater chance of being flooded in any given year as determined in Section 1.1.3 of this Ordinance, as defined by the base flood elevation.

Special-Purpose Unit of Government
Any special district or public authority.

Special Use
A use which would not be appropriate generally throughout the zoning district or without special study, but which, if controlled as to number, area, location or relation to neighborhood, would be appropriate. Such uses which are listed as Special Uses in the Permitted Use Table, Section 5.2, may be installed and operated only after approval by ~~the Board of Commissioners or by~~ the Board of Adjustment~~, as appropriate~~, subject to the general and specific standards.

Specified Anatomical Areas
(a) Less than completely and opaquely covered human: (i) genitals, pubic region, (ii) buttocks, or (iii) breast below a point immediately above the top of the areola; or

(b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities
(a) Human genitals in a state of sexual stimulation or arousal;

(b) Acts of human masturbation, sexual intercourse or sodomy; or

(c) Fondling or other erotic touchings of human genitals, pubic regions, buttocks or breasts.

Starch, Vegetable Fats, and Oils Manufacturing
Establishments primarily engaged in creating a finished oil based product by:

(a) Wet milling corn and vegetables;
(b) Crushing oilseeds and tree nuts;
(c) Refining and/or blending vegetable oils;
(d) Manufacturing shortening and margarine; or
(e) Blending purchased animal fats with vegetable fats.

Start of Construction
Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a

substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

State Agency
Every department, agency, institution, public authority, board, commission, bureau, division, council, member of Council of State, or officer of the State government of the State of North Carolina.

State Clearinghouse
The clearinghouse agency established by the North Carolina Department of Administration under the North Carolina Environmental Policy Act.

State Mandate
The minimum Rules adopted by the Environmental Management Commission for application to North Carolina's water supply watersheds, as required by the Water Supply Watershed Protection Act. The purpose of the Act, as stated in its opening paragraph, is "... to protect and enhance the quality of the State's surface water supplies by establishing a cooperative program of water supply protection to be administered by local governments consistent with statewide management requirements established by the Environmental Management Commission (EMC)." (See related definition "Water supply watershed").

Stockyard / Livestock Market
A facility where livestock are kept temporarily awaiting purchase and/or transport; such facilities may include enclosed pavilions, grandstands, paddocks, and stalls.

Storage of Goods
A land use where secured space, indoors or outdoors, is rented to tenants for the safeguarding and/or keeping of general merchandise, refrigerated goods, and other personal items on a short or long term basis.[173]

Stormwater Collection System
Any conduit, pipe, channel, curb, or gutter for the primary purpose of transporting (not treating) run-off. A stormwater collection system does include vegetated swales, swales stabilized with armoring or alternative methods where natural topography prevents the use of vegetated swales (subject to case-by-case review), curb outlet systems or pipes used to carry drainage underneath built-upon surfaces that are associated with development controlled by the provisions of 15A NCAC 2H 1003(c)(1).

Stormwater Control Measure (SCM)
A structural or non-structural management-based practice used singularly or in combination to reduce non-point source pollution to receiving waters in order to achieve water quality protection and water quantity limitation goals. (See also, Detention Pond and Engineered Stormwater Controls). The term takes the place of what was originally referred to, and defined as a 'Best Management Practice' or 'BMP'.

Stream
A body of concentrated flowing water in a natural low area or natural channel on the land surface.[174]

Stream Buffer
An area of land adjacent to a stream or a FEMA-identified floodplain, whichever is greater, which, except as permitted within this Ordinance, must remain undisturbed in its natural state. Streams are identified by any of the following means:

a) Shown as solid blue lines or as broken blue lines on the USGS Quadrangle maps,
b) Shown as a water feature in the Orange County Soil Survey, or

[173] Correct punctuation.
[174] Add punctuation.

Structure

~~Any walled and roofed building, a manufactured home, or a gas or liquid storage tank, that is built or constructed principally above ground, constructed or erected to a height of 30 inches or more, including but not limited to load bearing walls, columns, beams or girders.~~ Any building used or intended for supporting or sheltering any use or occupancy.[175]

Studio (Arts and Crafts)

See School – Performing Arts, Sports and Recreation.

Study Area, Traffic Impact

The area in which a traffic impact analysis will be made and extending approximately one half mile along roadways adjacent to a development project and in both directions from all access points or to a major intersection along these roadways.

Subdivider

Any person or persons, firm or corporation subdividing land within the jurisdiction of this Ordinance.

Subdivision

All divisions of a tract or parcel of land into two or more lots, building sites or other divisions for the purpose of sale or building development (whether immediate or future) and includes all division of land involving the dedication of a new street or a change in existing streets.

Subdivision, Exempt

a) The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County, including private road justification standards, as detailed within this Ordinance.
b) The division of land into parcels greater than 10 acres if no street right-of-way dedication is involved.
c) The public acquisition by purchase of strips of land for widening or opening streets.
d) The division of a tract in single ownership of the entire area of which is no greater than two acres into not more than three lots, if no street right-of-way dedication is involved and if the resultant lots are equal to or exceed the standards of the County as shown by its subdivision regulations.

Subdivision, Major

Any division of land that is not classified as an Exempt or Minor subdivision.

Subdivision, Minor

A division of a tract of land that does not:

a) Create more than five lots for conventional design options, or more than 12 lots for flexible development, including the residual acreage, from any one tract of land in any 24 month period;
b) Dedicate or improve any new public street other than widening an existing public street;
c) Extend public water and/or sanitary sewerage systems other than laterals to serve individual lots;
d) Necessitate the installation of drainage improvements which would require easements through one or more lots to serve other lots; and
e) At the option of the applicant, involve vesting of the subdivision for a period greater than one year.

Substantial damage

Damage of any origin sustained by a structure during any one year period whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. See definition of "substantial improvement." Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a ten-year

[175] This is the definition from the NC Building Code, to which local regulations are now required to conform.

period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25% of the market value of the structure before the damage occurred.

Substantial improvement
Any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one year period whereby the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures, which have incurred substantial damage, regardless of the actual repair work performed.

The term does not, however, include either:

a) Any correction of existing violations of State or Orange County health, sanitary, or safety code specifications which have been identified by the Orange County code enforcement official and which are the minimum necessary to assure safe living conditions, or
b) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by a variance issued pursuant to this Ordinance.

Support System
A combination of footers, piers, caps, and shims that will, when properly installed, support the mobile home. Masonry walls may be installed as a cosmetic feature.

Taxidermy
The practice of preparing and preserving the skins of animals and of stuffing and mounting them in lifelike form.

Telecommunication Facilities, Accessory Use
A use incidental to, subordinate to, and subservient to the principal use of the property. As defined in this section an accessory use is a secondary use.

Telecommunication Facilities, Antenna
A system of electrical conductor communications equipment that transmits and/or receives electromagnetic radio signals used in the provision of all types of wireless communications services.

Telecommunication Facilities, Applicant
Any wireless service provider or wireless support structure owner submitting an application for a wireless facility.

Telecommunication Facilities, Application
A formal request, containing all necessary and required documentation, submitted to Orange County to construct or modify a wireless support structure or a wireless facility.

Telecommunication Facilities, Base Station
A station at a specific site authorized to communicate with mobile stations, generally consisting of radio receivers, antennas, coaxial cables, power supplies, and other associated electronics.

Telecommunication Facilities, Building Code
The most recently adopted or amended edition of the North Carolina State Building Code.

Telecommunication Facilities, Building permit
An official Orange County administrative authorization to begin construction consistent with the provisions of N.C.G.S. ~~153A-357.~~160D-403.

Telecommunication Facilities, Collocation
The placement or installation of wireless facilities on existing structures, including electrical transmission towers, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities in compliance with applicable codes.

structures that can be used as a support structure for antennas or the functional equivalent of such. If further includes all related facilities and equipment such as cabling, equipment shelters and other structures associated with the facility. It is a structure and facility intended for transmitting and/or receiving radio, television, cellular, SMR, paging, 911, personal communications services (PCS), commercial satellite services, microwave services, and any commercial wireless telecommunication service not licensed by the FCC.

Temporary Custodial Care Unit

A transportable residential structure facilitating a caregiver's provision of short or long term care for a mentally or physically impaired person that is primarily assembled offsite, has no more than 1,000 gross square feet, and complies with applicable standards of the North Carolina State Building Code and/or Department of Housing and Urban Development (HUD). Temporary custodial care units shall not be installed on a permanent foundation and shall be classified as an accessory use to an single family detached dwelling unit. Includes mobile homes and temporary health care structures.

Temporary Residential Mobile Home

A mobile home, intended for residential use for a limited period of time, for purposes of providing temporary residential space during the installation of a replacement mobile home or construction of a stick-built or modular residential unit on the same lot, and for 30 days after the issuance of Certificate of Occupancy for the permanent unit. The temporary mobile home is not attached to a permanent or semi-permanent foundation.

Temporary Residential Unit

A residential unit occupied for no more than 180 days and connected to temporary utility services. The term includes recreational vehicles, travel trailers, recreational park trailers, FEMA trailers, etc.

Temporary Use Building

A building, not intended for residential use, consisting of one or more modules constructed off the ultimate site of use. The building is also not attached to a permanent or semi-permanent foundation.

Ten-Year Transition Land[176]

Land designated in the Comprehensive Plan as being located in areas that are in the process of changing from rural to urban densities and/or intensities, that are suitable for higher densities and/or intensities and could be provided with public utilities and services within the first 10-year phase of the Comprehensive Plan update or where such utilities and services are already present or planned. Non-residential uses implemented in accordance with small area plans and/or overlay districts may be appropriate.

Textile Mills

Land uses involved with the transformation of a basic fiber, natural or synthetic, into a final product which is further
~~manufacturing~~ manufactured into usable items off-site.

Theater

A building or outdoor area in which performances are ~~preformed~~ performed or shown. The term does not include
structures primarily constructed to support the holding and/or staging of sporting events where outdoor performances may be held as an accessory use.

Traffic Generation: Low

Uses which generate an average of less than 200 vehicle trips per day.

Traffic Generation: Medium

Uses which generate an average of between 200 and 800 vehicle trips per day.

[176] Staff is suggesting that it be more clear that this type of designation comes from the Comprehensive Plan.

Traffic Generation: High
Uses which generate an average of more than 800 vehicle trips per day.

Transmission Lines
a) For lines carrying electrical energy, transmission lines are those which carry 45,000 volts or more.
b) For lines which carry liquids or gases, transmission lines are those operating or designed to operate at pressures of one hundred pounds per square inch or greater.

Travel Trailer
A structure that is:
a) Intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and
b) Designed for temporary use as sleeping quarters, but that does not meet the definition of a manufactured home.

Tree, DBH
Diameter at breast height of a tree, which is measured at 4.5 feet above ground surface level.

Tree, Critical Root Zone
The minimum area beneath a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone is approximately one foot of radial distance for every inch of tree's DBH, with a minimum of eight feet.

Tree, High Value
A tree that meets or exceeds the following standards: for pine species, 14" DBH or greater, or 18" or greater stump diameter, and for hardwood or wetland species, 16" DBH or greater, or 24" or greater stump diameter.

Trip Generation Rates
The total count of trips to and from a study site per unit of land use as measured by parameters such as dwelling units, acres, etc.

Twenty-Year Transition Land[177]
Land designated in the Comprehensive Plan as being located in areas that are in the process of changing from rural to urban, that are suitable for urban-type densities and should be provided with public utilities and services within the second 10-year phase of the Comprehensive Plan.

Upward
In the context of outdoor lighting, the projection of light above the horizontal plane.

Urban Designated
Land that is located within a Transition Area as identified in the Land Use Element of the Comprehensive Plan and also within a Primary Service Area as defined by the Water and Sewer Management Planning and the Boundary Agreement and Map adopted December 3, 2001 and as either may be amended from time to time.

Utility Lines and Line Equipment
The local distribution system of public utilities and community systems which include electricity, telephone, water, sewage disposal, and cable television. These systems are for local distribution of services and are not intended to be used for transmission or as trunk lines for utilities. Distribution systems for electrical system shall not exceed 45,000 volts; the distribution system for liquids or gases are those operating at pressure of less than 100 pounds per square inch.

[177] Staff is suggesting that it be more clear that this type of designation comes from the Comprehensive Plan.

Variance
A relaxation of the literal terms of this Ordinance where such variance will not be contrary to the public interest and, where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship. A variance is authorized only for the dimensional controls of this Ordinance; establishment or expansion of a use otherwise prohibited shall not be permitted by a variance.

Variance, Minor, State Watershed Management
A variance from the minimum statewide water supply watershed protection rules that results in a relaxation by a factor of up to 10% of any management requirement under the low density requirement.

Variance, Major, State Watershed Management
A variance from the statewide water supply watershed regulations that results in the relaxation by a factor greater than 10% of any management requirement under the low density option or the relaxation of any management requirement that applies to a development project requiring construction of a BMP.

Vehicle Trip
A vehicle trip occurs when one vehicle travels from a point of origin to a point of destination.

Vested Right
The right to undertake and complete the development of a property under the terms and conditions of an approved Site Specific ~~Development~~ Vesting Plan, provided, however, failure to abide by such terms and conditions shall result in a forfeiture of vested rights. The vested right is attached to and runs with the applicable property and may be exercised by successors to the original landowner.

The period during which a vested right is in ~~affect~~ effect may be extended by amendments or modifications to the Site Specific ~~Development~~ Vesting Plan. An application for an amendment or modification to an approved Site Specific ~~Development~~ Vesting Plan shall be treated as a new application.

Once established, a vested right supersedes any zoning action which would affect ~~with~~ the type and intensity of use approved in the Site Specific ~~Development~~ Vesting Plan, EXCEPT:

a) Upon written consent of the landowner;
b) Upon findings, after a public hearing, that if the development were to proceed, natural or man-made hazards would pose a serious threat to the public health, safety and welfare;
c) To the extent that the landowner is compensated for costs and expenses other than loss of property value;
d) Upon findings, after a public hearing, that the applicant or his/her representative(s) intentionally supplied inaccurate or misleading information which led to the approval of the project; or
e) Upon findings, after a public hearing, that a change in a State or Federal law or regulation precludes development of the project as approved.

Vesting of rights does not preclude the application of overlay zoning districts which impose additional regulations, provided that the regulations are applicable to all property subject to this Ordinance, and the allowable type and intensity of use is not affected.

The vested right terminates at the end of the approved vesting period for buildings and uses for which building permits have not been issued. Building permits do not expire during the approved vesting period.

Veterinary Clinic
A facility staffed by at least one licensed veterinarian for the care and treatment of large and/or small animals not involving overnight care.

Veterinary Hospital
A facility staffed by at least one licensed veterinarian for the specialized treatment of large and/or small animals, which may involve overnight care.

Violation
The failure of a structure, use or development to be fully compliant or is inconsistent with any provision of this Ordinance. A structure or other development without the elevation certificate, other certifications, or

other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

Volume/Capacity Analysis
The procedures used to compare the volume of a roadway or intersection approach to its capacity (maximum number of vehicles that can pass a given point during a given time period). The procedures are described in the 1965 Highway Capacity Manual, Highway Research Board Special Report 87.

Walls, Primary
Walls containing primary windows and/or main exterior entrances to individual living quarters when directly facing the primary wall or other living quarters.

Walls, Secondary
Walls containing only secondary, or secondary and tertiary, windows.

Walls, Tertiary
Windowless walls or walls containing only tertiary windows.

Wastewater Treatment Facility
A system of wastewater collection, treatment, and disposal in single or multiple components, including ground absorption systems, non-discharge systems, and systems that discharge effluent to the surface waters, and any other system as may be permitted by the Orange County Health Department or the State of North Carolina. (ref. NCGS Article 11, Chapter 130A)

Waterbody, Perennial
A natural or constructed basin that stores surface water permanently at depths sufficient to preclude growth of rooted plants, including lakes, ponds, sounds, non-stream estuaries, and oceans. For the purpose of stormwater provision of this Ordinance, the waterbody must be part of a natural drainageway (i.e. connected by surface flow to a stream).

Water-Dependent Structure
Any structure for which the use requires access to or proximity to or ~~citing~~ siting within surface waters to fulfill its basic purpose, such as boat ramps, boathouses, docks and bulkheads. Ancillary facilities such as restaurants, outlets for boat supplies, parking lots and commercial boat storage areas are not water-dependent structures.

Water Feature
A prominent aspect or characteristic of a geographic area that exhibits verifiable evidence of a presence of water in the soil. Examples of water features include, but are not limited to, perennial and intermittent streams, lakes, ponds, reservoirs, springs, artesian wells, irrigation wells, marshes or swamps, wetlands, and natural drainage ditches (non-ephemeral).

Water surface elevation (WSE)
The height, in relation to mean sea level, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

Watercourse
A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

Water Supply, Public
A water supply system that serves a city or town located partly or entirely within Orange County that has a population in excess of 2,500.

Water Supply Watershed (or Protected Watershed)

Land that drains to existing reservoirs which are public water supplies or potential reservoir sites or stream intakes which have been designated for protection. All such lands have been classified by the Environmental Management Commission as WS-II, WS-III or WS-IV watersheds and require protection in accordance with the State Mandate. (See definition for "State Mandate").

Water Supply Watershed Critical Area, County Designated

The land area within one-half mile of the normal pool elevation (or designated elevation) of an existing Class II water supply reservoir, or the ridgeline of the watershed, whichever is less; and the land area within one-half mile of the normal pool elevation (or designated elevation) of a proposed water supply reservoir designated for protection, or the ridgeline of the watershed, whichever is less; and the area within one-half mile of streams flowing into Class I reservoirs, as designated for protection within this Ordinance.

Water Supply Watershed Critical Area, State Required

The land area within one-half mile of the normal pool elevation of water supply reservoirs in which an intake is located (i.e., Class I reservoirs), or the ridgeline of the watershed, whichever is less.

Wetlands

Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. (Definition taken from EPA regulations at 40 CFR Section 230.3(t) and COE Regulations at 33 CFR Section 328.3(b), as of July 2nd, 2002)

Wholesale Trade

A land use involved, without transformation or alteration of the product, with the sale of merchandise to clientele in bulk.

Windows, Primary

Principal windows in habitable rooms except bedrooms and kitchens.

Windows, Secondary

Windows of habitable rooms other than primary windows.

Windows, Tertiary

Windows other than for habitable rooms.

Winery, production only

A facility utilized for making wines for wholesale or retail sale and consumption off the premises. Shall be considered a bona fide farming use if located on a farm and using primarily crops produced on-site.

Winery with Minor Events

A facility utilized for making wines for consumption on- or off-site with limited hours for tours of the facility and tastings of the products produced on-site, and small periodic events that are expected to attract fewer than 150 people to the site. Food services may be permitted under the conditional ~~zoning~~ district or special use permit approval.

Winery with Major Events

A facility utilized for making wines for consumption on- or off-site with tours of the facility, tastings of the products produced on-site, and periodic events that are expected to attract more than 150 people to the site. Food services may be permitted under the conditional ~~zoning~~ district or special use permit approval.

Yard Space, Front

The required open space extending the full width of the lot and to a depth equal to the required setback line, measured horizontally at right angles to the rear lot line.

The following pages contain proposed amendments to
Orange County's 2030 Comprehensive Plan

Appendix F. Relationships Between Land Use Classifications and Zoning Districts

Per the Orange County Unified Development Ordinance, zoning districts are applied to Land Use classifications and overlays in accordance with this appendix. A matrix is provided at the end of this appendix that links the zoning districts to the land use classifications and overlays listed.

TRANSITION LAND USE CLASSIFICATIONS

CHAPEL HILL AND CARRBORO TRANSITION

On November 2, 1987, a Joint Planning Agreement was adopted by Orange County and the Towns of Chapel Hill and Carrboro. The Agreement became effective on November 14, 1988, following the adoption, by Orange County, of zoning plans prepared by the two municipalities for their respective Transition Areas. The applied zoning districts are those contained in the Chapel Hill Land Development Ordinance and the Carrboro Land Use Ordinance, and are consistent with the land use plan categories contained in the Orange County Chapel Hill Carrboro Joint Planning Land Use Plan. Reference should be made to the appropriate municipal ordinance and zoning map for a description of the districts and applicable development standards. Under the terms of the Joint Planning Agreement, the Towns of Chapel Hill and Carrboro are responsible for permit administration within their respective Transition Areas.

10-Year Transition

Identifies areas changing from rural to urban in form and density. All densities of residential development would be appropriate. Non-residential uses implemented in accordance with small area plans and/or overlay districts may be appropriate. The applied zoning districts include: R-1 (Rural Residential); R-2 (Low Intensity Residential), R-3 (Medium Intensity Residential), and R-4 (Medium Intensity Residential); and R-5 (High Intensity Residential), R-8 (High Intensity Residential), and R-13 (High Intensity Residential) residential uses, and Zoning Overlay Districts.

20-Year Transition

Identifies areas changing from rural to urban in form and density. All densities of residential development would be appropriate. The applied zoning districts include: R-1 (Rural Residential); R-2 (Low Intensity Residential), R-3 (Medium Intensity Residential), and R-4 (Medium Intensity Residential); and R-5 (High Intensity Residential), R-8 (High Intensity Residential), and R-13 (High Intensity Residential) residential uses.

COMMERCIAL TRANSITION ACTIVITY NODE

Identifies areas changing from rural to urban in form and density. A full range of intensities of commercial development would be appropriate. The applied zoning districts include: LC-1 (Local Commercial); NC-2 (Neighborhood Commercial); CC-3 (Community Commercial); GC-4 (General Commercial); and O/RM (Office/Research and Manufacturing).

COMMERCIAL INDUSTRIAL TRANSITION ACTIVITY NODE

Identifies areas changing from rural to urban in form and density. A full range of commercial and industrial activities would be appropriate and allowed. The applied zoning districts include: I-1 (Light Industrial); I-2 (Medium Industrial); I-3 (Heavy Industrial); LC-1 (Local Commercial); NC-2 (Neighborhood Commercial); CC-3

(Community Commercial); GC-4 (General Commercial); and O/RM (Office/Research and Manufacturing).

ECONOMIC DEVELOPMENT TRANSITION ACTIVITY NODE
Identifies areas along major transportation corridors that may be in proximity to 10-Year or 20-Year Transition areas of the County which have been specifically targeted for economic development activity consisting of light industrial, distribution, flex space, office, and service/retail uses. Such areas are located adjacent to interstate and major arterial highways, and subject to special design criteria and performance standards. The applied zoning districts are EDB-1 (Economic Development Buckhorn Lower Intensity), EDB-2 (Economic Development Buckhorn Higher Intensity), EDE-1 (Economic Development Eno Lower Intensity), EDE-2 (Economic Development Eno Higher Intensity), EDH-1 (Economic Development Hillsborough Linear Office), EDH-2 (Economic Development Hillsborough Limited Office), EDH-3 (Economic Development Hillsborough Limited Office with Residential), EDH-4 (Economic Development Hillsborough Office), and EDH-5 (Economic Development Hillsborough Office/Flex).

RURAL LAND USE CLASSIFICATIONS

RURAL BUFFER
Only very low density residential, agricultural uses exempt from zoning regulations, and low-intensity agricultural support uses are appropriate in the Rural Buffer. The applied zoning district is RB (Rural Buffer).

RURAL RESIDENTIAL
Identifies rural areas to be developed as low intensity and low density residential. The applied zoning district is R-1 (Rural Residential).

AGRICULTURAL RESIDENTIAL
Agricultural activities and associated residential and commercial uses predominate. The applied zoning districts reflect this primary land use and include: AR (Agricultural Residential) and AS (Agricultural Services).

RURAL COMMUNITY ACTIVITY NODE
Identifies rural crossroads communities throughout the County where small scale commercial activities serving the community and surrounding area are appropriate. The applied zoning districts include: LC-1 (Local Commercial) and NC-2 (Neighborhood Commercial).

RURAL NEIGHBORHOOD ACTIVITY NODE
Identifies areas in the County where small scale commercial uses serving the population in the surrounding area are appropriate. The applied zoning districts include: LC-1 (Local Commercial) and NC-2 (Neighborhood Commercial).

RURAL INDUSTRIAL ACTIVITY NODE
Identifies rural areas in the County where small scale industrial activities would be appropriate. The applied zoning district is I-1 (Light Industrial).

OVERLAYS

PUBLIC INTEREST AREA
These lands are considered valuable for recreational and research purposes and are afforded special treatment. The applied zoning district is PID (Public Interest District).

Appendix F: Land Use and Zoning Matrix

	Land Use Classifications & Overlays	ZONING DISTRICTS																								
		RB	AR	R-1	R-2	R-3, R-4	R-5, R-8, R-13	LC-1	NC-2	CC-3	GC-4	EC-5	O/RM	I-1	I-2	I-3	EI	EDB-1, EDB-2, EDE-1, EDE-2, EDH-1, EDH-2, EDH-3, EDH-4, EDH-5	AS	Special Zoning Overlay District	PID	ASE-~~CZ~~CD	MPD-~~CZ~~CD	HP-~~CZ~~CD	R-CD	NR-CD
Transition	Chapel Hill Transition Carrboro Transition	Permit Administration by Municipalities under the provisions of the Joint Planning Agreement- Contact appropriate Municipality for applicable Zoning Standards																								
Transition	10-Year Transition			◆	◆	◆	◆													◆			◆	◆	♦	♦
Transition	20-Year Transition			◆	◆	◆	◆													◆			◆	◆	♦	♦
Transition	Commercial Transition Activity Node							◆	◆	◆	◆		◆							◆		◆	◆			♦
Transition	Commercial-Industrial Transition Activity							◆	◆	◆	◆		◆	◆	◆	◆				◆		◆	◆			♦
Transition	Economic Development Transition Activity Node																	◆		◆			◆			♦
Rural	Rural Buffer	◆																				◆		◆	♦	♦
Rural	Rural Residential			◆																		◆		◆	♦	♦
Rural	Agricultural Residential		◆																◆			◆		◆	♦	♦
Rural	Rural Community Activity Node							◆	◆													◆	◆		♦	♦
Rural	Rural Neighborhood Activity Node							◆	◆													◆			♦	♦
Rural	Rural Industrial Activity Node													◆								◆			♦	♦
Overlay	Public Interest Area																				◆					

Amended 02-13-17

APPROVED 11/8/2012; AMENDED 11/5/2015, 11/14/17

Attachment 3

PLANNING BOARD POLICIES AND PROCEDURES

SECTION I: SCOPE

A. Purpose
   1. To establish a policy and procedures whereby the Orange County Board of Commissioners will establish the specific policies and procedures governing the Planning Board.
   2. The Orange County Board of Commissioners may appoint an advisory board whose duty is to serve in an advisory capacity to Orange County Board of Commissioners.

B. Authority
   1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards.
   2. The Orange County Advisory Board Policy serves as the underlying policy document to which the Planning Board, in addition to this policy and procedure document, is subject. The Orange County Advisory Board Policy is attached hereto as “Exhibit A”.
   3. In the event that there is a conflict between the Orange County Advisory Board Policy and this Policies and Procedures document this Policies and Procedures document shall control.

C. Charge
   1. The charge of the Planning Board is contained in Section 1.6.3 of the Orange County Unified Development Ordinance.

      The purpose for which the Planning Board was formed: to serve in an advisory capacity to the Orange County Board of Commissioners in regards to planning, zoning, and subdivision matters, as provided in Section 1.6.3 of the Orange County Unified Development Ordinance.

SECTION II: GOALS AND OBJECTIVES

A. Goals
   1. The Planning Board shall carry out the duties contained in Section 1.6.3 of the Orange County Unified Development Ordinance to the best of its ability.

B. Objectives
   1. Acting under the directives of the Board of County Commissioners and

with County staff, the Planning Board shall pursue the duties contained in Section 1.6.3 of the Orange County Unified Development Ordinance.

SECTION III: MEMBERSHIP

A. Authority
   1. North Carolina General Statute 153A-76 grants boards of county commissioners the authority to establish advisory boards and to appoint members to and remove members from those advisory boards. In acting on this authority the Orange County Board of Commissioners hereby establishes certain general conditions to which applicants and members of advisory boards should conform.

B. Composition
   1. Planning Board composition is detailed in Section 1.6.1 of the Orange County Unified Development Ordinance. Additional membership requirements are listed in said Section of the UDO.
   2. The Planning Board does not have alternate members.
   ~~2.~~3. Appointments to the Planning Board made to fill vacancies shall be for the unexpired term, if there are less than two years remaining in the unexpired term, and shall not be counted as a term in determining eligibility for reappointment.[1]

C. Oath of Office
   1. All members appointed to the Planning Board shall, before entering their duties, qualify by taking an oath of office as required by NCGS-153A-26.[2]

~~C.~~D. Chair, Vice Chair, and Secretary
   1. The Planning Board shall elect by majority vote a Chair and Vice Chair from among its members at the regular meeting in January of each year.
   2. Chair and Vice Chair terms of office shall correspond to the requirements of the Orange County Advisory Board Policy.

[1] This is an existing provision in Section 1.6.2, a section which is being deleted due to redundancy with the General Advisory Board Policy and the Planning Board Policies and Procedures, coupled with long-standing procedure for the Planning Board (specifically, the clarification "if there are less than two years remaining in the unexpired term"). This is the only existing rule in Section 1.6.2 that is not covered in the General Advisory Board Policy. Continued administration of this Board-specific procedure ensures that the existing intent of having terms expire in a staggered manner continues; this can be important in ensuring that experienced members do not leave the Board en masse due to term expiration dates.

[2] NCGS 160D-309 has added an oath of office requirement for Planning Boards.

3. The Secretary of the Planning Board shall be the Planning Director or his/her designee.
4. The Chair and Secretary shall ensure that each Planning Board member is presented with a copy of the Planning Board's charge, scope of authority, membership responsibilities, and code of conduct when the Planning Board member is appointed to the Planning Board.
5. If requested by the Board of County Commissioners Chair, the Planning Board Chair, or Vice Chair in the Chair's absence, shall attend public hearings and Board of County Commissioners meetings at which a decision is scheduled for items on which the Planning Board has made a recommendation.

SECTION IV. MEETINGS

A. Staffing
   1. The Planning Director shall perform the duties set forth in Section 1.6.4 of the Orange County Unified Development Ordinance.

B. Agendas
   1. Items for agendas shall be approved by the Planning Board Chair and staff.
   2. The designated staff will develop and distribute to each member an agenda listing the matters to be considered at upcoming advisory board meetings. The regular meeting agenda and materials shall be distributed at least seven (7) calendar days before the regular meeting

C. Date, Time, and Location of Regular Meetings
   1. Regular Meetings of the Planning Board shall be held on the first Wednesday of each month. The start time and location of the meeting shall be included on the agenda and shall typically be 7:00 p.m. at the Orange County West Campus Office Building located at 131 West Margaret Lane, Hillsborough. The Planning Board Chair, in consultation with staff, shall have the authority to change the start time and location of a regular meeting to meet any special circumstances, provided the information is included on the distributed agenda.

D. Notice of Meetings
   1. Notice of regular Planning Board meetings and agendas shall be made available to all members and interested parties, and to any person who requests such notice, at least seven (7) days in advance of the meeting by e-mail and by posting on the Orange County government website.

~~2. Notice of public hearings shall conform to the notice requirements of Section 2.3.6 and/or 2.8.7, as applicable, of the Orange County Unified Development Ordinance.~~

~~3. Agenda materials for public hearings shall be distributed to Planning Board members and posted on the Orange County government website for interested parties a minimum of ten (10) calendar days prior to the public hearing.~~[3]

E. Public Hearings

1. Planning Board members shall be encouraged to attend public hearings held by the Board of County Commissioners for items the Planning Board has reviewed.

F. Neighborhood Information Meetings

1. Planning Board members shall be encouraged to attend Neighborhood Information Meetings (NIMs) ~~for Class A Special Use Permits and Conditional Zoning Districts~~ that are required in Article 2 of the Unified Development Ordinance. At-Large members and members representing the Township in which a particular development project is proposed are specifically encouraged to attend the NIM.
2. Planning Department staff shall keep Planning Board members informed of upcoming ~~Class A Special Use Permit and Conditional Zoning District~~ required –NIMs via e-mailed messages. Said e-mail messages shall be sent to Planning Board members on the same date, or shortly after, the notifications are mailed to adjacent property owners.

SECTION V. ORIENTATION

A. Attendance

1. Each member shall attend an orientation presented by the Orange County Staff to familiarize the advisory board members with the operation of County government, the Planning Department rules, and the operating procedures of the advisory board.
2. Each voting member will be encouraged to complete the orientation within six weeks of his or her appointment and participate in at least one meeting with the staff.

SECTION VI.BY-LAWS

[3] These sections are no longer relevant and should have been removed when the public hearing process was revised in 2017. Prior to 2017, the Planning Board and Planning staff prepared the "joint public hearing" agenda materials. The review process was changed in 2017 to have the Planning Board review items before the formal BOCC public hearing.

A. By-Laws

1. Any Bylaws adopted by the Planning Board are void and no further bylaws shall be adopted. Procedure shall be governed solely by this policy document and the General Advisory Board Policy Document.
2. Should the Planning Board determine modifications to policies and procedures are necessary the Planning Board may petition the Board of County Commissioners for such modifications.

Type of Action	***Type of Notice***	***Recipient***	***Timing***
Final Staff Determination	Personal service, email, or mail; Posting by owner (optional)	Person requesting; Property owner	When made
Hearing on Quasi-judicial Decision • Neighborhood Information Meeting	Mail; Post site Newspaper ~~Newspaper~~ mail	Applicant; Property owner; Abutting property owners Property owners within 1000'	Mail 10 to 25 days prior to hearing NIM: Class A 14 Days; Class B 45 Days All SUP 45 Days
Quasi-judicial Decision • *Notice of Decision* • ~~*Notice of Decision*~~	File with clerk; Personal service, email, or mail	Applicant; Property owner; Others making written request prior to effective date	When Order is signed Within 5 days of decision ~~Within 5 days of decision~~
Hearing on Ordinance Text Amendment • Neighborhood Information Meeting • Planning Board	Newspaper; Certified mail if near military base Mail Newspaper; mail; post site Newspaper; mail; post site	Public; Base commander Property owners within 1000' Property owners within 1000' Property owners within 1000'	10 to 25 days prior to hearing 15 to 25 days prior to hearing 10 to 25 days prior to hearing N/A 15 to 25 days prior to hearing 10 to 25 days prior to hearing
• *Mass Rezoning (50+)* • ~~*Mass Rezoning (50+)*~~ • *Mass Rezoning (50+)*	Newspaper N/A Newspaper		

Hearing on Rezoning • Neighborhood Information Meeting • Planning Board	Newspaper; Mail; Post site; Personal service if not initiated by owner or government; Certified mail if near military base **N/A; Mail; Post site** **N/A; Mail; Post site**	Property owner; Adjacent property owner; Base commander Property owners within 1000' 	10 to 25 days prior to hearing 15 to 25 days prior to hearing 10 to 25 days prior to hearing N/A 15 to 25 days prior to hearing 10 to 25 days prior to hearing
~~**Comprehensive Plan Update**~~ **Comprehensive Plan Update**	**N/A** **Newspaper; Post site; mail**	N/A Property owners within 1000'	N/A 15 to 25 days prior to hearing 10 to 25 days prior to hearing

Statutorily Required ~~**Not Required by Law**~~
Current UDO Required ~~**Not Currently Allowed by the UDO**~~
Proposed Amendment

Additional notice required by Statute:

- **Website Publication of Rules of Procedure and Fees**

Additional notice done by policy:

- **Two Newspapers instead of one**
- **Public Outreach Meeting**
- **Website Publication of all decisions**

Current Public Notice Provisions in the UDO

This information has been compiled to help inform discussions regarding notice requirements. Orange text depicts steps Orange County takes above and beyond the minimum requirements of State Statutes. Red text shows the text staff is suggesting be revised to conform to State statutes. It should be noted that this does not mean that current practice will also change, only that the County's regulations would conform to statutes.

Comprehensive Plan Future Land Use Map (2.3.5)

- Mailed notice to all property owners within 1,000 feet at least 15 days but not more than 25 days prior to the date of the Planning Board meeting. (15 is proposed to become 10)
- Sign posted at least 10 days but not more than 25 days prior to the Planning Board meeting.
- Mailed notice to all property owners within 1,000 feet at least **15** days but not more than 25 days prior to the date of the public hearing. (15 is proposed to become 10)
- Sign posted at least 10 days but not more than 25 days prior to the public hearing.
- Legal Ad published in newspaper once a week for two consecutive weeks at least 10 days but not more than 25 days prior to public hearing. Orange County publishes in two papers (the News of Orange and Durham Herald Sun), this practice is not written in the UDO but is long-standing practice; *this is an example of a practice that is followed but not written into the regulations*.

Special Use Permits (2.7.5 and 2.7.6)

- Neighborhood Information Meeting (NIM). Notices mailed to all property owners within 1,000 feet at least 14 days prior to NIM. Sign posted at least 10 days prior to NIM. (The NIM is held at least 45 days prior to the evidentiary hearing to give people time to prepare if they choose to).
- Mailed notice to all property owners within 1,000 feet at least 10 days but not more than 25 days prior to the date of the evidentiary hearing.
- Sign posted at least 10 days but not more than 25 days prior to the hearing.
- A legal ad is currently published; the proposed 160D revisions suggest that publication of legal ads for Special Use Permits cease for reasons staff has outlined in presentations regarding quasi-judicial decisions and standing of parties to participate.

Zoning Atlas [Conventional Districts] (2.8.7)

- Mailed notice to all property owners within 1,000 feet at least 15 days but not more than 25 days prior to the date of the Planning Board meeting. (15 is proposed to become 10)
- Sign posted at least 10 days but not more than 25 days prior to the Planning Board meeting.

- Mailed notice to all property owners within 1,000 feet at least **15** days but not more than 25 days prior to the date of the public hearing. (15 is proposed to become 10)
- Sign posted at least 10 days but not more than 25 days prior to the public hearing.
- Legal Ad published in newspaper once a week for two consecutive weeks at least 10 days but not more than 25 days prior to public hearing. Orange County publishes in two papers (the News of Orange and Durham Herald Sun), this practice is not written in the UDO but is long-standing practice; *this is an example of a practice that is followed but not written into the regulations*.

Zoning Atlas [Conditional Districts] (2.8.7 and 2.9.2

- Neighborhood Information Meeting (NIM). Notices mailed to all property owners within 1,000 feet at least 14 days prior to NIM. Sign posted at least 10 days prior to NIM.
- Mailed notice to all property owners within 1,000 feet at least 15 days but not more than 25 days prior to the date of the Planning Board meeting. (15 is proposed to become 10)
- Sign posted at least 10 days but not more than 25 days prior to the Planning Board meeting.
- Mailed notice to all property owners within 1,000 feet at least **15** days but not more than 25 days prior to the date of the public hearing. (15 is proposed to become 10)
- Sign posted at least 10 days but not more than 25 days prior to the public hearing.
- Legal Ad published in newspaper once a week for two consecutive weeks at least 10 days but not more than 25 days prior to public hearing. Orange County publishes in two papers (the News of Orange and Durham Herald Sun), this practice is not written in the UDO but is long-standing practice; *this is an example of a practice that is followed but not written into the regulations*.

Major Subdivisions (2.15.2)

- Neighborhood Information Meeting (NIM) at Concept Plan stage. Notices mailed to all property owners within 500 feet at least 10 days prior to NIM. Sign posted at least 7 days prior to NIM.

Minor Subdivisions Using Flexible Development Option (2.14.4(B))

- Neighborhood Information Meeting (NIM) at Concept Plan stage. Notices mailed to all property owners within 1,000 feet at least 10 days prior to NIM. Sign posted at least 7 days prior to NIM.

Proposed Addition of Option for Alternative Notice
(Sections 2.3.5 and 2.8.7)

As was explained during the public hearing on May 4, 2021, State statutes have long allowed an alternative to mailed notice for large-scale map amendments (both the Future Land Use Map and the Zoning Map). The provision can be found in NCGS 160D-602(b). In an effort to conform the County's UDO to State statutes, County Attorney's office staff directed Planning staff to include in the UDO amendments all allowances and requirements contained in the statutes, regardless of whether allowances are intended to be used in Orange County's practices. For this reason, the allowance for alternative notice has been suggested for inclusion into the County's UDO in Sections 2.3.5 (notice requirements for Comprehensive Plan Future Land Use Map amendments) and 2.8.7 (notice requirements for Zoning Atlas amendments).

The proposed additional text, which mirrors statutory language, reads as follows:
(From 2.3.5, the text in 2.8.7 is the same except it addresses Zoning Atlas amendments)

(a) Alternative option to mailed notice for large-scale Future Land Use Map amendments shall be as follows:

The first class mail notice required by subsection (2) shall not be required if a Future Land Use Map amendment proposes to change the land use classification of more than 50 properties, owned by at least 50 different property owners, and Orange County elects to use the expanded public notice described as follows:

(i) An advertisement published as described in (C) below, provided that the advertisement is not less than one-half of a newspaper page in size.
(ii) The advertisement shall be effective only for property owners who reside in the area of general circulation of the newspaper that publishes the notice. Property owners that reside outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified according to the provisions of subsection (2).

At the public hearing, BOCC members expressed a desire to perhaps include parameters on when the alternative option might be used. Staff offers the following parameters as a starting point for discussion:

- Add language that would allow alternative notice only on County-initiated amendments; and/or
- Add language that would allow alternative notice only if a mailing has already occurred earlier in a project's process and said mailing has outlined the expected process. Mailing examples include: a Public Outreach Meeting, a Neighborhood Information Meeting, or the Planning Board meeting.
    - As materials on previous pages shows, Orange County provides notice beyond statutory minimums, resulting in at least two separate mailings for map amendments (at a bare minimum, there is a mailing for the Planning Board meeting and a mailing for the public hearing).
    - For historical information purposes: Orange County has a long history of holding at least one public outreach meeting (prior to the Planning Board meeting) for County-initiated

map amendments. This is another example whereby practice is not written into the regulations but is, instead, long-standing policy and practice.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 6-b

SUBJECT: Approval of a Resolution Authorizing the Submittal of a Request to the Secretary of the Department of Health and Human Services to Disengage from Cardinal Innovations Healthcare and Realign with Alliance Health

DEPARTMENT: County Manager's Office

ATTACHMENT(S):

1. Resolution

UNDER SEPARATE COVER

2. *Plan Documents and Resources Only Available Electronically at: http://orangecountync.gov/2634/LMEMCO-Disengagement*

INFORMATION CONTACT:
Travis Myren, Deputy County Manager, 919-245-2308

PURPOSE: To approve a resolution authorizing submittal of the request to the Secretary of the Department of Health and Human Services to disengage from Cardinal Innovations Healthcare and realign with Alliance Health to administer Medicaid and uninsured behavioral health and intellectual/developmental disability services for Orange County residents.

BACKGROUND: North Carolina General Statutes and the North Carolina Administrative Code authorize and prescribe the process through which a County may seek permission to disengage from one Local Management Entity/Managed Care Organization (LME/MCO) and realign with another. The final decision making authority rests with the Secretary of the North Carolina Department of Health and Human Services (DHHS).

The Board of Commissioners and County staff have completed all of the formal measures that will be included as supporting documentation in the request to the Secretary of DHHS:

- The Board approved the County's Intent to Disengage on November 5, 2020.
- Formal notice of the Intent to Disengage was transmitted to the Secretary of the North Carolina Department of Health and Human Services, the Co-Chairs of the Joint Legislative Oversight Committee on Health and Human Services, and the affected counties on November 16, 2020.
- The Board of Commissioners approved a Disengagement Plan on February 16, 2021. This Plan created a Realignment Committee consisting of County officials and agencies, Alliance Health and Cardinal Innovations Healthcare representatives, and other appropriate stakeholders.

- The County also opened a sixty (60) calendar day public comment period and posted those comments for an additional thirty days following the public comment period. Public comments can be reviewed at http://orangecountync.gov/2684/LMEMCO-Public-Comments In addition to the comments posted, the County received a letter of support from the Orange County National Alliance on Mental Illness.
- The Alliance Health Board of Directors approved a resolution for Orange County to realign with Alliance Health on March 4, 2021.
- The Board of Commissioners approved a Continuity of Services Plan on April 6, 2021. This Plan outlines how the management of Medicaid and uninsured behavioral health and intellectual/developmental disability services will transition from Cardinal Innovations Healthcare to Alliance Health.
- A formal notice to providers was distributed to the forty-one (41) providers that serve Orange County on May 4, 2021 to insure each provider is aware of the realignment process. This notice also invited comments and questions.

In addition to these formal efforts, the County and Alliance Health have conducted informal information and outreach activities:

- Frequently Asked Questions (FAQ) documents for members and providers were created and distributed. The FAQ's are posted on the County's website http://orangecountync.gov/2634/LMEMCO-Disengagement
- Alliance Health has made attempts to contact all Orange County providers that currently contract with Cardinal Innovations Healthcare directly. Alliance was able to successfully connect with 19 of these providers to date and Alliance has engaged in conversations to learn more about the services and arrangements that these providers have with Cardinal. Alliance provided information on the realignment process to these providers and agreed to further engagement as the realignment process moves forward into the implementation phase.
- The Alliance Provider Network leadership specifically reached out directly to Freedom House Recovery Center, Club Nova, and OE Enterprises based on their longstanding history of providing services within Orange County, their unique service array, and their experienced understanding of local systems and community need.
- Alliance Health coordinated a meeting with the local parent advocacy group, Parent Advocates for Adult Children with Intellectual and/or Developmental Disabilities, on April 26.
- The County and Alliance Health has communicated with the State and Local Consumer and Family Advisory Committee (CFAC) and has begun drafting a charter for an Alliance Health CFAC.
- The County hosted a Virtual Town Hall meeting on May 12, 2021. Approximately sixty individuals attended the event to ask questions and submit comments. The attendees represented providers, members, parents, and advocates as well as staff from the County, Alliance Health, the Department of Health and Human Services, and Cardinal Innovations. A summary of those questions and comments will be distributed to the Board prior to the meeting.

Timeline
The remaining timeline for realignment process is expected to proceed as follows:

- May 18, 2021 – Board of Commissioner consideration of a Resolution Authorizing Submittal of the Request to Disengage to the Secretary of the Department of Health and Human Services.

- May 20, 2021 – Pending Board approval, submittal of the formal Request to Disengage to the Secretary with the required documentation. A decision by the Secretary is required within 90 days.

- August 17, 2021 – Anticipated approval by the Secretary

- Following Secretary Approval – Transition and implementation phase

- January 1, 2022 – Proposed effective date of transition

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are applicable to this item:

- **GOAL: FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY**
  The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.
- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
  The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends the Board approve the *Resolution Authorizing the Submittal of a Request to the Secretary of the Department of Health and Human Services to Disengage from Cardinal Innovations Healthcare and Realign with Alliance Health* **(Attachment 1)**. The resolution also authorizes the County Manager to take all necessary steps to submit supporting documentation as required by North Carolina General Statutes and North Carolina Administrative Code.

RESOLUTION AUTHORIZING SUBMITTAL OF THE LME/MCO DISENGAGEMENT AND REALIGNMENT REQUEST TO THE SECRETARY OF THE DEPARMENT OF HEALTH AND HUMAN SERVICES

WHEREAS, North Carolina General Statute§122C-115 (a3) empowers a county to choose its Local Management Entity/Managed Care Organization (LME/MCO) subject to the approval of the Secretary of the North Carolina Department of Health and Human Services; and

WHEREAS, On November 5, 2020, the Board of Orange County Commissioners voted to initiate the disengagement process from its current LME/MCO, Cardinal Innovations Healthcare, to realign with Alliance Health and authorized, directed and empowered the CountyManager and others to begin that process; and

WHEREAS, the Board of Orange County Commissioners approved the Disengagement Plan on February 16, 2021, posted and received all comments thereto and received further public comments over the past three (3) months; and

WHEREAS, the Board of Directors for Alliance Health unanimously approved a Resolution in support of this realignment on March 4, 2021; and

WHEREAS, the Board of Orange County Commissioners also approved a Continuity of Services Plan on April 16, 2021, reviewed by a Realignment Committee made up of key stakeholders headed by the County Manager's designee; and

WHEREAS, Orange County held a virtual public Town Hall on May 12, 2021 6pm, with representatives of Orange County, Alliance Health and Cardinal Innovations to solicit and receive additional comment and questions from the public, at which approximately sixty (60) members of the public attended; and

WHEREAS, the Board of Orange County Commissioners have received and reviewed a recommended Distribution of Real PropertyPlan attached to this resolution, reflecting no known realty needed to be distributed for this LME/MCO disengagement and realignment; and

WHEREAS, the Board of Orange County Commissioners have received, reviewed and agrees with a financial liability statement, also attached tothis resolution.

NOW, THEREFORE, BE IT RESOLVED

1. The Board of Orange County Commissioners approves disengagement from Cardinal Innovations Healthcare to join Alliance Health, effective January 1, 2022, or on such other date mutually agreed upon with the State and Alliance, subject to approval by the Secretary of the NC Department of Health and Human Services.

2. The Board of Orange County Commissioners approves the Distribution of Real Property Plan reflecting no known realty needed to be distributed for this LME/MCO disengagement and realignment, saidplan is attached to this Resolution.

3. The Board of Orange County Commissioners approves the Disengagement Financial Liabilities Statement, of which there are none, said statement is attached to this Resolution.

4. The Board of Orange County Commissioners directs and empowers the County Manager to completeall necessary steps to effect the change in accordance with guiding statutes and rules in the most expeditious manner possible.

5. The Board of Commissioners hereby authorizes the County Manager and staff to prepare and issue any appropriate documentation and request to the Secretary, to affect this Resolution, the disengagement and realignment.

Adopted this the 18th day of May, 2021

Distribution of Real Property Plan

In accordance with State law, a written plan which provides for the distribution of property, where appropriate, must be approved by Orange County during an LME/MCO realignment process. This disengagement involves no real property (land, buildings, etc.) to be distributed, and therefore no such distribution of property will occur.

Disengagement Financial Liabilities Statement

There are no outstanding financial liabilities to Cardinal Innovations Healthcare, nor will the County have any within 30 calendar days of the request to disengage. Should Cardinal reasonably disagree, the County will work amicably and promptly with Cardinal to resolve equitably and if unable to do so, defer the matter to the NCDHHS Secretary for resolution.

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda
Item No. 7-a

SUBJECT: Review of COVID-19 Long Term Recovery Plan

DEPARTMENT: County Manager and Emergency Services

ATTACHMENT(S):

1. Presentation
2. List of Recovery Support Function Participants
3. Supplemental Questions & Answers Submitted by the Chapel Hill Town Council

UNDER SEPARATE COVER

4. *Plan and Supporting Documents – Only Available Electronically at: https://www.orangencforward.org/*

INFORMATION CONTACT:

Travis Myren, 919-245-2308

PURPOSE: To review and provide input on the County's COVID-19 Long Term Recovery Plan

BACKGROUND: In 2020, the County and its municipal partners allocated a total of $175,000 in CARES Act funding to retain a consultant to support long term recovery planning and to draft a final report with detailed recommendations, implementation approaches, and performance indicators. The planning effort involved several community organizations and representatives (*Attachment 2*) to quantify and characterize the impact of the pandemic in their respective focus areas, generate ideas and recommendations, establish recovery priorities using a social justice and racial equity perspective, and review of the final draft documents.

Public engagement efforts during the planning process sought to engage all community members and included deliberate measures to improve representation from communities of color. The County convened focus groups and translated engagement materials into four languages to increase representation from communities most severely impacted by the pandemic. Feedback from these groups was shared with local governments, elevated, and referenced throughout the planning process to help shape the strategies and initiatives in the plan.

The guiding vision of the Plan is to leverage recovery from the COVID-19 pandemic to strengthen and transform Orange County by improving economic sustainability, providing resources, and achieving social and racial equity. The recommendations in the Plan are organized into seven Recovery Support Functions focused on the local economy, the health system, human services, housing, natural and cultural resources, community planning, and public information. The majority of the Plan provides detailed recommendations in each of those Recovery Support functions in

terms of what needs to take place, who should be involved, when these activities would need to occur, and how progress will be measured.

The plan appendices provide additional information to help enact the plan or explain its development and include: a summary of input from key stakeholders throughout the planning process; a map of how community input was integrated in the plan; and information about funding sources available to help implement the plan.

Staff on the project management team are presenting the same information to Chapel Hill, Carrboro, and Hillsborough. Feedback from each of the elected bodies will be coordinated and synthesized as the stakeholders enter the implementation phase of the project. A copy of supplemental questions submitted by the Chapel Hill Town Council is attached for additional information and context.

FINANCIAL IMPACT: The County funded the Long Term Recovery consulting work using CARES Act funds and shared this cost with the Towns. The County's share of the total cost was $101,500. The Plan does not commit the County to any additional spending. Most activities can be completed using existing resources or supplemental federal funding that each local government will receive as part of the American Rescue Plan Act.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are applicable to this item:

- **GOAL: FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY**
  The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.
- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
  The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.
- **GOAL: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.
- **GOAL: ENABLE FULL CIVIC PARTICIPATION**
  Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impacts are applicable to this item:

- **ENERGY EFFICIENCY AND WASTE REDUCTION**
  Initiate policies and programs that: 1) conserve energy; 2) reduce resource consumption; 3) increase the use of recycled and renewable resources; and 4) minimize waste stream impacts on the environment.
- **CLEAN OR AVOIDED TRANSPORTATION**
  Implement programs that monitor and improve local and regional air quality by: 1) promoting public transportation options; 2) decreasing dependence on single-occupancy vehicles, and 3) otherwise minimizing the need for travel.

RECOMMENDATION(S): The Manager recommends that the Board review the COVID-19 Long Term Recovery Plan and provide feedback.

Attachment 1

Orange County

Recovery and Transformation Planning Project

May 2021

HAGERTY

ORANGE COUNTY
NORTH CAROLINA

TOWN OF CHAPEL HILL

HILLSBOROUGH NORTH CAROLINA

Agenda

Project Overview

Stakeholder Engagement

Plan Overview

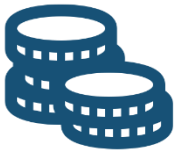
Next Steps

What Was the Purpose of the Project?

Analyze

Impact Assessment

- Understand the impacts of COVID-19 on economy, community health, housing, and social services.



Train

Cost Recovery Training

- Train county, municipal, and non-profit stakeholders on best practices for reimbursement under common federal programs.

Plan

Long-Term Recovery and Transformation Plan

- Describe goals, strategies and initiatives to drive community-informed recovery.

How Was the Project Organized?

Phase 1

Describe and quantify the impacts of COVID-19.

Phase 2

Establish a diverse stakeholder group to design strategies and initiatives addressing impacts.

Phase 3

Record countywide strategies and associated initiatives in the Recovery and Transformation Plan.

Phase 4

Implement the plan and monitor community needs.

Agenda

Project Overview

Stakeholder Engagement

Plan Overview

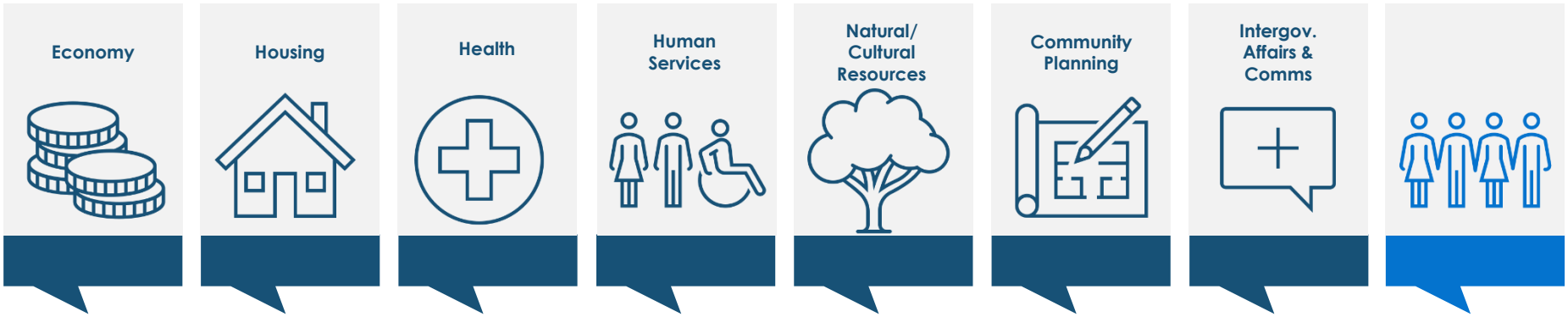
Next Steps

Who is Involved in Recovery Planning?

Individuals and organizations participating in the planning effort are experts and professionals across seven sectors, with over 30 different types of public and non-profit organizations in each group.

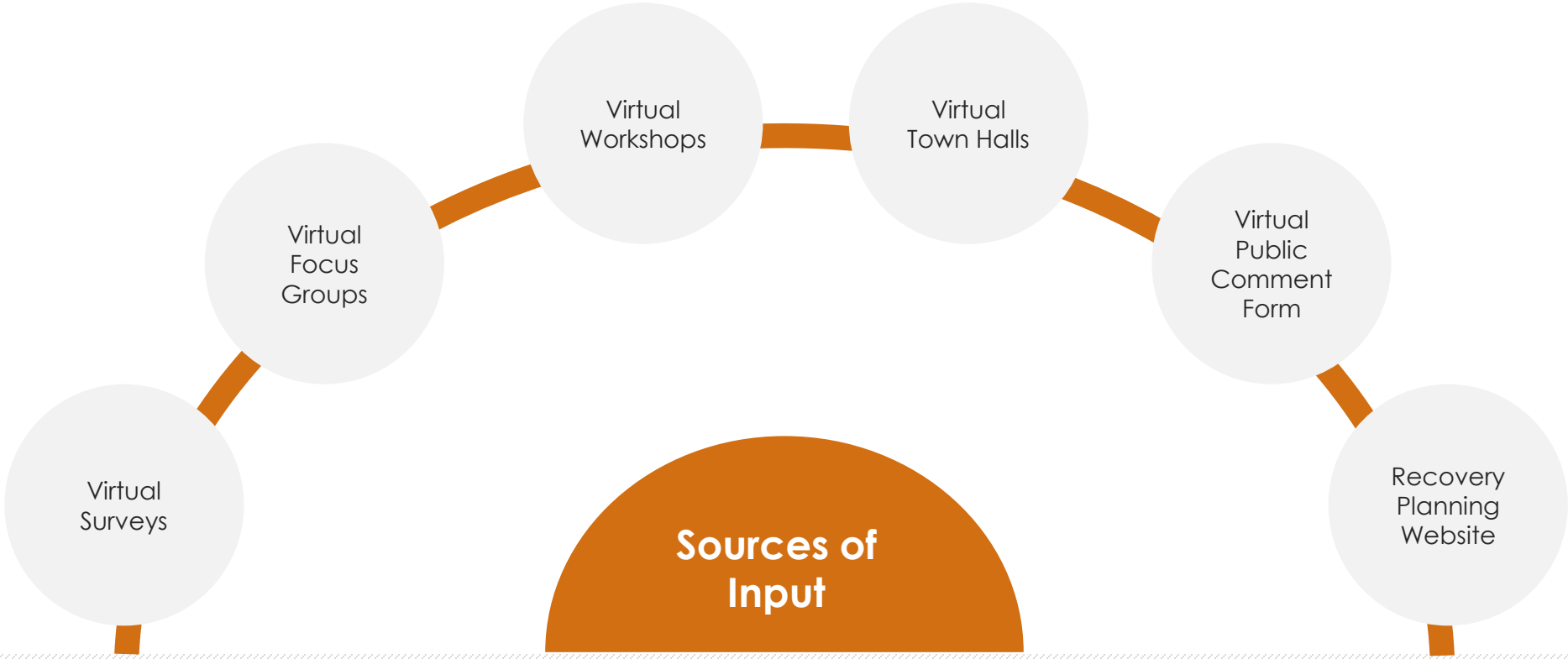
Experts and professionals across these sectors…

…and the public



How Did the Public Inform the Plan?

Comments received from the public were included in the plan (see *Community Input Annex*) and helped guide conversations with Orange County and municipal government to finalize the plan. It is essential to understand the public's priorities, so that recovery stakeholders can fairly distribute available resources to try and meet those priorities.



How Was Racial Equity Integrated into the Plan?

To align with the Guiding Vision and the county's efforts to achieve social and racial equity, the project held a consistent focus on equitable community engagement.

- **Community Leader Meetings were held to garner input from communities of color.**
- **Public engagement materials were translated into Spanish, Mandarin-Chinese, Burmese, and Karen.**
- **Targeted outreach was conducted to encourage communities of color to participate in plan review surveys and meetings.**
- **Feedback from communities of color was prioritized in proportion to the elevated COVID-19 impacts they faced.**
- **The planning process was coordinated with the efforts of Orange County's Government Alliance on Race and Equity.**

Agenda

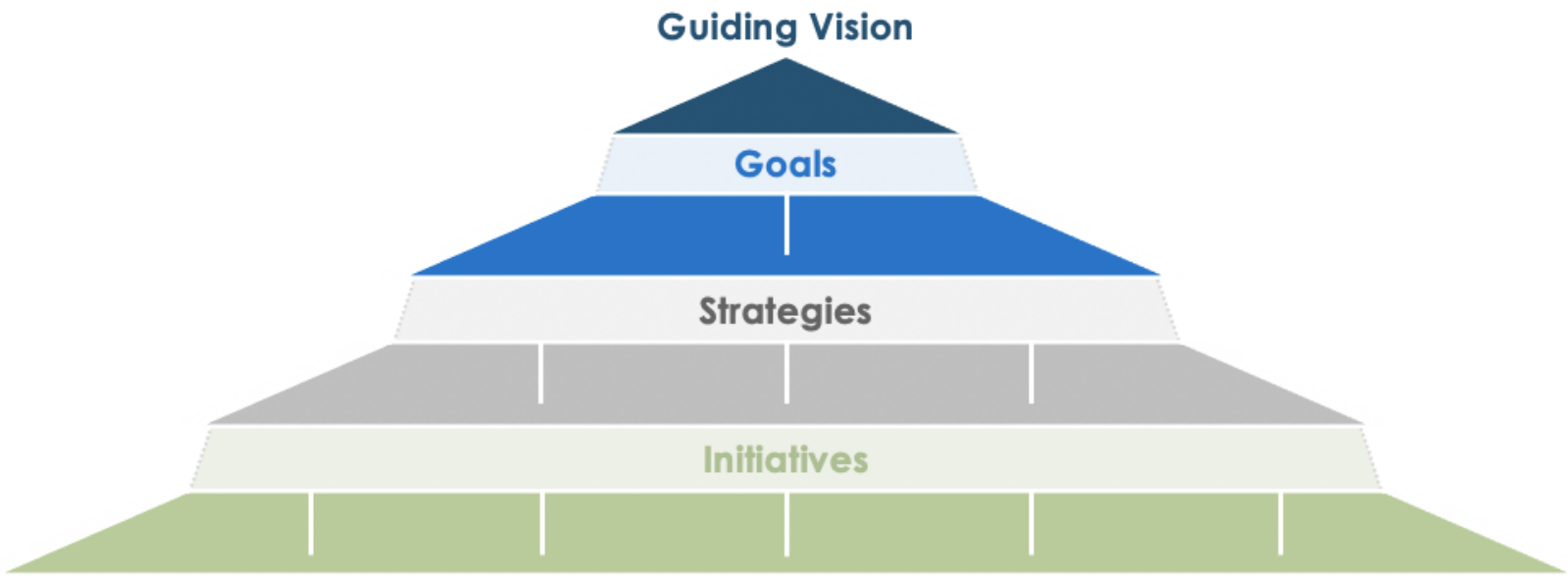
Project Overview

Stakeholder Engagement

Plan Overview

Next Steps

How is the Plan Organized?



What is the Plan's Guiding Vision?

Leverage recovery from the COVID-19 pandemic to strengthen and transform Orange County by improving economic sustainability, providing resources, and achieving social and racial equity.

What are the Goals of the Plan?

The plan is based on five recovery goals, identified through community input and the gaps revealed by the Impact Assessment.

- Address fundamental needs of all residents;
- Create safe, stable, and affordable housing solutions;
- Promote a dynamic, equitable, and sustainable economic recovery;
- Streamline access to community-based resources; and
- Combat the negative effects of social distancing to promote community healing.

Strategies & Initiatives: Economic

Provide support for small businesses.

- Provide direct financial support to local businesses when funding is available.
- Create the ability to quickly convert existing local funding programs to support future disaster response and recovery efforts.
- Establish communication channels between economic development practitioners as well as to and from businesses in Orange County.
- Provide technical support and business mentorship to small business owners, including e-commerce and other emerging industries.

Identify and address regulatory barriers to economic recovery.

- Examine and address barriers to starting and expanding small business and provide resources or amend policy to help businesses overcome these barriers.
- Identify and address policy and infrastructure barriers to remote work and operations, including broadband access.
- Engage operators and regulators to determine which temporary policy changes should be made permanent.

Drive local economic growth and encourage local spending.

- Develop collaborative marketing strategies to bring new business and enhanced local spending to the county.
- Increase the resilience of the county's key industries.
- Provide support to the arts and entertainment industry of Orange County.
- Build a shared understanding that a successful economy equals a successful community.

Strengthen and expand the local workforce.

- Identify and develop targeted training programs for residents to meet the needs of local employers.

Strategies & Initiatives: Housing

Incentivize the development of affordable and accessible housing.

- Evaluate housing stock, density, and regulations to reinforce policy changes that promote housing development and increase affordable housing.
- Continue to increase the number of subsidized housing units available locally and promote broader landlord acceptance of vouchers.
- Track tax foreclosures and evaluate opportunities to purchase property and develop into affordable housing.

Rehabilitate, improve safety, and preserve the affordability of existing housing.

- Investigate opportunities to change the process through which land use designations are reconsidered and adapted.
- Use flexible funding to support timely repairs, weatherization, and rehabilitation of affordable housing units.
- Increase flexible funding to continue efforts to reduce mobile home displacement on rented property.
- Use rehabilitation, repair, or modification to increase the availability of affordable housing compliant with the Americans with Disabilities Act.

Ensure continuation of and streamlined access to housing support programs, including emergency housing assistance.

- Expand capacity to support the implementation of solutions that address identified gaps in housing programs and resources.
- Continue and streamline the provision of emergency housing assistance, eviction diversion, and coordinated entry programs.
- Continue efforts to end homelessness in Orange County by addressing evolving gaps in the homeless system.
- Partner with health entities to direct funding toward housing as a social determinant of health.

Strategies & Initiatives: Health

Continue monitoring, testing, and eradicating COVID-19.

- Continue to provide equitable and accessible testing and vaccines for COVID-19 for free or minimal cost.
- Provide transportation to testing and vaccination sites from various locations throughout the county.
- Foster partnerships with educational institutions to develop comprehensive resources on disease prevention, monitoring, and reporting.

Promote economic recovery and bolster existing healthcare systems.

- Encourage local employers to partner with Carolina PROSPER to receive assistance with improving workplace safety.
- Partner with academic institutions to conduct a gap analysis of public and private healthcare, mental health, and substance abuse service providers.
- Support growth of the county's healthcare systems through healthcare-focused workforce development programs, expansion of telehealth, and appropriate liability protections.
- Work with non-profit and public entities to help individuals who are positive with or recovering from COVID-19 avoid lifelong debt.

Promote better access to mental and behavioral health services.

- Continue efforts to improve access to and destigmatize the use of mental and behavioral health support services.
- Continue efforts to improve access to and destigmatize substance-abuse support services.
- Strive to mitigate the effects of social isolation on harder-to-reach populations.
- Improve mental health care and support for first responders and medical care providers.

Address historic or systemic health disparities.

- Improve access to quality healthcare for historically marginalized communities.
- Appoint an advisory committee to address the unique needs of historically underserved communities with representation from affected communities.

Strategies & Initiatives: Human Services

Promote job opportunities that provide thriving wages or increase quality of life.

- Develop systems to connect people to job opportunities in the county.
- Perform a gap analysis to determine necessary policy changes around minimum wages and subsidized employment opportunities.

Streamline access to community resources.

- Streamline and expand food access to reduce hunger.
- Establish and advertise a centralized online database of non-governmental organizations to improve equitable access to community resources.
- Support coordination between regional, county, and municipal transportation systems by securing additional funding.
- Increase equitable access to high-quality cellular service and broadband, especially in rural areas.

Prevent widening of the achievement gap.

- Establish public-private partnerships to provide low- or no-cost after-school, weekend, and summer childcare.
- Partner with local schools to provide additional resources and outreach aimed at alleviating instability and improving at-home learning environments.
- Partner with schools to provide extra support for students with disabilities and their families.
- Establish a scalable technology support program to provide free or low-cost computer and peripheral rentals by expanding the existing Chapel Hill Laptop Lending Program.
- Provide technology training on relevant platforms to the community.

Strategies & Initiatives: Natural & Cultural Resources

Prevent the deterioration of natural resources.

- Coordinate planning efforts to understand how the community utilizes public spaces and whether the expansion of public spaces is necessary.
- Monitor and address indirect impacts from COVID-19 on the natural environment.
- Expand programs educating residents about their role as stewards of natural resources and the natural environment.

Provide cultural and recreational opportunities for all residents.

- Utilize oral histories to tell the story of the pandemic.
- Pursue opportunities to expand and pool resources across organizations and jurisdictions to coordinate and cross-promote free and safe activity offerings.
- Support and promote community-driven multicultural arts projects and programs that enable community healing, recovery, and resilience.

Support sustainable local agriculture systems.

- Provide technology training for agricultural producers to promote the utilization of e-commerce and alternative distribution models.
- Strengthen economic independence for agricultural producers and reduce reliance on grants and subsidies.
- Incentivize expansion of sustainable local food systems to provide support for families experiencing food insecurity.

Strategies & Initiatives: Community Planning & Capacity Building

Promote climate change mitigation and adaptation efforts.

- Leverage findings from the long-term recovery planning process to update climate action plans across the county.

Build collaborative programs between government and the community.

- Establish an active volunteer network by creating a countywide Voluntary Organizations Active in Disaster group.
- Work with academic institutions to support student access to resources necessary for their success.

Strategies & Initiatives: Intergovernmental Affairs & Public Information

Support open lines of communication between the public and local governments.

- Align and streamline information for disaster-impacted residents across local government websites.
- Make it easier for residents that do not speak English very well to engage with local governments.
- Enhance local understanding of how community members interact with government to increase civic engagement.
- Develop a 24-hour chat portal or hotline for community members to share concerns or inquiries.

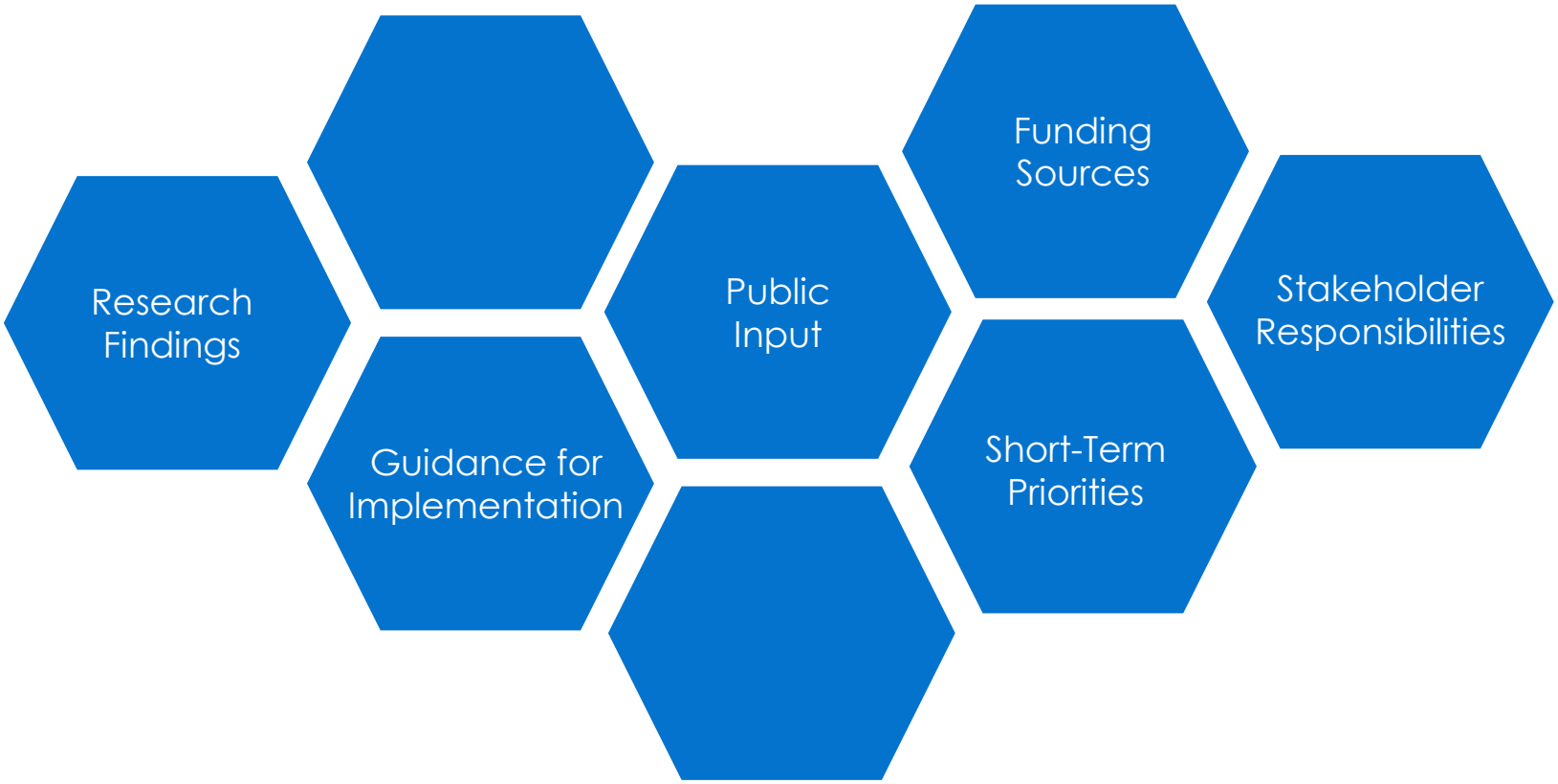
Promote equitable public engagement in planning processes.

- Continue to engage the community, especially historically marginalized populations, to ensure this plan is adapted to meet the evolving needs of all residents.
- Build a culture of information-sharing to help improve racial equity planning and implementation outcomes for the whole county.

Consistently deliver essential government services.

- Develop integrated continuity of operations plans to consistently provide critical services across local governments.
- Seek and secure additional funding to continue essential emergency support services.

What Else is in the Plan?



Agenda

Project Overview

Stakeholder Engagement

Plan Overview

Next Steps

The Role of Elected Officials

Elected officials have an essential role in implementing and socializing the Long-Term Recovery and Transformation Plan, including the following actions:

- Reviewing the plan.
- Providing input on and endorsing the plan.
- Supporting organizations (Recovery Support Functions) implementing the plan.
- Continuing to represent community needs and elevate the concerns of the most impacted populations as the plan is revised and maintained as a living document.

Thank You!

orangeNCforward.org

HAGERTY

ORANGE COUNTY
NORTH CAROLINA

arbor

TOWN OF CHAPEL HILL

HILLSBOROUGH NORTH CAROLINA

ORANGE COUNTY, NC LONG TERM RECOVERY PLANNING RSF PARTICIPANTS

Planning Group

- Orange County
- Orange County Emergency Services
- Orange County Health Department
- Town of Carrboro
- Town of Chapel Hill
- Town of Hillsborough

RSF 1 – Economic

- Carrboro Business Alliance
- Carrboro Economic Development
- Chapel Hill Carrboro Chamber of Commerce
- Chapel Hill Economic Development
- Downtown Partnership
- Durham Technical Community College
- Hillsborough Economic Development
- Hillsborough/Orange County Chamber of Commerce
- Minority Owned Business Group
- NC Cooperative Extension
- Orange County
- Orange County Economic Development
- Orange County Visitor's Bureau
- Town of Carrboro
- UNC Community Relations

RSF 2 – Health

- Cardinal Innovations
- CHCCS - School Nursing
- Duke Primary Care Hillsborough
- El Futuro
- OC Board of Health
- OCS - School Nursing
- Orange County Emergency Services
- Orange County Health Department
- Parkview Health and Rehabilitation Center
- Piedmont Health

- Signature Healthcare of Chapel Hill
- South Orange Rescue Squad
- Town of Chapel Hill
- Town of Chapel Hill Medical Director
- UNC Environment, Health & Safety
- UNC Health
- UNC Student Health Action Coalition

RSF 3 – Human Services

- American Red Cross
- Cardinal Inovations
- Chapel Hill Meals on Wheels
- Chapel Hill/ Carrboro City Schools
- Chapel Hill-Carrboro NAACP
- Criminal Justice Resource Department
- El Centro
- Food Bank of Central and Eastern NC
- Inter-Faith Council
- Orange Congregations in Mission
- Orange County Animal Services
- Orange County Department of Human Rights and Relations
- Orange County Department on Aging
- Orange County DSS
- Orange County Food Council
- Orange County Health Department
- Orange County Housing Department
- Orange County Partnership to End Homelessness
- Orange County Schools
- OWASA
- PORCH Chapel Hill
- PORCH Hillsborough
- Refugee Community Partnership
- Rogers Road Community Center
- Table
- Town of Carrboro
- Town of Chapel Hill
- Town of Hillsborough
- Triangle Disability Awareness Council
- UNC
- UNC - SOG
- United Way

RSF 4 – Housing

- Affordable Housing Coalition Chair
- CASA
- CEF
- Central Piedmont Community Action Agency
- Community Home Trust
- Compass Center
- El Centro
- EmPOWERment NC
- Habitat for Humanity
- Inter Faith Council
- Justice United
- Northside Neighborhood Iniative/Jackson Center
- Novogradac
- Orange County Department of Housing
- Orange County Housing and Community Development
- Orange County Human Rights and Relations
- Orange County Partnership to End Homelessness
- Orange County Preservation Coalition
- Refugee Community Partnership
- Self Help
- Senior Housing - Master Aging Plan
- TJ COG
- Town of Carrboro
- Town of Chapel Hill
- Town of Hillsborough
- UNC Community Relations
- UNC Student Housing

RSF 5 – Natural and Cultural Resources

- Alliance for Historic Hillsborough
- Carrboro Recreation and Parks
- Chapel Hill Parks and Recreation
- Chapel Hill Public Library and Community Arts and Culture
- Chapel Hill Resilience and Sustainability
- Duke Forest Management
- Eno River Association
- Eno River State Park
- Orange County - Cultural Resources
- Orange County - Water Resources
- Orange County - Land Conservation

- Orange County Arts Commission
- Orange County DEAPR
- Orange County Economic Development, Agriculture
- Orange County Public Library
- Town of Hillsborough Public Spaces
- Triangle Land Conservancy

RSF 6 – Community Planning and Capacity Building

- Chapel Hill Transit
- OC GARE
- OPT
- Orange County Emergency Management
- Orange County Planning and Inspections
- Orange County Solid Waste
- Orange County Sustainability
- OWASA
- Town of Carrboro - Environmental Sustainability
- Town of Carrboro - Stormwater
- Town of Carrboro Planning, Zoning, & Inspections
- Town of Chapel Hill - Resilience/Sustainability
- Town of Chapel Hill Planning
- Town of Hillsborough

RSF 7 – Public Information and Intergovernmental Affairs

- Carrboro Fire Department
- Chapel Hill Fire Department
- CHCCS Superintendent (Interim)
- Durham Technical Community College
- OC Schools Superintendent
- Orange County
- Orange County Community Relations
- Orange County Emergency Services
- Orange County Health Department
- Town of Carrboro
- Town of Chapel Hill
- Town of Hillsborough
- UNC Chapel Hill
- UNC Community Relations

05-05-2021 Town Council Meeting
Responses to Council Questions

ITEM #13: Receive the Draft Long-Term Recovery and Transformation Plan

Council Question:
What would endorsement of the Long-Term Recovery and Transformation Plan entail in terms of the Town's commitments, financial or otherwise?

***Staff Response**:*
An endorsement by the Town Council would represent support for moving forward with the final version of the plan, relying largely on existing Town programs, projects, partnerships, and funding commitments. An endorsement would also represent a willingness to consider future action and funding proposals (e.g., American Jobs Plan[4]) that could help to address gaps or enhancements using existing Town activities that align with the goals, strategies, and initiatives within the recovery plan.

Council Question:
Can you provide some data (demographics of people, locations/mediums of meetings, number of meetings, ideas/feedback raised at such meetings, etc) on the plan review surveys and meetings?

***Staff Response**:*
Starting on page 126 of the plan, Appendix B: Stakeholder Engagement Summary includes information about the purpose, method and key takeaways from major engagement activities that took place between August 2020 and February 2021. The resources section[5] of the project website includes information about different outreach and communication efforts related to the plan. Demographics and other data appear within several of the reports listed below:

- *Impact Assessment: Key Findings[6]*
- *Impact Assessment[7]*
- *Community Values Survey[8]*

We will share the question above with the Project Management Team (PMT) to see what other data are available related to public input and engagement.

[4] https://www.whitehouse.gov/american-jobs-plan/
[5] https://www.orangencforward.org/resources/
[6] https://www.orangencforward.org/wp-content/uploads/2020/10/Impact-Assessment-Key-Findings_Final.pdf
[7] https://www.orangencforward.org/wp-content/uploads/2020/10/Impact-Assessment_102620.pdf
[8] https://www.orangencforward.org/wp-content/uploads/2020/10/Community_Values_Survey_Summary_10.13.20.pdf

05-05-2021 Town Council Meeting
Responses to Council Questions

Council Question:
Was there any discussion or thinking about how to support women-owned or minority owned businesses, which are referenced in the Plan?

***Staff Response**:*
Pages 8-9 highlight a series of initiatives, including: "Promoting equitable capitalization of businesses owned by people of color to enable greater participation in the economy and to improve equitable access to financial resources."

Starting on page 13, under the Economic section, Strategy 1.1: Provide support for small businesses includes the following:

- *Target metric: "Increase number of new small businesses owned by people of color"*
- *Initiative 1.1.3: Establish communication channels between economic development practitioners as well as to and from businesses in Orange County, includes among other tactics the following: "Work with EmPOWERment Inc., to identify business owners of color who are sharing information and best practices."*

Unless the Council has other specific interests, staff will plan to share the question above with the Project Management Team (PMT) to see what other options there are for specifically addressing support for women-owned or minority owned businesses.

Council Question:
Why was there no public transit involvement in developing the plan and why does the recovery plan ignore public transit?

***Staff Response**:*
On pages 76-77, under Human Services and Strategy 4.1: Promote job opportunities that provide thriving wages or increase quality of life, Initiative 4.2.3 calls for: "Support(ing) coordination between regional, county, and municipal transportation systems by securing additional funding."

Specific implementation steps include:

"Year 0-1

- *Utilize findings from county and municipal transit plans to identify resource requirements for the expansion of transportation systems across the county.*

- *Analyze current transportation system throughout the region, county, and municipalities to identify areas of duplication, and to identify geographic gaps in transportation services.*
- *Establish a committee or workgroup between coordinating organizations and partners to conduct a cost estimate, and begin identifying funding sources (federal, state, and local) that could be used to accomplish transportation goals.*
- *Evaluate areas of the plan that could be aligned with Climate Action Planning occurring in the county.*

Years 1+

- *Acquire and solidify funding sources to accomplish transportation expansion and to accomplish the centralization of transportation systems across the county.*
- *Conduct a thorough analysis of the impact of implemented changes to the socioeconomic atmosphere in Orange County and the budgetary savings incurred due to the streamlining of public transportation services.*
- *Market the initiative to the public to keep them informed of the plan's goals and progress.*
- *Continue to seek additional funding for ongoing improvements to transportation systems."*

If there is more the Council would like to see regarding specific initiatives as they relate to public transit, staff can share these specific interests with the Project Management Team, as well.

Council Question:
The consultant has a slide dedicated to racial equity. Where is the racial equity lens in the recommendations? There is no mention of minority businesses specifically or how they will be supported in the plan.

Council Question:
Although the introductory material talks about racial equity, I do not see it reflected in any of the strategies and initiatives. For example, on page 250 (economic strategies) there is nothing about assisting minority owned small businesses, which tend to be disproportionately impacted by something like COVID-19?

***Staff Response**:*
Under the Equitable Community Engagement section (pp. 8-9), the plan notes that "deliberate attention [was] paid to elevating the concerns and needs of communities of color that have been disproportionately harmed by the pandemic." This work included a series of meetings with

community leaders in the Lantinx, African American/Black, Mandarin-Chinese speaking, Burmese speaking and Karen speaking communities to develop initiatives that could help address the challenges shared by these leaders and community members.

In terms of recommendations, Appendix E: Strategy Prioritization Results (p. 145) describes how initiatives and strategies were evaluated based on the following criteria:

- *The number of community recovery needs the initiative addresses;*
- *The popularity of the initiative based on a survey of the community's preferences;*
- *The ability of the initiative to address needs of communities of color;*
- *The ability of the initiative to promote long-term resilience.*

The detailed prioritization spreadsheet supporting Appendix E was weighted so that input from communities of color matched the disproportionate impacts found in the Impact Assessment. In other words, what was said to be important by the groups most affected by Covid is proportionately reflected in which strategies and initiatives have priority within the plan.

Additionally, under the Integration with the Government Alliance on Race and Equity section (also pp. 8-9), the plan specifically points to a list of initiatives that were raised by stakeholders and that most closely align with the "intent and focus of the GARE planning group"—as well as the county-wide racial equity plan that is scheduled for release later this year. These specific initiatives are listed below:

- *Developing a systematic approach to countywide community engagement, focusing on creating meaningful opportunities for engagement with communities of color so that their needs are better represented by units of local government.*
- *Partnering with schools to establish mandatory bias and racial sensitivity training for educators to prevent further widening of the achievement gap by making schools welcoming to students of all races and ethnicities.*
- *Promoting equitable capitalization of businesses owned by people of color to enable greater participation in the economy and to improve equitable access to financial resources.*

The consulting team informed us that, in some instances and at the consensus recommendation of certain working groups (e.g., Economic recovery), the wording of titles and headers within the plan are purposefully broad in order to be more inclusive of all groups. At the same time, stakeholders also agreed that it was important to include specific initiatives and actions (like those listed above) that reinforce the plan's emphasis on advancing racial equity in connection to other related county-wide activities (e.g. racial equity plan).

05-05-2021 Town Council Meeting
Responses to Council Questions

If there is more the Council would like to see regarding specific initiatives or actions as they relate to racial equity, staff can share these interests with the Project Management Team, as well.

Council Question:
On page 252, why are there no programs to address vaccine hesitancy? Also, it would seem appropriate to evaluate the performance of the OC Health Dept. (as well as other OC departments) to see if there are lessons to be learned.

***Staff Response**:*
In terms of project timing, the draft plan was released before vaccines were widely available to the general public and so vaccine hesitancy wasn't the issue it is today. This helps reinforce the point that the document is also intended to be dynamic as we move forward.

As a point of connection, on pages 48-50, under Health and Strategy 3.1: Continue monitoring, testing, and eradicating COVID-19, the plan outlines:

- *A key performance indicator (KPI) for the number of fully administered vaccinations and a target to increase the baseline count*
- *Initiative 3.1.1: Continue to provide equitable and accessible testing and vaccines for COVID-19 for free or minimal cost, includes a variety of outreach and distribution tactics for vaccinations*

Unless the Council has other specific interests, staff will plan to share the question and comment above with the Project Management Team (PMT) to see what other options there are for specifically addressing vaccine hesitancy and broadening performance evaluation.

Council Question:
On page 256 it would seem appropriate to address improving collaboration between jurisdictions in OC.

***Staff Response**:*
The team structure and design of the implementation process are intended to reinforce the importance of collaboration between jurisdictions in Orange County. Specifically, in addition to key stakeholders from different local sectors and organizations, the seven recovery working groups will include public staff from each of the participating local governments.

Regarding the strategies and initiatives listed on page 256 of the Council packet, intergovernmental collaboration will be essential. For this reason, in many cases multiple local governments will be directly responsible for coordinating each of the initiatives (e.g., Initiative 7.1.1: Coordinating Organizations: Local Government Public Information Officers).

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-a

SUBJECT: Minutes

DEPARTMENT: Board of County Commissioners

ATTACHMENT(S):
Draft Minutes (Under Separate Cover)

INFORMATION CONTACT:
Laura Jensen, Clerk to the Board, 919-245-2130

PURPOSE: To correct and/or approve the draft minutes as submitted by the Clerk to the Board as listed below.

BACKGROUND: In accordance with 153A-42 of the General Statutes, the Governing Board has the legal duty to approve all minutes that are entered into the official journal of the Board's proceedings.

Attachment 1: April 20, 2021 Virtual Business Meeting
Attachment 2: April 22, 2021 Virtual Work Session

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends the Board approve minutes as presented or as amended.

MINUTES
ORANGE COUNTY
BOARD OF COMMISSIONERS
VIRTUAL BUSINESS MEETING
April 20, 2021
7:00 p.m.

The Orange County Board of Commissioners met for a Virtual Business Meeting on Tuesday, April 20, 2021 at 7:00 p.m.

COUNTY COMMISSIONERS PRESENT: Chair Renee Price, Vice Chair Jamezetta Bedford, and Commissioners Mark Dorosin (arrived at 8:26 p.m.), Amy Fowler, Jean Hamilton, Sally Greene, and Earl McKee
COUNTY COMMISSIONERS ABSENT: None.
COUNTY ATTORNEYS PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, and Clerk to the Board Laura Jensen. (All other staff members will be identified appropriately below)

Chair Price called the meeting to order at 7:00 p.m.

A roll call was called; all members were present except for Commissioner Dorosin.

Due to current public health concerns, the Board of Commissioners is conducting a Virtual Business Meeting on Tuesday, April 20, 2021. Members of the Board of Commissioners participated in the meeting remotely. As in prior meetings, members of the public were able to view and listen to the meeting via live streaming video at http://www.orangecountync.gov/967/Meeting-Videos and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

In this new virtual process, there are two methods for public comment.

- Written submittals by email
- Speaking during the virtual meeting

Detailed public comment instructions for each method are provided at the bottom of this agenda. (**Pre-registration is required.)**

1. Additions or Changes to the Agenda

Chair Price said item 4-c will be moved to the May 4, 2021 business meeting.

Laura Jensen introduced Deputy Clerk to the Board Tara May, as well as additional Clerk's office staff Crystal Long, both of whom have worked with the County previously, and come with helpful experience.

Chair Price dispensed with reading the public charge.

Public Charge: The Board of Commissioners pledges its respect to all present. The Board asks those attending this meeting to conduct themselves in a respectful, courteous manner toward each other, county staff and the commissioners. At any time should a member of the Board or the public fail to observe this charge, the Chair will take steps to restore order and decorum.

Should it become impossible to restore order and continue the meeting, the Chair will recess the meeting until such time that a genuine commitment to this public charge is observed. The BOCC asks that all electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate. Please be kind to everyone.

Arts Moment – No Arts Moment was available for this meeting.

2. Public Comments

a. Matters not on the Printed Agenda

Diana Montgomery said she is an environmental educator, and has lived in Efland for 24 years. She said she spoke to the Board of County Commissioners (BOCC) about Buc-ee's at a previous meeting. She thanked the Commissioners for their time and attention, and careful review of ordinances. She said she hopes the BOCC will apply that same level of care in assessing and listening to the Buckhorn Area Plan, which deserves close examination. She urged the Board to take seriously its ordinances and established agreements, as the community is relying on the BOCC. She said she hopes there will always be opportunity for public comment, and encouraged the BOCC to keep asking good questions in order to protect environmental resources, such critical watersheds that supply drinking water, and the unique natural area that surrounds Seven Mile Creek.

b. Matters on the Printed Agenda

(These matters will be considered when the Board addresses that item on the agenda below.)

3. Announcements, Petitions and Comments by Board Members

Commissioner Greene said the transit plan and policy steering committee met with its counterparts in Durham, in order to discuss needs that will not be met by light rail. She said light rail projects will not happen, but the need to connect the two counties still exists. She said Durham County has developed three scenarios with the help of a consultant, and all options have a version of express bus or bus rapid transit going down 15-501 corridor. She said Orange County has similar interests, and all will keep working together and coordinate efforts.

Commissioner Greene participated in a listening session sponsored by Durham Technical Community College. She said the community college is planning for a new building, and are considering the structure and design of new building to best meet the needs of Orange County. She said most people in the meeting were interested in local food economy and ways Durham Tech could help. She said Durham Tech was receptive to the ideas. She said the Piedmont Food & Agricultural Processing Center (PFAP) is about to lose its fifth business to out of the County. She said PFAP is having growing pains, and the Board needs to proactively support the local food economy, as small businesses are as important to Economic Development as big businesses. She petitioned the Board to hold a work session on local food economy, and ways the County could positively support it and make it thrive.

Commissioner Fowler said she attended the Triangle Area Rural Planning Organization (TARPO) meeting, where there was a report from the NC Board of Transportation, NC Department of Transportation (NCDOT), and TARPO staff. She said there is $1.5 billion cash balance available, but that may change, as projects are started post COVID-19. She said train service is back to full schedule, and offering 50% off train fares for April. She said there are 2,500 job vacancies with NCDOT. She said the meeting attendees approved FY22 plan, which can be found at TARPO.org.

Commissioner Fowler said she attended the Juvenile Crime Prevention Council (JCPC) meeting with presentations from various groups. She said client, as well as Juvenile Justice,

numbers are down due to pandemic. She said funding was approved for various juvenile programming.

Commissioner Fowler said she attended the intergovernmental parks group meeting, where a report was presented on all of the changes that were made to services related to Covid.

Commissioner Fowler asked if staff is receiving information about bikeways and grant funding, or if she needs to share it with Commissioners and staff.

Bonnie Hammersley said to forward the information to her and she would send it to appropriate staff members.

Commissioner McKee said he will attend the chamber of commerce meeting on Thursday morning.

Commissioner McKee petitioned the Board to reconsider having meetings in public, rather than virtually, given the increase in vaccinations and the Governor's potential reduction in restrictions. He said there is room for the Commissioners to meet in the boardroom. He said chairs can be spaced out around the room and can accommodate 24 people with chairs spread apart. He said given the upcoming budget season, and the public interest in the Buckhorn Area Plan, he would support meeting in person.

Commissioner Hamilton said she attended the Greater Chamber meeting last week, and the Chapel Hill Economic Development Director shared some great plans to help the Chapel Hill economy recover from COVID-19.

Commissioner Hamilton said she also attended the intergovernmental parks workgroup. She said is important to share how the different municipalities worked together to deal with COVID-19, to allow for increased use by residents. She said there were rave reviews for the Department of Health's assistance in making sure everything was safe.

Commissioner Bedford read the following petition:

Whereas, it would benefit Orange County residents to have interconnected services between the county libraries and Chapel Hill Library; and
Whereas, the southwest County library to be built in Carrboro is under design with borrowing submission to the LGC targeted for late 2021; and
Whereas, there may be associated costs for borrowing/collection inventory software at the new library; and
Whereas we do not have current data about the age, costs, planned replacement; potential upgrades, and general opportunities regarding the libraries in the county and towns;

I petition that Orange County connect with Chapel Hill to determine the existing situation, the costs of creating/expanding interoperability between the county libraries and Chapel Hill library, which could include using the same inventory/borrowing software for all three libraries located in Orange County, and should include expenses beyond software licenses such as personnel costs; travel expense; etc. If other counties or city libraries have current interoperability systems now with Chapel Hill and/or County libraries, please include that data and impact. Library directors and staff will know of other variables and considerations that need to be included in a cost/benefit analysis. It would be a shame to spend a lot of funds on the southwest library system only to learn we missed an opportunity to improve the library services for all.

Chair Price said she attended a ground breaking for Perry Place homes. She said this development is named after Velma Perry, who was a long-time resident of Chapel Hill and an advocate for social justice and for the community. She said CASA, Orange County, Chapel Hill, and Strowd Roses jointly funded this project. She said some of Ms. Perry's relatives were in attendance. She said hopefully by the grand opening of the home sites, COVID-19 restrictions on gatherings will be lifted, and many can attend and celebrate.

Chair Price said the Health Department is taking walk-ins for COVID-19 vaccinations.

Chair Price congratulated Eugenia Floyd, a 4th grade teacher at Mary Scroggs Elementary, and a graduate of East Chapel Hill High, who was named 2021 NC Teacher of the Year.

Chair Price noted the guilty verdict today during the Derek Chauvin trial in Minnesota.

Chair Price said it was nice to see that Thomas Ruffin Lane has been renamed Lydia Lane.

4. Proclamations/ Resolutions/ Special Presentations

a. Earth Day 2021 Proclamation

The Board considered voting to approve a proclamation related to Earth Day and environmental protection actions, including declaring April 2021 as "Skip the Stuff Month," July 2021 as "Reduce Single Use Plastics Month," and recognizing April 22 as Earth Day 2021 - encouraging County residents to participate in planned Earth Day activities.

BACKGROUND: Thursday, April 22, 2021 is the 51st celebration of Earth Day, which was first identified and acknowledged in 1970 to give voice to a growing awareness of the importance of the planet's finite resources and public consciousness about the state of the planet.

A number of events will be occurring locally during April and beyond, to celebrate Earth Day and promote efforts to protect and conserve natural resources.

Related to these efforts a proclamation has developed for the Board's consideration.

The proclamation includes:

- A request from the Solid Waste Department to declare "Skip the Stuff Month" for April 2021 and "Reduce Single Use Plastics Month" for July 2021. These efforts are focused on reducing the reliance on non-recyclable plastics such as straws, cups, utensils and containers. Since the Covid pandemic of the last year, there has been a significant increase in the use of disposable plastic items. Non-reusable plastics have a myriad of negative effects, from harming wildlife to degrading water quality, and creating public health concerns. The proclamation encourages County residents and businesses – in the spirit of Earth Day – to promote the reduction of single-use plastics by not purveying or accepting these products when offered, and offering compostable or reusable alternatives.
- Recognition of April 22 as Earth Day 2021, encouraging residents to participate in a number of planned activities designed to celebrate the planet and the natural resources that sustain us, including local efforts such as:
- A daylong Orange County Facebook "Earth Day Blitz", streaming live and including interactive children's games and other opportunities for action - both locally and nationally,
- Shred-A-Thons for recycling of confidential papers, Saturdays, April 24 and May 1,
- The second annual Creek Cleanup sponsored by Carrboro and Chapel Hill Stormwater (more info at: https://www.townofchapelhill.org/government/departments-services/public-works/stormwater-management/public-education-and-participation/annual-cleanup-with-carrboro#ad-image-0, and
- Other activities and opportunities that are being created by many partners (to be announced)

A flyer with information about these and other activities will be developed and released as Earth Day approaches, and this will be shared with the Board and with the public through a variety of platforms.

David Stancil, Environment, Agriculture, Parks and Recreation Director, introduced the item. He said the proclamation is a combination of several things that recognizes Earth Day, but also specific actions from the Solid Waste Department about steps everyone can take locally. He said this is the 51st annual Earth Day, and the first Earth Day traced its origins back to Rachel Carson's book "Silent Spring."

David Stancil said the proclamation encourages residents to participate virtually and in person, and people of all ages can be part of the day. He said there is a strong environmental ethic in Orange County, with a populace that cares. He said more events are added every day for Thursday's celebration. He said the Solid Waste Department asked the Board to designate April as "Skip the Stuff" month and July as "Reduce single use plastics month". He said there has been an increase in single use items, especially due to the pandemic. He said the proclamation asks residents to promote reduction and reusable alternatives. He said staff will post all details to social media many for residents to get involved.

Bruce Woody, Deputy Solid Waste Director, said the "Skip the Stuff" campaign requires meal deliveries to post a menu of accessories, and customers has to opt in to receive items. He said this will reduce waste, and allow customers to only receive what they truly need.

Commissioner Fowler read the proclamation:

ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION
EARTH DAY 2021
APRIL 2021 – "SKIP THE STUFF MONTH"
JULY 2021 – "REDUCE SINGLE USE PLASTICS MONTH"

WHEREAS, April 22, 2021 is the 51st anniversary of Earth Day, marking a renewed interest in protecting the natural environment; and

WHEREAS, overall concern for the environment is increasing due to ongoing degradation and resource depletion; and

WHEREAS, a number of community events are being held to recognize Earth Day, including virtual, interactive and hands-on activities sponsored by Orange County and its towns; and

WHEREAS, during the pandemic there has been a significant increase in the use of disposable plastic items; and

WHEREAS, single-use plastics such as straws, cups, utensils, and most take-out containers are not recyclable and must be landfilled; and

WHEREAS, most single use plastics are produced from non-renewable fossil fuel based resources increasing negative climate impacts; and

WHEREAS, single-use plastic bags are recyclable but still cause harm when disposed improperly in the environment; and

WHEREAS, single-use plastics remain in the environment indefinitely, harming wildlife, impacting water quality, and diminishing the aesthetic character of the County's outdoor environment; and

WHEREAS, plastics do not biodegrade in the environment, but instead break down into smaller micro-plastics thereby presenting a danger to public health by increasing the pathogens and chemicals in animal tissue and in waterways, lowering water quality, that requiring significant resources to address; and

WHEREAS, Orange County wishes to recognize Earth Day this year and promote its celebration by all County residents; and

WHEREAS, one effort to protect natural resources is the reduction in the use of ALL single-use plastics by residents and businesses - by encouraging those selling food to ask customers if they want the single-use plastic utensils, straws, napkins and extra products rather than including them with all orders, refusing single-use plastics when offered, and offering compostable or reusable alternatives; and

WHEREAS, Orange County and the towns therein are known for and committed to social and technical innovation, environmental and waste reduction leadership;

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of County Commissioners does hereby recognize April 22, 2021 as Earth Day 2021, encourage residents to celebrate Earth Day by participating in planned local activities and events, and declare April 2021 as "Skip the Stuff Month" and further declare July 2021 as "Reduce Single Use Plastics Month."

This, the 20th Day of April 2021.

_____
Renee Price, Chair
Orange County Board of Commissioners

ATTEST:

_____
Laura Jensen, Clerk to the Board

A motion was made by Commissioner Fowler, seconded by Commissioner Hamilton, to approve and authorize the Chair to sign the proclamation.

Roll call ensued

VOTE: UNANIMOUS

Commissioner Fowler encouraged everyone to reduce, reuse, and recycle.
Chair Price said she hoped to attend some of the events.

Bruce Woody reiterated that the Shred-A-Thom will be a touchless event, due to the pandemic. He said residents will need to be prepared to shred materials themselves, as staff assistance will not be available.

b. Sexual Assault Awareness Month Proclamation

The Board considered voting to approve a proclamation recognizing April 2021 as Sexual Assault Awareness Month in Orange County.

BACKGROUND: The Orange County Rape Crisis Center, a non-profit, volunteer agency, which has been serving the community since 1974 is working with others in the community to stop sexual violence and its impact through support, education and advocacy. Rape is the most costly crime to its victims considering factors such as medical cost, lost earnings, pain, suffering and lost quality of life. The Orange County Rape Crisis Center assisted over 600 survivors of sexual violence, their loved ones, and community professionals during 2020.

The coordination of the Orange County Domestic Violence and Sexual Assault Response Committee is bringing together members of law enforcement, the medical community, the legal system and other community advocates to improve services for survivors of sexual assault who come forward.

The Board of Commissioners is asked to proclaim April 2021 as "Sexual Assault Awareness Month" in Orange County to encourage all residents to speak out against sexual assault, and to support their local communities' efforts to provide services to victims of these appalling crimes. The Board has approved similar resolutions in prior years.

Chair Price introduced the item and Julia Da Silva from the Orange County Rape Crisis Center.

Julia Da Silva thanked the Board for its support for ending sexual violence. She highlighted the services that the Center provides to clients, as well as educational programs for students.

Commissioner Hamilton read the proclamation with updated language in the 5th "Whereas" from what was originally presented in the agenda packet:

ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION
Sexual Assault Awareness Month

WHEREAS, the Orange County Rape Crisis Center assisted over 600 survivors of sexual violence, their loved ones, and community professionals during 2020; and

WHEREAS, the Orange County Rape Crisis Center works with the County's two school systems and other groups to provide students with age-appropriate information about violence prevention, reaching over 15,500 youth and adults each year; and

WHEREAS, the coordination of the Orange County Domestic Violence and Sexual Assault Response Committee (DVSARC) is bringing together members of law enforcement, the medical community, the legal system, and other community advocates to improve services for survivors of sexual assault who come forward; and

WHEREAS, 1 in 5 American women have been sexually assaulted at some point in their lives (Centers for Disease Control and Prevention, 2010); and

WHEREAS, in the United States the estimated lifetime cost for all adult rape survivors is nearly $3.1 trillion, with government sources paying an estimated one-third of those costs, based on factors including medical costs, lost earnings, and criminal justice expenses. (Centers for Disease Control and Prevention, 2017); and

WHEREAS, in the United States 1 in 3 women and 1 in 4 men have experienced some form of sexual or physical violence committed by an intimate partner (Centers for Disease Control and Prevention, 2010); and

WHEREAS, trans and gender non-conforming people, people with disabilities, and children face the highest rates of sexual violence in our country; and

WHEREAS, victim-blaming continues to be an enormous problem in instances of rape and sexual assault; and

WHEREAS, the Orange County Rape Crisis Center, a nonprofit agency that has served this community since 1974, is working to stop sexual violence and its impact through support, education, and advocacy;

NOW, THEREFORE BE IT RESOLVED that we, the Orange County Board of Commissioners, do hereby proclaim the month of April 2021 as "SEXUAL ASSAULT AWARENESS MONTH," and encourage all residents to speak out against sexual violence and to support their local community's efforts to prevent and respond to these appalling crimes.

This the 20th day of April 2021.

_____

Renee Price, Chair
Orange County Board of Commissioners

A motion was made by Commissioner Hamilton, seconded by Commissioner McKee, to approve the proclamation designating April 2021 as "Sexual Assault Awareness Month" in Orange County, with the language suggested by Commissioner Hamilton, and authorize the Chair to sign the proclamation.

Roll call ensued

VOTE: UNANIMOUS

Commissioner Fowler thanked to the Orange County Rape Crisis Center for its work, and especially highlighted the Center's work with parents of students with disabilities.

Chair Price said it is difficult topic to talk about, but that the Center has the County's support.

c. <u>2027 World University Games Update</u>

The Board received information and an update on North Carolina's progress in the bid process for the 2027 World University Games, an event of the International University Sports Federation (FISU).

BACKGROUND:

The North Carolina Bid Committee (NCBC) is working to bring the world's largest event for student-athletes to North Carolina and specifically the Triangle area. In recent months, the NCBC has received requests for presentations to local groups interested in the bid and prospects for the Games. The NCBC has presented to the Durham Sports Commission (DSC) Board of Directors, the North Carolina Travel and Tourism Board, the Planning and Legislative Committee of GoTriangle, and the Cary Chamber of Commerce Board of Directors.

This item was tabled until the May 4, 2021 business meeting.

5. Public Hearings

a. <u>Public Hearing on FY 2021-2022 Annual Action Plan for the HOME Investment Partnerships Program</u>

The Board held a public hearing on the Annual Action Plan for the HOME Investment Partnerships Program.

BACKGROUND:

Every year, state and local governments ("Participating Jurisdictions") that receive HOME Investment Partnerships Program ("HOME") funds from the U.S. Department of Housing and Urban Development ("HUD") are required to complete an Annual Action Plan that lays out how they will allocate HUD funds for the upcoming program year in order to address the goals and priorities in the Consolidated Plan. A summary of the draft Annual Action Plan for FY 2021-2022 is provided at Attachment 1.

For FY 2021-2022, Orange County anticipates receiving the following HOME resources:

FY 2021-2022 HOME Funds	$ 378,743
FY 2020-2021 HOME Funds (returned by CASA)*	$ 200,000
HOME Program Income	$ 13,306
Local Match	$ 85,218
Total	**$ 677,267**

**CASA elected to return its award due to receiving a Low-Income Housing Tax Credit award, which filled their funding gap; thus, HOME funds were no longer needed.*

The above amounts are estimates and may be adjusted according to the actual allocation received from HUD. A summary of each of the above projects can be found in Attachment 2.

Orange County is a special type of Participating Jurisdiction, called a Consortium, consisting of Orange County and the Towns of Carrboro, Chapel Hill, and Hillsborough. Orange County serves as the lead entity for the Orange County HOME Consortium. The Consortium has drafted the FY 2021-2022 Annual Action Plan based on the HOME award recommendations made by the Local Government Affordable Housing Collaborative, detailed below.

The Local Government Affordable Housing Collaborative (the "Collaborative"), comprised of one (1) elected official and staff members from Orange County and the Towns of Carrboro, Chapel Hill, and Hillsborough, reviewed the applications received for the FY 2021-2022 HOME Program on March 25, 2021 and made the following funding recommendations for consideration by each of the jurisdictions' elected bodies:

Applicant and Project	HOME Request	HOME Award
Habitat for Humanity – Homebuyer Assistance	$ 450,000	$ 434,393
Pee Wee Homes – Rental Construction	$ 100,000	$ 100,000
EmPOWERment – Rental Acquisition	$ 105,000	$ 105,000
Administration (10% of HOME Funds, per statute)	$ 37,874	$ 37,874
Total	**$ 692,874**	**$ 677,267**

In accordance with HUD requirements and the Orange County Citizen Participation Plan, the Orange County HOME Consortium must hold a public hearing to obtain public comments and feedback on the draft Annual Action Plan during the public comment period, from April 1 – May 2, 2021.

Notice of this public hearing was published in *The Herald Sun* and *La Notícia*. Copies of the draft Annual Action Plan were posted on the Orange County Department of Housing and Community Development website, and a link to the website and draft plan were circulated by public notice in the newspapers listed above, as well as email outreach to more than 100 relevant stakeholders to include local service providers, nonprofit organizations, government entities, elected officials, and interested residents.

All comments received during this hearing, and anytime during the public comment period, will be incorporated into the final Annual Action Plan to be submitted to HUD. Before submitting the final plan, the Board of Commissioners will consider the approval of the Annual Action Plan and the FY 2021-2022 HOME Program Design (funding recommendations) on May 4, 2021. The governing boards for the Towns of Chapel Hill, Carrboro, and Hillsborough are also scheduled to consider the approval in early May, in order for the final plan to be submitted to HUD by the federal deadline of May 15, 2021.

Erika Brandt, Housing and Community Development Manager, made the following PowerPoint presentation:

Slide #1

ORANGE COUNTY HOME CONSORTIUM

2021 ANNUAL ACTION PLAN FOR THE FY21-22 HOME PROGRAM

Orange County Board of Commissioners
April 21, 2021

Slide #2

AGENDA

- HOME Overview
- FY21-22 HOME Funding Application Process
- Annual Action Plan Overview

Slide #3

HOME PROGRAM OVERVIEW

Purpose
- Increase the supply of decent, affordable housing to low-income households
- Expand the capacity of nonprofit housing providers
- Strengthen the ability of state and local governments to provide housing
- Leverage private sector participation

Uses
- Acquisition of real property, site improvements, & housing construction
- Housing rehabilitation & reconstruction
- Homeownership assistance
- Tenant-based rental assistance

Slide #4

FY21-22 HOME PROGRAM

- Applications for the County's FY21-22 HOME program were due **Feb 26**
- Applications were reviewed and scored the Local Government Affordable Housing Collaborative and staff from the Towns and County
- Scoring based on:
  1. Income targeting
  2. Vulnerable population(s)
  3. Long-term affordability
  4. Project location relative to services & employment
  5. Leveraging other funding
  6. Cost effectiveness
  7. Capacity to complete project
- Award recommendations made by the Collaborative

Slide #5

APPLICATION SUMMARY

	EmPOWERment	Habitat	Pee Wee Homes
Project Name	706 Gomains Ave (Chapel Hill)	Fairview Homeownership Assistance (Hillsborough)	106 Hill St (Carrboro)
Activity Type	Rental Acquisition	Homeownership Assistance	Rental Construction
Project Description	Acquisition of duplex (2 units) in Northside to be rented to low-income families	Second mortgage assistance to 15 low-income households	New construction of 3 units to be rented to individuals experiencing homelessness
HOME Funds Request	**$105,000**	**$450,000**	**$100,000**
Total Project Cost	$240,000	$3,000,000	$206,425
Non-HOME Funds (Total Cost - HOME Funds)	$135,000	$2,550,000	$106,425
Leveraging Ratio	1.29 : 1	5.67 : 1	1.06 : 1
Cost per Unit | per SF	$52,500 | $54	$200,000 | $151	$68,808 | $193
Award Type	Grant	Loan	Grant
Number of Units	2	15	3
AMI	< 30% AMI (2 units)	31-50% AMI (11 units), 51-80% AMI (4 units)	< 30% AMI (3 units)
Average Staff Scores (out of 200 possible points)	**153.75**	**150.17**	**154.75**

Slide #6

AWARD RECOMMENDATION

Funding Available	
2021 HOME Allocation	$378,743
2020 HOME Funds Returned (CASA)	$200,000
Local Match	$85,218
HOME Program Income	$13,306
TOTAL	**$677,267**

Funding Award	
EmPOWERment, Inc. – Rental Acquisition	$105,000
Habitat for Humanity – Homebuyer Assistance	$434,393
Pee Wee Homes – Rental Development	$100,000
Administration	$37,874
TOTAL	**$677,267**

OCHCD
ORANGE COUNTY HOUSING & COMMUNITY DEVELOPMENT

Slide #7

ANNUAL ACTION PLAN

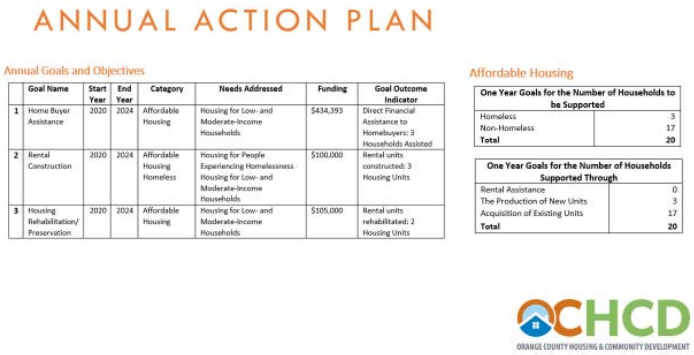
- Annual "update" to Strategic Plan portion of the Five-Year Consolidated Plan (2020-2025) required by HUD
- Includes HOME funding awards for the year in question (Chapel Hill also creates a separate Action Plan for their CDBG funds)

Projects

#	Project Name	Description
1	Habitat for Humanity – Homebuyer Assistance	Funds will be allocated to Orange County Habitat for Humanity to provide deferred payment zero interest mortgages to an estimated fifteen (15) homebuyers in the Fairview Community in Hillsborough earning between thirty percent (30%) and eighty percent (80%) of the area median income. (The final number of homebuyers assisted may be more or less than 15 and will depend on homebuyer underwriting.)
2	Pee Wee Homes – Rental Construction	Funds will be allocated to Pee Wee Homes to finance construction of three (3) small rental units at 106 Hill Street in Carrboro. Units will be leased to households experiencing homelessness and earning less than thirty percent (30%) of the area median income.
3	EmPOWERment – Rental Acquisition	Funds will be allocated to EmPOWERment, Inc. for acquisition of a duplex containing two (2) units at 706 Gomains Avenue in Chapel Hill. Units will be leased to households earning less than thirty percent (30%) of the area median income.

OCHCD
ORANGE COUNTY HOUSING & COMMUNITY DEVELOPMENT

Slide #8



A motion was made by Commissioner McKee, seconded by Commissioner Fowler, to open the public hearing.

Roll call ensued

VOTE: UNANIMOUS

PUBLIC COMMENTS:

Rose Nuam said she supported Habitat's application for HOME funds. She said she has 5 people in her family, and they were approved for a Habitat house last fall. She said a family with a home is a lot healthier and happier. She said many families are interested in home ownership, because rentals are expensive and unstable. She said many friends have asked when Habitat will build more homes, and her family's healthy relationship with Habitat makes people feel confident in Habitat's services. She said she supports Habitat's request for funding they build stable and affordable housing. She said her family is happier and emotionally stronger knowing they have a home. She said Habitat is an amazing organization.

Candace Midgett said she is a resident and homeowner at Crescent Magnolia in Hillsborough, and she supports Habitat's application for HOME funds. She said residents choose to live in Crescent Magnolia community for permanency, continuing support and affordability. She said the expectation of a permanent home is reasonable because the community has been established for people to age in place. She said continuing support is important to people in Crescent Magnolia, and many have chosen to stay in Orange County has there are excellent services for seniors. She said she lives in a strong community that supports each other. She said these homes are affordable on a senior income, with help from Habitat and Town of Hillsborough. She said Orange County housing costs often exceed 30% of one's income. She said most residents of Crescent Magnolia are single women, and invited the Commissioners to visit.

A motion was made by Commissioner Bedford, seconded by Commissioner Hamilton to close the public hearing.

Roll call ensued

VOTE: UNANIMOUS

Chair Price asked if an explanation of the local match could be provided.

Erika Brandt said HUD requires that participating jurisdictions pay a 25% local match towards direct housing costs. She said this does not include the 10% set aside for administrative costs. She said the match is split between the four jurisdictions, based on population.

Commissioner Greene complimented all staff for putting this together. She said the process is well organized and clear. She said Empowerment and PeeWee homes were fully funded because the requests were small. She said there is so much available funding, as CASA did not need all of its funds from a previous year.

Commissioner Fowler said she was wondering if this was a typical funding amount. She said it is about $200,000 more than usual.

Erika Brandt confirmed it was more than usual.

Chair Price said the increased funds were due to Perry Place, because CASA got the low-income housing tax credit.

6. Regular Agenda

a. Buckhorn Area Plan Study

The Board received a report on the Buckhorn Area Plan Study and to discuss next steps on public outreach and continued analysis and coordination with the City of Mebane.

BACKGROUND:

This report is intended to provide a framework for further review and outreach related to the Buckhorn Area Plan (BAP). Orange County and the City of Mebane have collaborated on land use planning and associated infrastructure projects since 2004 with agreements to support economic development, a school location, and North Buckhorn Community and Efland sewer service and rate stabilization. The mixture of residential, non-residential (industrial and commercial) and community uses such as a school and parks was acknowledged in the planning of supporting water, sewer and road infrastructure.

From 2004 to 2012 Orange County and the City of Mebane continued to coordinate joint planning efforts with the development of the Efland-Mebane Small Area Plan Study and subsequent implementing measures of land use and zoning changes and infrastructure investment. That work bolstered intended private and public sector interest in the existing Economic Development areas in proximity to the dual interstate (I-40/I-85) and interchanges.

Additional study by an independent planning and engineering firm in 2017 and 2018 examined the strengths, weaknesses, opportunities and threats (SWOT analysis) of the existing Economic Development and CITAN (Commercial-Industrial Transition Activity Node) areas and recommended further technical land development regulation review, as well as subjective economic development viability criteria (such as topography, proximity to interstate, and environmental constraints). As development pressures continued in this area, as evidenced by Medline, Orange County and the City of Mebane embarked on a joint technical study known as the Buckhorn Area Plan with the hiring of the Piedmont Triad Regional Council. The technical study is available at: https://www.ptrc.org/Home/ShowDocument?id=10489.

The focus moving forward will be to concentrate short term efforts on the areas identified in the Study with known developer interest. These areas include Growth Area A, as identified in the Buckhorn Area Plan Study, which is presently within the County's Economic Development area, and Growth Area B. Large parcels within Growth Area B have recently been under contract.

Buckhorn Area Plan areas C, D and E were ranked in the study, but no known development interest at this time. Further public engagement and analysis of those Growth Areas may occur in the future following direction from the Board of Commissioners.

1. Overview of County Wide Planning Framework

In 1994, the County designated three distinct areas in the County outside of the incorporated municipalities where water and sewer service may be extended and where more dense, primarily non-residential would occur.

- The Eno Economic Development District (EDD) is approximately 600+ acres located along Highway 70 bordering Durham County. The City of Durham provides utilities in this area, and annexation of the served parcels into the City is possible. Staff is currently working on a proposal to reduce the general size of the Eno EDD to the approximately 200 acres that are suitable for development based on the SWOT analysis conducted in 2018 and property owners/developers are willing.
- The Hillsborough EDD is approximately 370 acres located along the southern boundary of the Town of Hillsborough. The Town is the utility provider in this area, and annexation by the Town upon development is possible.
- The Buckhorn EDD (includes areas from Efland west to Mebane) is approximately 1500 net acres along the eastern boundary of the City of Mebane. The City is the utility provider in this area, and annexation is possible upon development.
- Overall, 13% of the County's total land area is located in the incorporated areas of Hillsborough, Chapel Hill, Carrboro and Mebane
- Three percent (3%) of the County's total land area is in the County's planning jurisdiction (OCPJ) and currently authorized for utility extensions and the accompanying more urban intensities and densities. Utility extensions in these areas are limited by the Water and Sewer Management and Planning Boundary Agreement (WASMPBA). Chapel Hill, Carrboro, Hillsborough and Orange County are parties to that agreement. Utilities in these areas are further guided by interlocal agreements with local governments.
- The remaining eighty-four percent (84%) in Orange County's Planning Jurisdiction is limited to low density, low impervious rural residential, agricultural uses, preservation, and watershed protection areas. 96.6% of Orange County's Planning Jurisdiction has limited development potential.

2. Water and Sewer Investments within the EDD

The County has invested over $5.5 million to install water and sewer infrastructure in the Economic Development Districts. The debt service on these investments is paid through the Article 46 Economic Development sales tax.

The Buckhorn Mebane Phase 3 Capital Improvement Plan map (provided as Attachment 2) shows the proposed phasing of an incremental series of infrastructure phases and timing to prepare for buildout development in an orderly and engineering efficient manner in the Buckhorn EDD. The PowerPoint for this item (Attachment 5) will illustrate the prior phases one by one. The FY2021-22 Capital Investment Plan recommends a $1.2 million Buckhorn Mebane Phase 3 project to extend utilities to Growth Area A. A water system is on site.

Orange County has invested in this area since a joint venture with the City of Mebane to build utilities for the middle school and north Buckhorn community since 2004. Further investments were made in CIP phases to a master planned infrastructure 'backbone.'

3. Buckhorn EDD Overview

The southeast quadrant of the Buckhorn Road interstate interchange has exhibited the greatest economic potential as evidenced by the location of Medline and recent annexations and interest in the 138 acre flea market site and an area west of Petro. The 'backbone' of water and sewer infrastructure is existing with visibility and access to the interstate. Attachment 3 shows the Buckhorn Interchange.

4. Known Development Interest and Existing Zoning

Areas A and B have high development potential and economic development interest in the short term. There has been no developer interest in Areas C, D, and E (east of I-85/US 70 connector), so further public engagement and analysis in those areas will proceed in the future as authorized by the Board of Commissioners.

4a. Area A (NE Quadrant of Buckhorn Interchange East of Buckhorn Road

Planning Attributes

1. Orange County Land Use Designation: Economic Development
2. Orange County Current Zoning: Economic Development Buckhorn (EDB-1)-1

Uses allowed are generally light industry, distribution and light manufacturing (area is characterized by rail, high power transmission corridor and interstate frontage).

3. Included in the Mebane Land Development Plan - Yes
4. Utilities

4a. Water - Yes

4b. Sewer – No - Stubbed out on south side of interstate. The sewer extension project is included in the Manager's FY2021-22 Capital Investment Plan as well as an upgrade to the Gravelly Hill lift station.

5. Access - Proposed as industrial Drive Extension and location tentatively approved by the North Carolina Department of Transportation (NCDOT) as part of the adopted Buckhorn Access Management Plan. Conversations with a nearby church are helping facilitate the location of the roadway.
6. Annexation Potential - Yes
7. Environmental Review: Located in Upper Eno Protected Watershed and subject to all intensity, impervious and stormwater regulations.

4b. Area B (Near Buckhorn Road and South of West Ten Road)

1. Orange County Land Use Designation: Agricultural Residential
2. Orange County Zoning: R-1 (Rural Residential)

Housing density is one unit per acre but generally less due to poor septic use soils.

3. Mebane Land Development Plan - Two areas of Growth Area B have been annexed and rezoned by the City and included in the Mebane Land Development Plan. The majority of Growth Area B is not currently in the City's Plan.
4. Utilities
    a. Water - Yes - Water is available adjacent to the area with the West Ten Road right of way and has adequate capacity. Developer extensions would be necessary from that access point to serve any additional property.
    b. Sewer - No - Sewer is not currently installed in Growth Area B but would be available through gravity extensions to the existing backbone sewer. Moderate capacity is available.

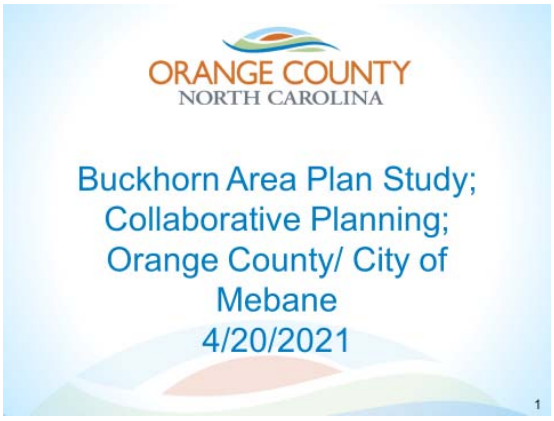
5. Access - NCDOT will be upgrading West Ten Road which is also part of Buckhorn Access Management Plan
6. Annexation - Some properties are presently within the city and annexation criteria can be met due to proximity.
7. Environmental Review - Part of the Upper Eno Watershed Protected Area and subject to all State and County impervious and stormwater regulations. Area B and Area A are not part of the County designated watershed critical area. The County's critical area is 6 times the size of the State requirements, and the County has only planned approximately 4% of the entire watershed for higher intensity use near the interstate while protecting 96% of the watershed with lower impervious and lower density.

5. Moving Forward

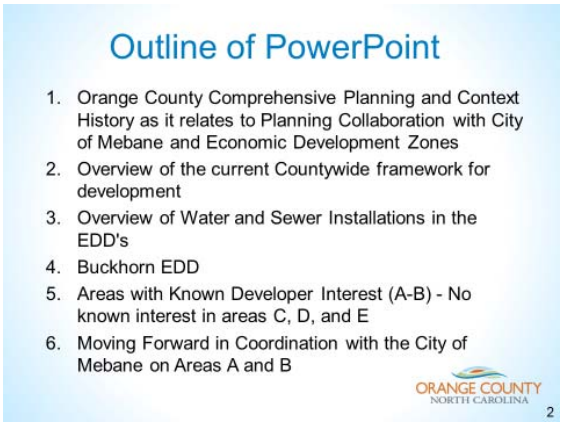
Attachment 4 details the outreach plan for Areas A and B where the focus of the overall Buckhorn Development Plan will be pursued. An initial public engagement opportunity is recommended in mid-May. This engagement will guide next steps in terms of further community planning activity and technical analysis. Orange County and the City of Mebane will continue to collaborate on regulations and environmental and cultural review to mitigate growth impacts.

Craig Benedict, Planning Director, made the following presentation:

Slide #1



Slide #2



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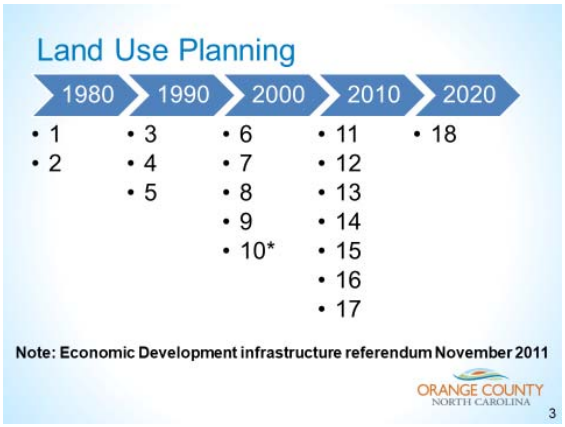
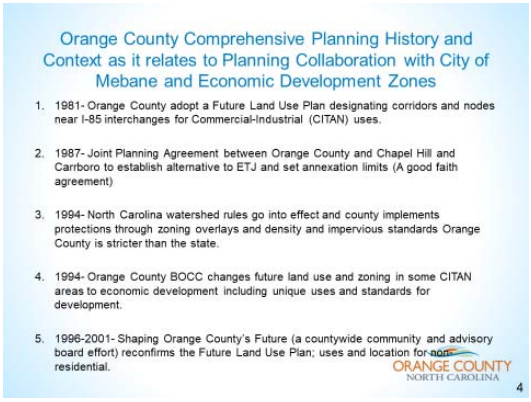


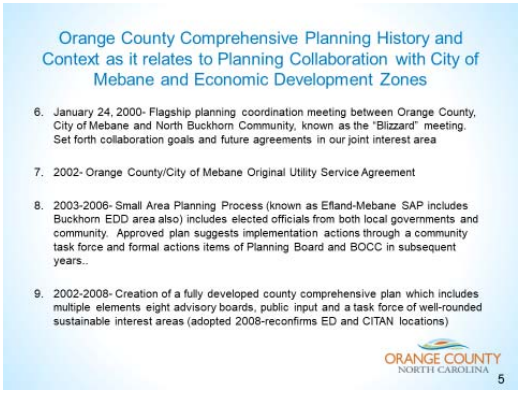
Craig Benedict said the Efland Small Area Plan was started in the 2000s, and it looked at all areas of infrastructure. He said the referendum on sales tax for economic development and schools occurred in 2011, with funding in 2012. He said a lot of different actions were in the abstracts. He said the actions in abstract are interlocal agreements with Mebane, Hillsborough, and City of Durham. He said number18 on the slide refers to Buckhorn Area Plan. He resumed the PowerPoint presentation:

Slide #4



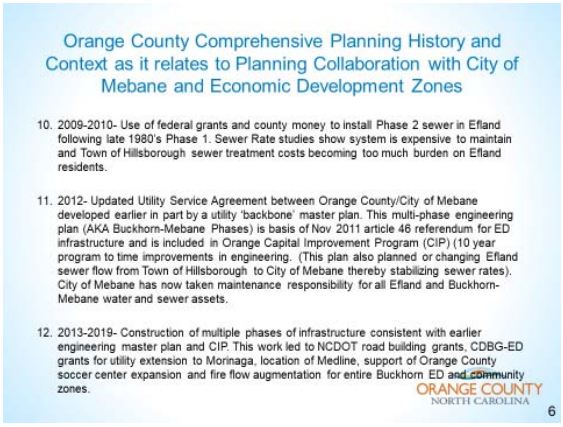
Craig Benedict said Orange County's Future plan was a good visioning process to begin comprehensive plan update. He resumed the PowerPoint presentation:

Slide #5



Craig Benedict said Orange County was one of the first to create a comprehensive plan that included multiple elements. He said the Gravelly Hill Middle School area, and the infrastructure around it, could be used to support economic development. He resumed the PowerPoint presentation:

Slide #6



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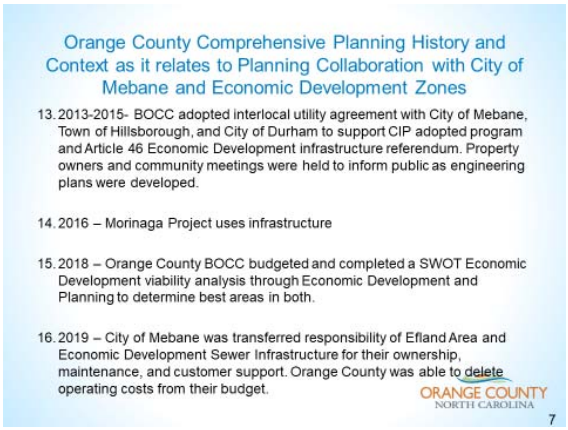

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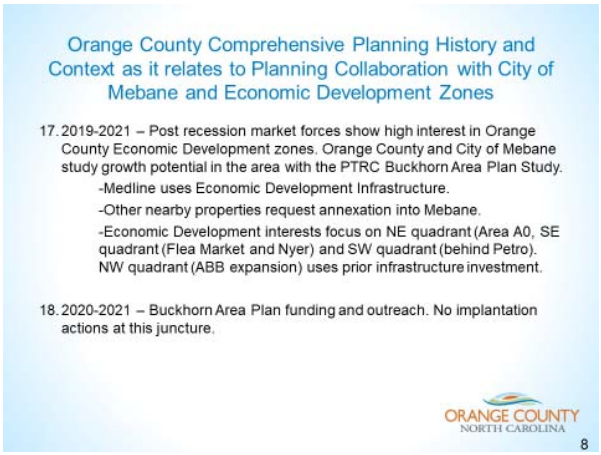

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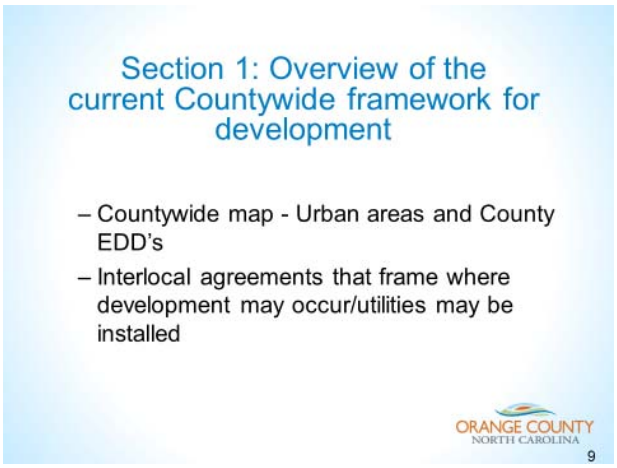

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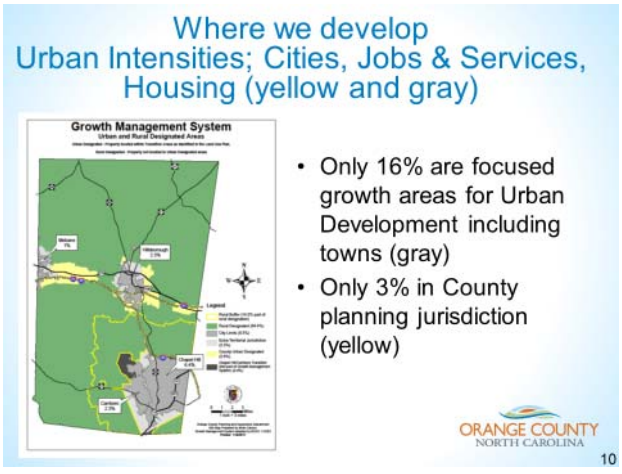
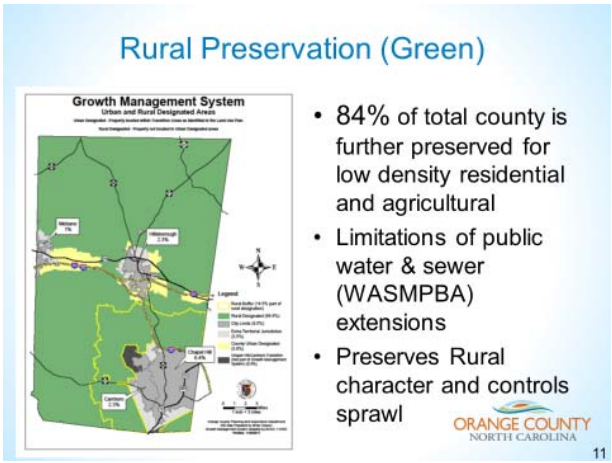
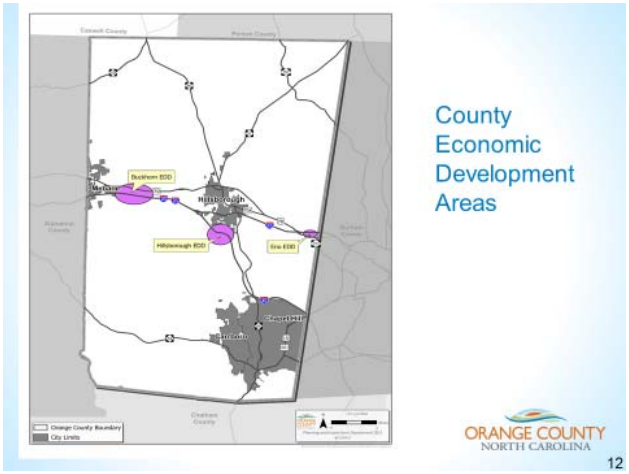


Slide #11

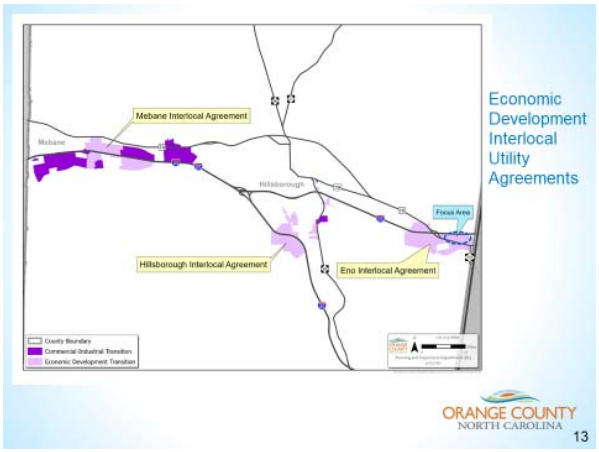


Slide #12



Craig Benedict said the Eno Economic Development District (EDD) will be reduced to reflect abilities to provide infrastructure and services. He resumed the PowerPoint presentation:

Slide #13



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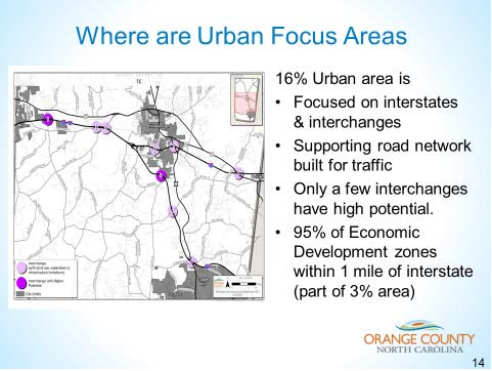

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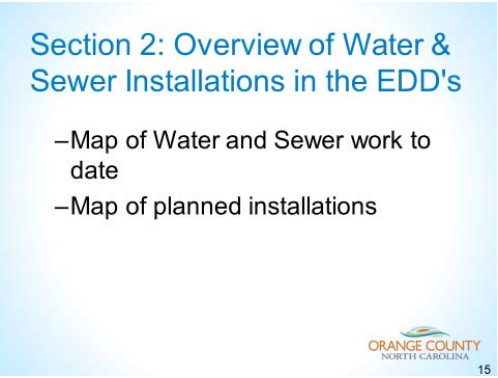

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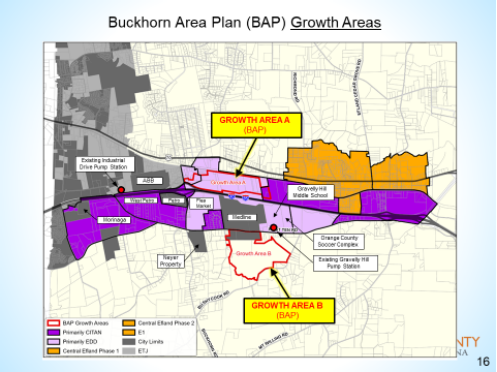
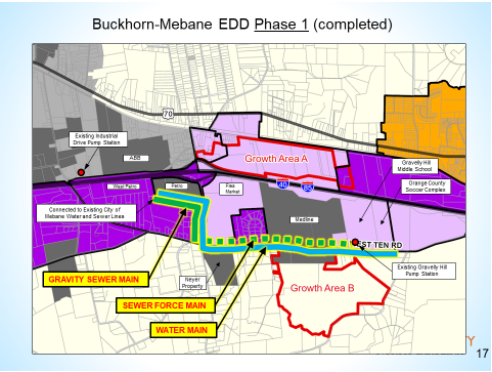
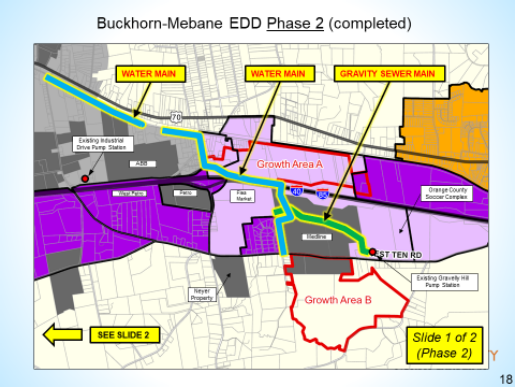


Slide #17

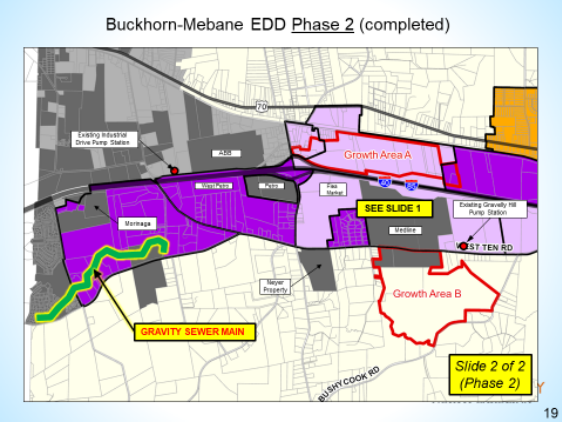


Slide #18

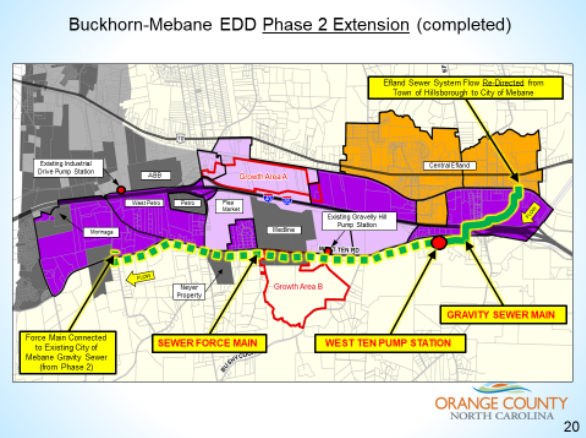


Craig Benedict said a gravity sewer main line was extended prior to Medline being built. He resumed the PowerPoint presentation:

Slide #19

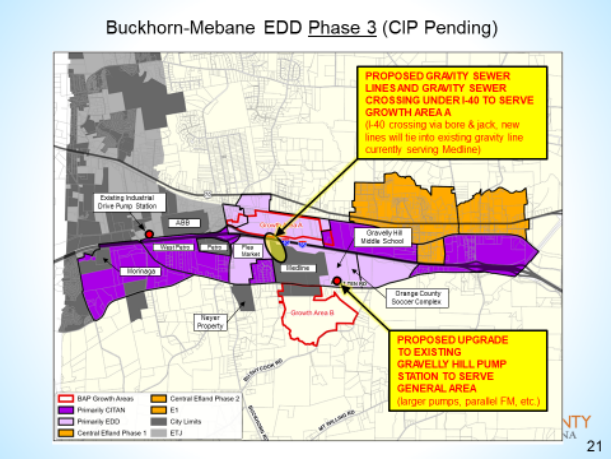


Slide #20



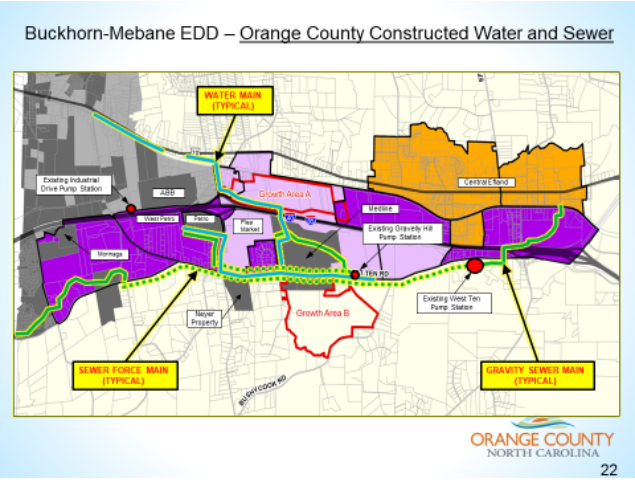
Commissioner Dorosin joined the meeting at 8:26 p.m.

Slide #21



Craig Benedict said the Neyer property is not part of the EDD, but it is adjacent to the zone. He said staff is working on a return on investment document for the Board. He resumed the PowerPoint presentation:

Slide #22



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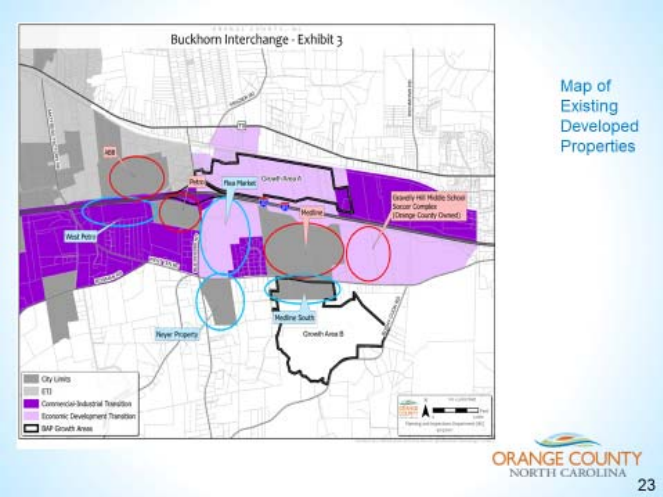
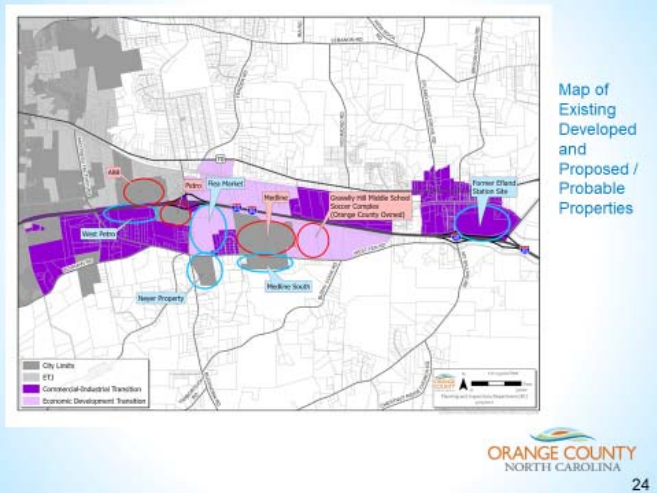


Craig Benedict said in Growth Area A, sewer infrastructure, road extensions and better access are recommended.

Commissioner Dorosin asked if the Neyer property is already annexed.

Craig Benedit said yes, it is a 27-acre, non-residential property, with 800,000 square feet light industrial distribution. He said these types annexation requests prompted Mebane to be a partner in the Buckhorn Area Plan. He resumed the PowerPoint presentation:

Slide #24



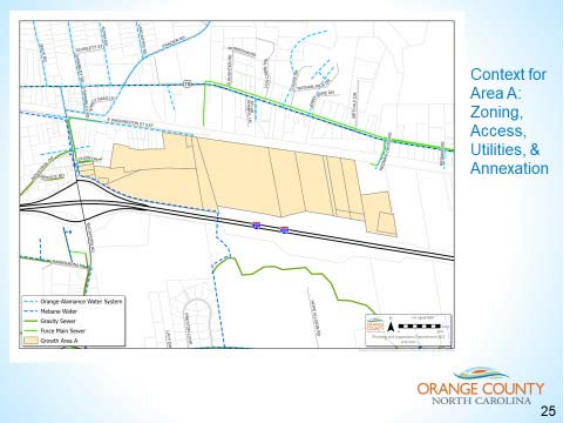
Craig Benedict said the gray areas show annexed properties.

Commissioner Dorosin confirmed that the areas shown in purple are not annexed.

Craig Benedict said correct. He said there is some interest in some of the parcels for annexation.

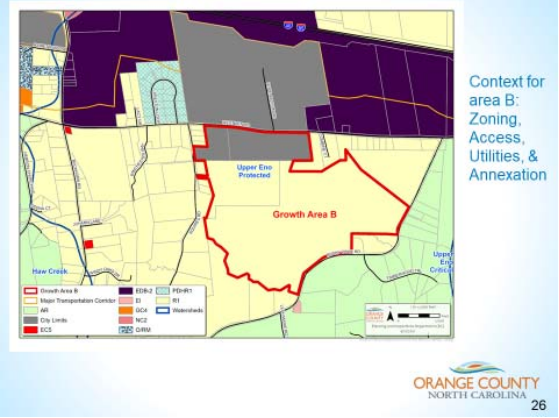
Craig Benedict said during the recession (2014, 2015, 2016), the County put water and sewer in the area. He said the County has accomplished many of the things it planned to do. He resumed the PowerPoint presentation:

Slide #25



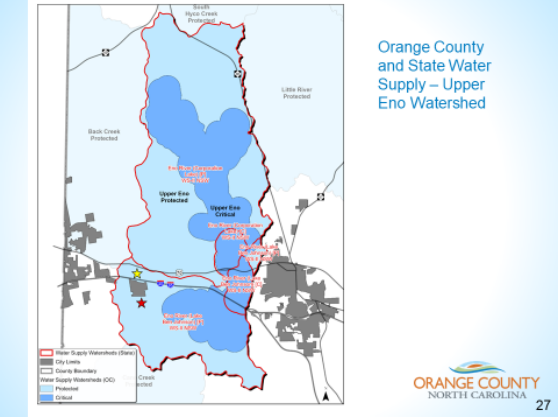
Craig Benedict said public outreach will include why areas were chosen. He said much has to do with water and sewer, highway proximity and accessibility. He resumed the PowerPoint presentation:

Slide #26



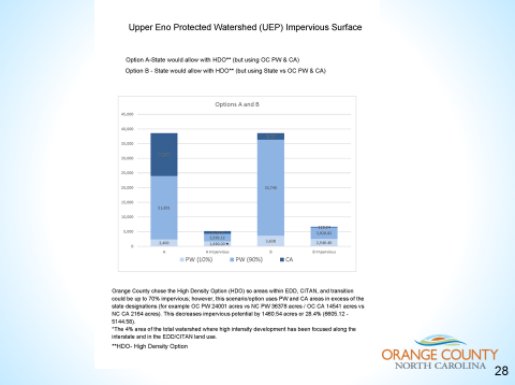
Craig Benedict said Growth Area B is not considered for economic development at this time. He resumed the PowerPoint presentation:

Slide #27



Craig Benedict said 74% of the County is in protected or critical watersheds. He said the areas in question for development are not in the critical watershed. He said the State has different rules for building in watersheds. He said in 1994, Orange County decided to cluster all of the potential growth in the watershed into 10% of the protected watershed. He resumed the PowerPoint presentation:

Slide #28

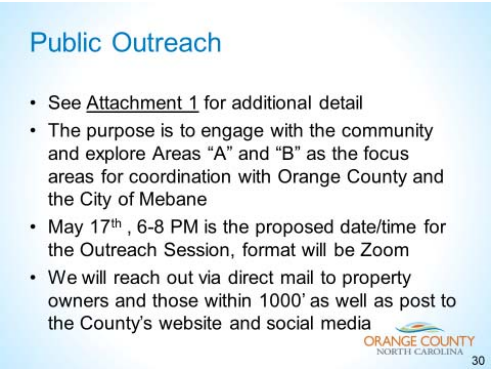


Craig Benedict said Orange County chose the most restrictive amount of imperviousness to grow in this watershed. He said this is far more restrictive than the State requires. He resumed the PowerPoint presentation:

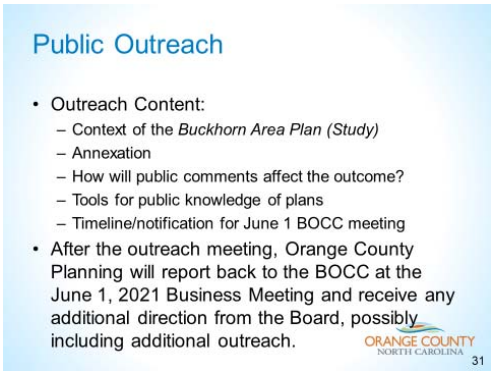
Slide #29

Tom Altieri, Comprehensive Planning Supervisor, continued the presentation:

Slide #30



Slide #31



Tom Altieri said the purpose of the May 17 meeting will be to offer a brief staff presentation, and allow most of the time for questions. He said staff wants to help inform to move the process forward. He said an FAQ would be developed and brought back to the BOCC. He said staff will address the Buckhorn Area Plan, its history, and how Areas A and B relate to existing County plans. He said an annexation 101 lesson will also be provided, along with the potential impact of the public comments.

Slide 32

Chair Price asked if residents on Preston Loop are connected to water and sewer.

Craig Benedict said no, as there is no gravity there, specifically, but they can hook on to water if they wanted with an adjacent water supply.

PUBLIC COMMENT:

Catherine Matthews said read the following statement:

Good evening County Commissioners. Two weeks ago, I came here to talk to you about President Biden's executive order to protect 30% of our lands and oceans by 2030 a plan widely known as 30 by 30. Tonight, I want to address a concern that was raised by Commissioner Dorosin at the last public meeting following public comments. Commissioner Dorosin indicated that he wouldn't be surprised if Orange County hadn't already protected 30% of our county land. But, Commissioner Dorosin get ready for a surprise.

According to Orange County's Land Conservation Manager, Mr. Chris Hirni, approximately 10% of Orange County lands has some protection. However, two-fifths of that 10% of land is only partially protected and will remain partially protected because those lands are Duke Forest lands. Therefore, only 6% of Orange County lands are now protected in perpetuity. We are not in front of the curve, but far behind it.

Orange County consists of approximately 257,000 acres of land. 15,420 acres are fully protected now. If we agree to participate in the 30 by 30 Executive Order then we must protect a total of 77,100 acres – that is 61,680 more acres that must be protected. Where will we find that land in Orange County? One thing for sure is that if we continue to allow development as proposed in the Buckhorn Area Plan we will have far less land to target for conservation. Commissioner Dorosin, you also seemed to get defensive about County residents like me who keep coming to the meetings to speak about the need to protect our Orange County lands and waters. I am most appreciative for the lands that have been fully and partially protected but I believe, like our President, that we need to do far more.

The Lands Legacy program has identified tracts of land of interest, but does not approach private landowners. Private landowners must initiate contact with Mr. Hirni. I might suggest that this approach change. We need to be in active pursuit of our conservation protection goals. The need to protect our lands and water is dire. Once land is developed it cannot be protected for some number of years.

I would like to propose that the Orange County Board of Commissioners issue a proclamation in accordance with President Biden's executive order; Orange County agrees to do our part – protect 30% of our county land by the year 2030. When that happens then we can be assured that we are doing our part!

Tom Mullaney said he lives in Hillsborough, and is a former teacher at Gravelly Hill Middle School. He said the plan is calling for heavy industrial use around Gravelly Hill Middle School. He said no families at the school were consulted about how they felt about industrial development around the school. He said the student body of the school is lower socio-economic, and he hopes the BOCC will step up and take the needs of these children seriously. He said he wants his family and neighbors to have clean drinking water. He said encouraging development on protected watersheds is not a good way to celebrate Earth Day. He said the Buckhorn Area Plan was created in consultation with Mebane, and not citizens of Orange County. He said the Board should slow this process down, and a binding plan with the Commissioners of Orange County with strong public input would be much better.

Patty O'Connor read the following statement:

Good evening commissioners,
I have been told the following by different Mebane city council members at different times: 1) West Ten Road has a long-standing plan for industrial development; 2) Preston Loop should never have been built; 3) if you live close to the interstate, you should expect industrial development around you. (I'll say, just for the record, my home was here before the interstate); 4) I'm worried about how far down West Ten Road the development is occurring—it is a feeder road and not a primary road for development

I'm concerned that while Mebane city council says they have tabled the BAP, they will continue to annex and rezone properties on a parcel-by-parcel basis as owners want to sell their land and cash in. In my estimation, there are only 2 Mebane city council members who have shown much concern for the rural feel and character of the Mebane outskirts. I guess "positively charming" means different things to different folks. For this reason, I would ask that the BOCC and the Mebane city council enter into a binding agreement on a joint area plan, informed by the citizens of Orange County.

As you know, Medline is nearing completion. At full capacity, there will be up to 600 employees and potentially hundreds of daily truck trips. The Neyer project, not yet started, is approximately ¼ mile away. It will put another 500,000-800,000 square foot warehouse with potentially 250+ employees and another 50-100 daily truck trips. Medline owns the property across the road from their current build and that has been re-zoned M-2. They have not decided on type of development or if they will sell the property to a supporting industry. There has been no traffic impact study that includes the projected Medline activity.

There has been no real estate impact study to determine the effect that this development will have on the surrounding homes. There has been no study of the impact that this tremendous amount of impervious surface and storm water re-direction will have on adjacent residential wells. It is unfair for certain people and certain lands to bear such a heavy burden. There is a middle school, a soccer field, another proposed ball park, 2 places of worship and multiple residences on West Ten Road. Enough is enough. I'm not opposed to development--there can be development without a solid row of warehouses down the entire length of West Ten Road. Please put some thought and imagination into this plan before our home values plummet. Thank you for hearing my concerns.

Tim Spruill read the following statement:

Hello-I am Tim Spruill, a hydrologist, and a concerned citizen of Orange County. I would like to relate my concerns about the Buckhorn Area Plan.

Land-use limitations are established by states and counties to minimize environmental damage by preventing pollution of water sources for drinking, preventing erosion and loss of soil, and minimizing major habitat destruction for a variety of animals and plants. One of the main reasons that urban development causes damage to the environment is because of the concrete and other impervious materials used to replace the pervious soil. Impervious surfaces cause changes in rainfall runoff volume, flow frequency, and runoff chemistry and typically reduce baseflow to the receiving stream. Habitat for thousands of invertebrate and vertebrate animals are simply removed from the area initially because of buildout, and later, from streamflow changes caused by the impervious surface. When does impervious surface area begin to cause change? Based on numerous studies, streams begin to degrade in biological quality when only about 10-12% of the watershed is impervious. At 15% impervious surface and above, streamflow, baseflow, and chemical quality all degrade as well.

A major contributor to Hillsborough's water supply is Sevenmile Creek which is located within the Buckhorn Area Plan (BAP). The stream constitutes about 23% of the drainage area of the Eno River at Hillsborough and contributes about this much to Hillsborough's water supply. With the BAP, the Orange County Planning Department has ignored the impervious surface limits with the Buckhorn Area Plan, by allowing up to 70% impervious surface in the area. This amount of development violates State established maximum limit of 12-30% for a protected watershed (which the County is supposed to enforce!). If developed as planned, water quality and biological quality in Sevenmile Creek will degrade to become a severely impacted urban stream with poor biological diversity and water quality. Additionally, water availability will be far less because of blockage of recharge to the shallow aquifer that feeds Sevenmile Creek. The people of Orange County expect the Planning Department to provide opportunities for businesses that are sustainable and are appropriate for the setting. A land-use plan that places a few huge moneymaking industries at the top of a watershed that will degrade drinking water for thousands of people and diminish recreational and tourism opportunities, and violate the

rural character of the place, tells me that its time for the BOCC to establish a new direction for the Orange County Planning Department.

I ask that you, the Orange County Commissioners, prevent the current BAP from moving forward and encourage Mebane to cooperate on a new plan for a more sustainable and appropriate development of the Sevenmile Creek Watershed and a plan that does not violate watershed protection laws of North Carolina.

Daniel Nuttall read the following statement:

My name is Daniel Nutall, I'm an Orange County resident, and I'd like to ask the Commission not to move forward with the Buckhorn Area Plan as it currently exists. Our county does need economically viable development plans, but this particular plan carries far too many environmental risks to critical watersheds and poses too great a threat to the Gravelly Hill school community to be the right plan for Orange County. Gravelly Hill serves more minority students than any other school in our system, and it is vital we not commit the mistake of asking our working families of color to bear the burdens of increased development that does not align with our county UDO.
More broadly, this discussion, like several recent discussions before it, show how urgently we need to reimagine our county development priorities to better align with our UDO guarantee we can remain a progressive community a long time into the future. To my eye, this development is simply more unsustainable sprawl that will serve to inconvenience working families while moving us further back on our climate goals. I hope the Board can consider more plans that prize sustainable transit, access to housing, and environmental benefits that can live up to Orange County's reputation and goals.

Chair Price said she is concerned about Growth Area B. She said the Board had determined there would be no development below West Ten. She said she can understand Medline purchasing the property across from it, but does not understand why the County would aggressively go after other parcels in this area. She said serious public outreach is missing. She said, in the early days of the timeline, there was a lot of work with the community, and she would like to see more of that now. She said there are discussions with people in specific areas, but not with Commissioners or those who will be directly affected. She said she would like to see discussion, rather than a presentation, moving forward. She said there should be more than one meeting with the public. She said if Commissioners plan on attending the public meeting, please let the Clerk to the Board know, so she can provide public notice.

Commissioner Hamilton commended the past actions in Orange County for protecting watersheds. She said this demonstrated forward thinking, and she would like to continue that thinking.

Commissioner Hamilton said the Buckhorn Area Plan Study seems to be a technical study, and she does not understand why it is being called a plan, if it has not been approved. She said it is a proposed plan, and the current language makes it seem like it is a done deal. She said different language should be used. She said she looked at the study, looked at SWOT analysis, and it is a technical study on one narrow facet of water and sewer. She said an area plan is about everything that is valued about land use: the environment, land use, the underserved and vulnerable communities, etc. She said the Buckhorn Economic Development District already has the areas on which the Board is focused, and she does not see the need to go beyond that. She said growth Area B is not in the original plan. She said the Board can refuse to promote growth in an area that is not in Orange County values. She said she wants to clearly determined what a plan is, as it will help the public feel that things are not being done

secretly and promote trust. She said economic development is needed, and there will be costs to community, but it will serve us better if there is trust.

Commissioner Fowler asked if there is a residential developer who has purchased lands in Growth Area B.

Craig Benedict said a developer approached the City of Mebane, but Mebane is not interested in a residential development at this time, due to the amount of water a residential development uses.

Commissioner Fowler asked if the return on investment document would be available at a certain time.

Craig Benedict said that he would work with Economic Development Director and Finance to provide that in mid-May.

Commissioner Fowler asked if there has been a traffic impact study in the area, or residential impact, or water impact.

Craig Benedict said City of Mebane has required some traffic impact analyses (TIA) and Orange County code would also have required TIAs that are within its jurisdiction. He said an environmental impact analysis is done for every site plan.

Commissioner Fowler asked if staff could clarify impervious surface limits.

Craig Benedict said the State has different requirements for impervious surfaces, and Orange County chose the most restrictive option, which allows for building 70% impervious on 10% of protected watershed. He said the protected watershed is 24,000 acres, and the County is allowed to develop 2400 acres at 70% impervious. He said State prefers this option because it is focused growth, instead of spreading out impervious throughout the watershed.

Commissioner Fowler asked if the County builds 70% impervious on 10% of its protected watershed, if the development must cease.

Craig Benedict said yes.

Commissioner Fowler asked if the Board desired development in Area B, would it have to change previous plans.

Craig Benedict said Commissioner Hamilton was correct is saying this is a technical study. He said Area B was shown as viable for economic development in the technical study. He said further outreach will be done, and then the BOCC will determine if any land use changes will be made. He said this is similar to Efland Small Area Plan, ad its 15 recommendations, which were not real until the BOCC went through the formal required process for changing land use.

Craig Benedict said the word “plan” got into the study due to Mebane’s language for its land development plan.

Commissioner Dorosin referred to Growth Area B, and asked if it is different than in previous maps that the Commissioners reviewed in other meetings.

Craig Benedict said yes.

Commissioner Dorosin said it is confusing, and a consistent set of terms is important to make things as clear as possible.

Craig Benedict said starting with tonight’s meeting, he is not using any identifiers from previous maps. He said he changed all of his CIP maps to make sure it is clear.

Commissioner Dorosin said that it should be clear online as well, with a key on the maps to show how the Board is using the identifiers.

Commissioner Dorosin said economic development needs to be considered. He said if the Board determines no more development is best, then it must consider the impact to the economy and the rest of the County, and the impact of leaving rural areas out of economic development. He said the County wants to maximize use of highways. He said Orange County has a higher cost of living, higher tax rates, stagnant growth, and there has to be balance. He said priority has been given to conservation, which is certainly important, but it comes at a cost and makes it difficult for working class and elderly people to stay in the County.

Commissioner Bedford thanked the staff for providing the history on these issues. She said she looks forward to hearing comments from the public meeting. She said it is great to continue EDD in area A. She said she is glad that areas C, D, and E, will be left as rural residential, and are out of the study or the planning. She referred to Area B, and said she would like to leave it as part of the discussion points and find out the concerns. She said this would allow for input and see what studies would be needed. She said periodic assessments of traffic would be useful. She echoed Commissioner Dorosin and Commissioner Hamilton's comments about analyzing impacts on residents and schools. She said if area B were to be developed, she would like to know the negatives and positives: if there are enough warehouses, and if there is a preferred industry with a shift schedule residents would prefer, etc.

Commissioner McKee said public comments mentioned that the plan was built with Mebane only. He said this study was a result of 40 years of discussion with the towns, the County, and the community. He said a plan has to be a living plan, and must change according to how the needs change. He said this Board changes plans to meet needs and expectations. He said this area was not picked haphazardly, but rather due to large properties with willing land owners. He said the targeted growth is in 3% of the County, which is a miniscule amount, and concentrates growth where it needs to be. He said commercial development needs to be along a major highway, and this area also has access to rail. He said Morinaga came on a promise that the County would put in the infrastructure. He said there are a lot of needs in Orange County that have to be paid for, and these needs must be paid for without raising taxes on homeowners. He said the choice is simple: either the County further gentrifies, or it accepts the opportunities presented by these businesses to expand economic development. He said the BOCC is not imposing unbearable risk by accepting what is in this plan. He said the community needs to be involved, no matter which way it goes.

Commissioner Hamilton said she has many years of training as an economist, and the County cannot close its borders. She said the drivers of many of the issues are the demands that come in from other states. She said the County needs to look closely at what can be done in the long run to stem the forces. She agreed that economic development is needed, and it is important to secure industry that will offer the most bang for the buck. She said it is important to not take whatever comes, and one must always look at the unintended consequences. She said she does not want to stop economic development, but the BOCC must look closely and seek a good return on investment.

Commissioner Greene thanked the staff for the presentation, and said she appreciates the past Board's work with the land use plan that avoided sprawl. She said the desire was to concentrate growth around municipalities. She said opportunities exist near interstate corridors, and sewer infrastructure was put in as an attempt to plan and create the ground for economic development. She said this does not mean there will be overwhelming warehouses. She said she is interested in development around the middle school. She agrees with the Board's history on this topic, and looks forward to public input. She said the process got off on the wrong foot with the perception that Mebane was driving the train, and the BOCC is eager to gather public input and work out a plan moving forward. She said the economic development aspect of planning remains very important.

Chair Price said this has been a long process. She said the County does need the economic development. She said the County should look comprehensively and flexibly. She said people are a factor in environmental issues. She said those people who have invested their lives in that area should be heavily included. She said it is not possible to please everyone, but out of respect, everyone should be included in the process.

Chair Price asked what direction staff needs at this time.

Craig Benedict said he would come back on June 1 with comments.

Commissioner McKee asked for information on projects that have come into the area since water and sewer was installed (Morinaga, ABB, AKG, etc.), and what was the return on those projects, with incentives backed out.

Chair Price asked all Commissioners to tell the Clerk to the Board if they plan to attend the public outreach meeting, so it can be properly notices.

Chair Price asked for a motion to recess for 3 minutes for the purposes of a break.

A motion was made by Commissioner Hamilton, seconded by Commissioner Bedford to recess the meeting 3 minutes.

Roll call ensued

VOTE: UNANIMOUS

RECONVENE THE MEETING

Commissioner Fowler was not yet present, but due to a quorum of Board members being present, Chair Price asked for a motion to reconvene the meeting.

A motion was made by Commissioner McKee, seconded by Commissioner Hamilton, to reconvene at 9:45 p.m.

Roll call ensued.

VOTE: UNANIMOUS

7. Reports

a. 2021 Orange County Revaluation Results

The Board received an overview of findings from the 2021 countywide revaluation.

BACKGROUND:

North Carolina counties must conduct a revaluation at least once every eight years. Orange County's last revaluation took effect January 1, 2017. The effective appraisal date of the 2021 revaluation is January 1, 2021. Tax office staff began working on the 2021 revaluation in 2019. A collaborative approach was taken throughout the entire 2021 revaluation, and community involvement helped improve the process.

In February 2020, the tax office proactively sent each real property owner a snapshot of the property's public record. Property owners were asked to return the form with any corrections to the data provided. This was an effort to ensure accurate records. Of the approximately 41,500 forms that were mailed out, the Tax Office received approximately 4,300 responses.

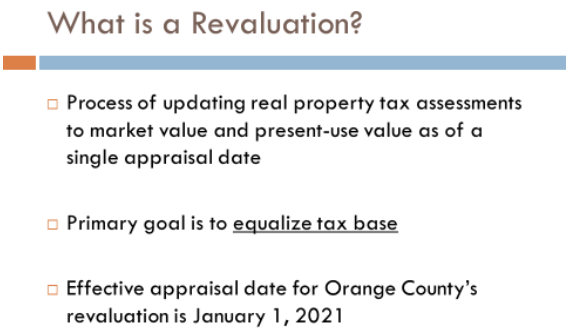
Conducting a countywide revaluation takes significant effort and staff dedication. Orange County has approximately 57,100 real property parcels, and each of those parcels has been modified to reflect a current estimate of market value. The schedule of completing the revaluation has been affected by the pandemic. During the height of the pandemic, appraisers limited field visits to curbside reviews. For the majority of the last year, appraisers have based their work from home with minimal time in the office in order to maintain the health and safety of staff and the public. Revaluation notices were mailed on March 24, 2021, and an appeal form was included in each notice.

Commissioner Fowler rejoined the meeting at 9:46 p.m.

Nancy Freeman, Tax Administrator, gave the following PowerPoint presentation:

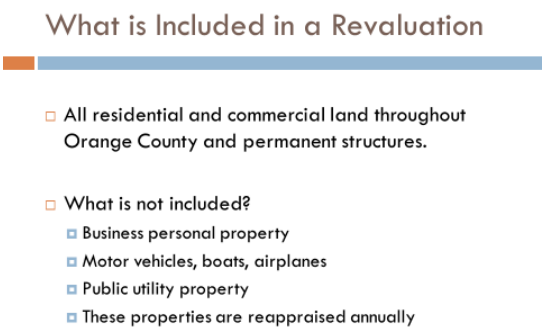
Slide #1

Slide #2



Nancy Freeman said state law requires a reevaluation every 8 years. She said Orange County does a revaluation every 4 years. She resumed the PowerPoint presentation:

Slide #3



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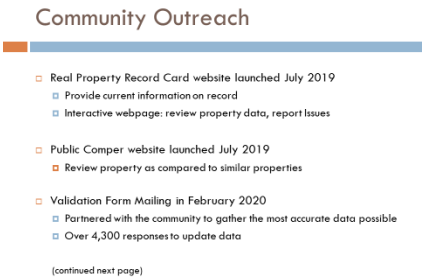

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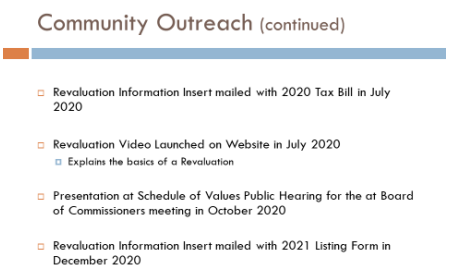

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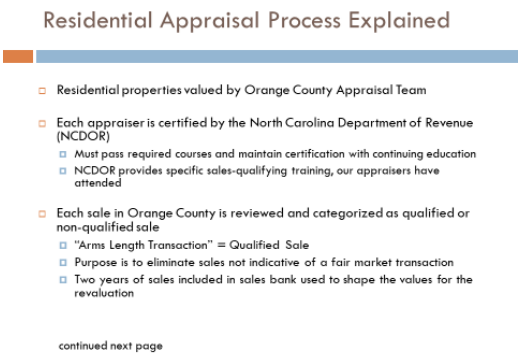

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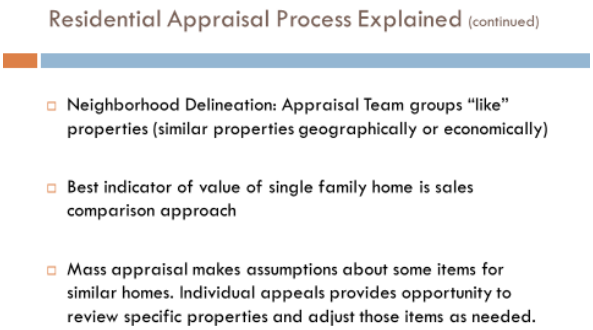

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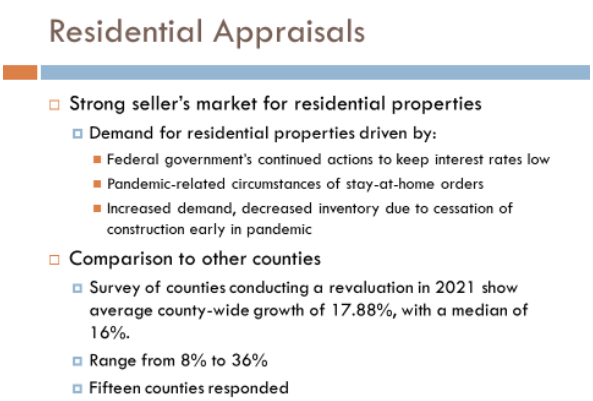


Slide #10

Real Property Change by Area

Jurisdiction	2021 Estimated Tax Base	Percentage of Growth From 2020	Growth Since 2017 Revaluation
Countywide	$21,739,530,791	12.6%	20.1%
Carrboro	$2,806,444,019	14.6%	19.%
Chapel Hill	$8,874,302,213	13%	18.3%
Hillsborough	$1,491,892,443	20.5%	46.7%
Mebane	$570,146,470	44.2%	49.9%

Slide #11

Revaluation in Orange County

- 2021 Countywide Tax Base is $21,739,530,791
- Overall percentage of growth from 2020 to 2021 is 12.6%
- Overall percentage of growth from the most recent revaluation in 2017 is 20.1%
- Residential represents approximately 77% of the 2021 tax base, and commercial 23%
- Residential overall growth is approximately 36%
- Commercial overall growth is approximately 11%

Slide #12

Average Value of Home

- Average Values of Homes based on Jurisdiction

Jurisdiction	Average Value	Median Value
Countywide	$368,319	$310,600
Carrboro	$393,657	$369,300
Chapel Hill	$483,643	$417,200
Hillsborough	$277,180	$236,200
Mebane	$223,381	$222,100

- Values include building, land and other features such as garages/sheds. Townhomes and condominiums are excluded.

Slide #13

Industry Standards

Sales Ratio Industry Standards				
Jurisdiction	Median Ratio	Actual	Coefficient of Dispersion	Actual
Countywide	.90 - 1.10	1.00	5.0 - 15.0	7.7
Chapel Hill	.90 - 1.10	1.00	5.0 - 15.0	7.4
Carrboro	.90 - 1.10	1.00	5.0 - 15.0	7.4
Hillsborough	.90 - 1.10	1.01	5.0 - 15.0	5.4
Mebane	.90 - 1.10	1.01	5.0 - 15.0	7
**Standards taken from the International Association of Assessing Officers*				

Slide #14

Industry Standards

- Sales Ratios are verified by category of property. The ratios indicate tax assessments represent about 100% of current market sales. The coefficient of dispersion (COD) indicates the data spread, and the goal is 15 or lower.
- Countywide: Sales Ratio 1.00, COD 7.7
- Improved Residential: Sales Ratio 1.00, COD 7
- Improved Commercial: Sales Ratio 1.00, COD 14.8
- Vacant Land: Sales Ratio 1.00, COD 15.2

Slide #15

Remaining Schedule

- New values available on website March 22, 2021
- Notices mailed March 24, 2021
- Additional mailing of 300 commercial property notices on March 31, 2021
- Informal appeal period began when notices were received; deadline for informal appeals April 30, 2021
- Formal Appeal Period begins Monday, May 3, 2021 when Board of Equalization & Review convenes.
- Formal Appeal Period ends June 30, 2021 when Board adjourns.

Slide #16

Revaluation Notice Mailing

- Revaluation notice includes:
  - Information on webpage to appeal online
  - Information on webpages to review data and find comparable sales included
  - Informal appeal form as a courtesy for property owners who wish to appeal
  - Instructions to complete informal appeal form

Slide #17

Appeal Process

Taxpayers may appeal their assessment every year

- Stage 1 – Informal Appeal – in-house review with staff appraiser
- Stage 2 – Formal Appeal – hearing with Orange County Board of Equalization and Review
- Stage 3 – North Carolina Property Tax Commission
- Stage 4 – Appeal Courts

Slide #18

Potential Impact of Appeals

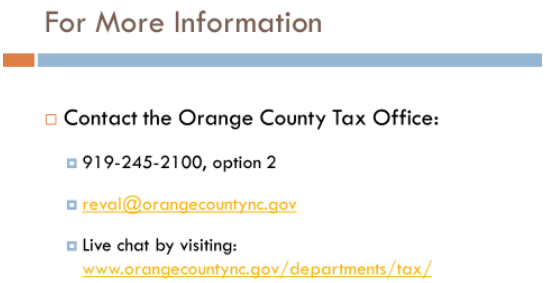
- Currently have received approximately 752 informal appeals, and appraisers have reviewed 592, or approximately 78%
- Expecting more appeals than 2017, possibly 4,000 informal appeals and 1,000 informal appeals, with 200 appealing to the NC Property Tax Commission.
- Reduction in value due to appeals is accounted for in the estimated tax base. The estimation is based on historical percentage of reduction from prior revaluation years.

Slide #19

Appeal Assistance

- Review property characteristics at Real Property Search Webpage: https://property.spatialest.com/nc/orange/#/
  - Check square footage, bath count, etc.
- Compare property to nearby property sales at Comper Webpage: https://nc-orange-citizen.comper.info/template.aspx
- Submit appeal form included with revaluation notice, or complete appeal process online: https://appeals.spatialest.com/nc-orange#/

Slide #20



Commissioner Fowler asked if valuations are being reexamined in the Northside community.

Nancy Freeman said staff is reviewing data for that neighborhood. She said staff is also looking at the Pine Knolls neighborhood. She said there were 31 Northside sales in the last year, averaging $390,000. She said the averaged assessed value is $360,000. She said the average assessed value of all the properties in Northside is $334,490. She said the assessed values are a little lower than the sales values in the area. She said the average Pine Knolls sales price was $335,000, and the average assessed value was $351,000. She said the average assessed value of all the properties in Pine Knolls was $307,216. She said, again, values are a little lower than the sales. She said staff looked at anyone that is receiving the Homestead exemption or tax assistance, of which there are 17 in Northside and 6 in Pine Knolls. She said there were 29 appeals in these two areas, and staff worked 20 of those, with 6 having no change. She said she would assume 14 would have been a reduction. She said the data is solid, and sales support the values that have been assigned. She said staff cannot find anything that has been done incorrectly, but it is still looking for any possible mistakes. She said this is an area that has grown, and sales are happening at higher prices. She said investors have bought many of these properties to be used as rentals, especially for students, which has increased their value.

Chair Price said she, Nancy Freeman, and other key leaders will be meeting with residents to make sure the right messaging is being put out, and explain how the County can help. She said staff will also continue to look at the neighborhoods, to insure the data is correct, which it seems to be. She said staff will look at mappings and visit the neighborhoods to insure the exact boundaries of these neighborhoods are known.

Chair Price said this situation is not unique to Orange County, and it is exacerbated by COVID-19. She said people are in competition with investors.

Commissioner Hamilton said she is unclear on the sales ratio industry standards. She asked if the numerator and the denominator be identified.

Chad Phillips, Deputy Tax Assessor, said it takes the sale price, and what staff has it assessed at, and you take the two and they are the numerator and the denominator.

Commissioner Hamilton clarified that the numerator is the assessed value.

Nancy Freeman said the numerator is the assessed value and the denominator is the sales price. She said if these numbers are equal, then there is 1.00; if the appraised value is lower than sales price, then it would be under than 1.00.

Commissioner Hamilton said not every home is sold in a neighborhood, and asked if the sales price is on the proportion of homes that are actually sold.

Chad Phillips said a random sample of homes is sent to the state. He said all the sales were used in these neighborhoods. He said there were 31 sales out of 700 properties.

Commissioner Hamilton asked if the denominator was an average or the total value of all sales.

Nancy Freeman said yes, it is an average.

Chad Phillips said it is the average of all of those, unless it is being done for just one property.

Commissioner Hamilton asked if the appraised average is only on the 31 properties.

Chad Phillips said it is only on the 31 properties. He said it is a ratio of the sales price to the appraised value of those 31 properties.

Commissioner Hamilton said the concern in Northside is if the approach can build bias in the system. She said it results in values that are higher than residents can afford to pay, and may not reflect the value of the home. She said high priced homes may raise the average. She said a few high price homes can raise the values for everybody, and less expensive homes can be artificially high. She said it is also only using the value of sold homes, while most homes are not sold, which adds bias to the approach.

Nancy Freeman said this is a mass appraisal, and individual appeals give the Tax Department the ability to make adjustments to properties that do not fit the mold. She said staff is here to help, and this is not an us against them. She said some people get an appraisal just to get that information to the Tax Department, but this is not feasible for everyone, as it costs money. She said her department could have a workshop in the area with appraisers on hand.

Commissioner Hamilton asked if there is a way to designate neighborhoods by type of homes, or square footage.

Nancy Freeman said like properties are grouped together, and current delineations were set up in 2017. She said adjustments can be made, if there is a need.

Commissioner Dorosin said he would like to have a more detailed response to the examples given by the Northside neighborhood. He said the presentation showed the overall average for the County was 12.6 or 20%, but the increases in this neighborhood were much higher. He said if the work is showing huge disparities and increases, then more information is needed on how the formula is applied. He said if a home is being sold to an investor, it seems like that is a commercial use that is generating revenue. He said this is not a fair comparison to a neighboring single family home. He said one could make a case that those are not qualified sales. He said there is troubling data with the percentages and the examples of the differences between the appraised value and the amounts the properties sold for. He said the Greenbridge unit sold for $1.2 million, but is valued at $850,000. He said a more detailed analysis is needed.

Commissioner Dorosin asked if one has the right to appeal every year. He said suggesting one should get one's own appraisal is an expensive proposition.

Nancy Freeman said property owners have the right to appeal each year.

Commissioner Dorosin said if people do not appeal this year, they are obligated to pay on this value in the future, even if it is determined that the appraisal was wrong.

Nancy Freeman said yes.

Commissioner Dorosin said this information needs to be made very clear to the community. He said the Board needs more detailed information, as the percentage increases seems like something is wrong.

Nancy Freeman said the tenant-occupied property is valued as residential. She said possible income is not considered because staff does not have that information, and that type of occupation can change back to homeowner occupied.

Commissioner Fowler asked if one does one's own appraisal, can one use properties that are more comparable to one's home.

Nancy Freeman said any information that a homeowner can provide will be taken into consideration. She said one home may have a finished basement, and another not, or one house has 2 bathrooms and another has only one. She said staff may not have this information, so it can be helpful to know these details. She said mass appraisals are done, and access to

the homes is not always available. She said some people do their own appraisals, but it is not required as staff can gather more details by speaking to the homeowners.

Commissioner McKee asked if one files an appeal, are there in house County employees who would do an appraisal.

Chad Phillips said the Board of Equalization and Review can order an appraisal to be done. He said the Tax Department can do an appraisal but it is not a fee appraisal, as it requires a different license. He said if the appellant wants staff to look at the property, staff will do so, but cannot say it is a fee appraisal, as that is a different type of license

Commissioner McKee said in revaluation years the County should contract with fee appraisers to do an appraisal of a house. He said this would make the process easier and more fair. He said the County should have a process to back up its own figures.

Bonnie Hammersley said the County assists when there is an appeal, and there is integrity in the process. She said errors are reviewed and changed when found. She said the County is objective. She said the appraisers in the Tax Department are objective, and different areas cannot be treated differently. She said comparables do look at square footage. She said forms are sent out in January to allow homeowners to note any changes on properties. She said the Tax Department is looking at over 70,000 properties in Orange County, and is following state policies. She said in many areas it is a policy issue, not an operations issue. She said she wants to support the integrity of the Department, and staff is meeting to discuss the concerns raised by the Northside neighborhood. She said staff is willing to help in any way possible.

Chair Price left the meeting at 10:41 p.m. due to technology issues.

Commissioner Fowler asked if there is a reason there are more appeals this year.

Nancy Freeman said she estimated 4,000 appeals this year, based on the fact that residential properties have increased. She said the economy is also depressed. She said staff used information from the recession in 2009 to estimate the number of appeals, and wants to be as prepared as possible. She said there may not be this many appeals.

Chair Price returned to the meeting at 10:44 p.m.

Bonnie Hammersley there are more appeals when revaluations are done every 4 years.

Commissioner Bedford urged that there be more publicity on how to appeal. She encouraged extending the appeal deadline if necessary, and legal to do so.

Chair Price asked if it was possible to extend the appeal time frame.

Chad Phillips said no, it has to be done by a specific date.

Chair Price said meeting with people in the neighborhood is important, and she encouraged intensive outreach.

Chair Price said differences in homes go beyond cosmetic differences. She said the appraised values have extreme differences depending on location. She asked if there is a method to determine neighborhood boundaries. She asked if there is anything that Chapel Hill can do when zoning properties. She said a property being rented to students is not the same as a residential property. She asked if the County could classify theses properties differently, if there were classified differently by the Town.

Nancy Freeman said the State and the International Association of Assessing Officers spell out the classifications.

Chad Phillips said mass appraisal standards have been established, as well as the schedules established in the Machinery Act by State of North Carolina. He said an apartment building is one with three or more units, and should be considered commercial. He said if there are less than three units, it is considered a residential property. He said the Northside

neighborhood did not previously have boundaries, but it does so now, and is made up of 3 actual neighborhoods. He said these boundaries can be moved and changed.

Chair Price said just because a property looks like a house does not mean it is so, and investment properties should be considered differently.

Commissioner Greene said the Northside neighborhood was the first conservation district in 2002. She said when this district was established it was determined there would be no more duplexes, but this has been changed since. She said existing duplexes were grandfathered in, and each side was considered a home and there could be up to four unrelated people living on each side. She said there is no way to determine if a property is making money, and she does not think the Town can do anything more through zoning.

Chair Price said she is just trying to think creatively.

8. Consent Agenda

- **Removal of Any Items from Consent Agenda**

Commissioner Bedford requested that item 8-d be removed from the consent agenda for discussion.

- **Approval of Remaining Consent Agenda**

A motion was made by Commissioner McKee, seconded by Commissioner Fowler, to approve the remaining consent agenda items.

Roll call ensued.

VOTE: UNANMIOUS

- **Discussion and Approval of the Items Removed from the Consent Agenda**

Commissioner Bedford said she supported delaying action on item 8-d. She asked for clarification on the Planning Department's actions between the Applicant and the Town of Hillsborough. She expressed concern if the Planning staff is representing an applicant before the Town of Hillsborough. She said she was not sure that the Board actually desired to modify the central orange coordinated area (COCA) or the water and sewer management planning and boundary agreement (WASMPBA), and asked if the intention for the recommendations could be identified.

Bonnie Hammersley said the rezoning raised issues that had not been addressed, and it is her intention that Planning staff will meet with the Town of Hillsborough to go over issues in that area in general (e.g. are water and sewer available in that area.) She said any amendment changes would come to the Board for approval, and the property owner would be informed of any changes.

A motion was made by Commissioner Bedford, seconded by Commissioner McKee, to approve item 8-d on the consent agenda.

Roll call ensued.

VOTE: UNANMIOUS

a. <u>Minutes</u>

The Board approved the draft minutes for the March 16, 2021 Board of County Commissioners meeting.

b. Approval of Three-Year Contract with Meridian IT, Inc. for AVAYA Voice over IP System

The Board approved a three-year contract with Meridian IT, Inc. totaling $267,746.92 for upgrading the County's existing Avaya phone system to the most current release and move to a subscription model in the process.

c. Fiscal Year 2020-21 Budget Amendment #11

The Board approved budget ordinance amendments for fiscal year 2020-21 for Animal Services and Housing and Community Development.

d. Decision on Future Land Use Map (FLUM) and Zoning Atlas Amendment – Richardson (MA20-0006)

The Board considered action on Comprehensive Plan Future Land Use Map (FLUM) and Zoning Atlas amendments for a 2.72 acre parcel of property, further identified using Orange County Parcel Identification Number (PIN) 9873-54-6387, owned by Ms. Gary Carleen Richardson:

FROM: Rural Residential (R-1); Stoney Creek Basin Overlay District (Higher Intensity Development Area)

TO: General Commercial (GC-4); Stoney Creek Basin Overlay District (Higher Intensity Development Area)

As part of this submittal, the applicant is requesting the FLUM designation of the property be changed from Rural Residential to Commercial Industrial Transition Activity Node (CITAN).

9. County Manager's Report

Bonnie Hammersley reviewed the items on the April 22, 2021 work session agenda and the April 27, 2021 joint meeting with the school systems.

10. County Attorney's Report

John Roberts said he would keep the commissioners informed about the trial over the 2018 voter ID law

11. *Appointments

NONE

12. Information Items

- April 6, 2021 BOCC Meeting Follow-up Actions List

13. Closed Session

NONE

A motion was made by Commissioner Dorosin, seconded by Commissioner Hamilton, to adjourn the meeting at 11:03 p.m.

Roll call ensued

VOTE: UNANMIOUS

Renee Price, Chair

Laura Jensen
Clerk to the Board

Submitted for approval by Laura Jensen, Clerk to the Board.

MINUTES
ORANGE COUNTY
BOARD OF COMMISSIONERS
VIRTUAL WORK SESSION
April 22, 2021
7:00 p.m.

The Orange County Board of Commissioners met for a Virtual Work Session on Thursday, April 22, 2021 at 7:00 p.m.

COUNTY COMMISSIONERS PRESENT: Chair Renee Price, Vice Chair Jamezetta Bedford, and Commissioners Mark Dorosin (arrived at 7:10 p.m.) Amy Fowler, Jean Hamilton, Sally Greene, Earl McKee (arrived at 8:23 p.m.)
COUNTY COMMISSIONERS ABSENT: None
COUNTY ATTORNEYS PRESENT: John Roberts
COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, and Clerk to the Board Laura Jensen. (All other staff members will be identified appropriately below)

Chair Price called the Board of County Commissioners meeting to order at 7:00 p.m.

Due to current public health concerns, the Board of Commissioners is conducting a Virtual Work Session on April 22, 2021 utilizing Zoom. Members of the Board of Commissioners will be participating in the meeting remotely. As in prior meetings, members of the public will be able to view and listen to the meeting via live streaming video at orangecountync.gov/967/Meeting-Videos and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

A roll call of the County Commissioners was called; Commissioners McKee and Dorosin were absent.

Laura Jensen introduced Assistant Deputy Clerk to the Board Crystal Long to the Commissioners.

1. Volunteer Advisory Boards and Commissions – Annual Work Plan Summaries

The Board provided feedback and/or direction on the second group of boards and commissions' annual work plan summaries with their Chairs (or representatives) in attendance. (The first group of boards and commissions' annual work plan summaries were presented at the Board's March 9, 2021 work session.)

BACKGROUND:
In the past, as part of the Board of Commissioners' annual planning and goal setting retreats, the Board requested and reviewed/provided feedback on annual plan summaries from the County's internal advisory boards and commissions. This information provided the Board with a yearly overview of the boards and commissions and their projected goals for the upcoming year. This particular process ended in 2007. The Board decided at its April 13, 2010 meeting to reinstate this process independent of the Board's annual retreats.

Advisory Boards and Commissions Represented at this meeting:

Board Name	Representative(s) Presenting
Animal Services Advisory Board	Ed Tiryakian
Adult Care Home Community Advisory Committee	Anthony Carey
Nursing Home Community Advisory Committee	Vibeke Talley
Board of Health	Quintana Stewart
Affordable Housing Advisory Board	Erika Brandt
Human Relations Commission	Annette Moore & Frances Castillo
Orange County Parks and Recreation Council	Haywood Rhodes
Historic Preservation Commission	Todd Dickinson & Art Menius
Agricultural Preservation Board	Cecilia Redding & Portia McKnight
Commission for the Environment	Kim Piracci
Climate Council	Brennan Bouma
Arts Commission	Katie Murray & Fred Joiner

Ed Tiryakian presented the Animal Services Advisory Board's (ASAB) work plan. He said the ASAB will establish a relationship with the new Animal Services Director, and work with the County Manager on veterinary services levels. He said the Board of County Commissioners (BOCC) approved a change to the County ordinance for a dog that was declared dangerous that allowed a dog owner to appeal for a waiver of muzzle requirement of a dangerous dog after 18 months. He said State statute does not allow that kind of review, and ASAB planned to make a request of legislature to end that, but missed the filing date. He said in the next short session, it will be possible to file a local bill to have authority for Orange County to serve as a pilot program. He said ASAB thinks this change would be an improvement of the state statute. He said the dangerous dog ordinance can be too severe in some exceptional situations, where a dog is acting out of character. He said ASAB thinks there is reason to take a second look in these types of cases, as is done in Wake County. He said ASAB meets 10 times a year and would like to move out of the Animal Services building and meet in community centers, high schools, etc., 2 to 3 times per year, to show people what Animal Services does and show volunteerism.

Commissioner Dorosin joined at the meeting at 7:05 p.m.

Commissioner Dorosin said he loved the idea of holding meetings outside of the Animal Services facility and in the community. He asked if the meetings are recorded.

Ed Tiryakian said the meetings are recorded, and notice would be provided to the public.

Commissioner Dorosin said it is a good board to start something like this with, because people have an interest in animals.

Commissioner Dorosin asked if the meetings are video recorded.

Ed Tiryakian said he was not sure.

Bonnie Hammersley said the meetings are not video recorded.

Commissioner Dorosin encouraged the ASAB to get out into the community, and to video record the meetings.

Chair Price said she would like to know if the County Attorney thought it was possible.

John Roberts said yes with a change to the board's ASAB policy.

Vibeke Talley from the Nursing Home CAC (NHCAC) said it was a difficult year for nursing homes, due to coronavirus infections and deaths, as well as isolation from family and

friends. She said the NHCAC cannot go into nursing homes at this time, and, as such, she does not have updated information.

Commissioner Dorosin left the meeting at 7:13 p.m.

Commissioner Hamilton expressed sympathy with the isolation of nursing homes. She asked if anyone is going into facilities.

Autumn Cox, Regional Ombudsman, said the Division of Health Service Regulation has been monitoring nursing homes all year, and the Ombudsman program has also had full access since October 2020, and on an as-needed basis prior to that. She said routine visits are still not happening, and there is not a date that volunteers from the CAC can begin visiting again. She said there are 6 new volunteers waiting to be trained, and she is working through that process with them.

Commissioner Dorosin rejoined the meeting at 7:14 p.m.

Commissioner Bedford said CARES Act funds paid for tablets. She asked if there is anything else the Board can provide to help with the isolation.

Autumn Cox said 1 to 2 tablets were purchased for facilities, as well as data service for 1 year. She said after 1 year, the tablet can be used on Wi-Fi, or the facility can purchase a data service. She said CARES Act funds were also used for PPE. She said there is currently not enough PPE for volunteers.

Commissioner Bedford encouraged Cox to reach out to the County Manager if anyone needs PPE.

Autumn Cox said PPE will likely only be a medical mask.

Commissioner Bedford said this situation has highlighted the need in nursing homes, and she hopes things can be better in the future.

Chair Price asked if there are enough volunteers for the board.

Autumn Cox said she covers a three county area, and volunteers dropped off committees across the state in mid 2020, and it is her goal to keep this board as intact as possible.

Commissioner Dorosin left the meeting at 7:20 p.m.

Chair Price referred to the tablets, and asked if there was a process to determine which facilities received them.

Autumn Cox said it was based on need, and most private pay facilities did not receive any. She said the Medicaid facilities received more. She said those facilities with more than 100 residents could receive two

Commissioner Dorosin rejoined the meeting at 7:21 p.m.

Chair Price asked if the number of Medicaid facilities in Orange County could be identified.

Vibeke Talley said four nursing homes take Medicaid.

Chair Price asked the County Manager to consider if the county could help pay for the data service plans in future budgets.

Chair Price said some companies are donating PPE, and encouraged Autumn Cox to reach out to the County for PPE if there is a need.

Autumn Cox said Shade Little was having trouble accessing the meeting, so she gave a brief overview of the Adult Care Home CAC's work plan and lack of access of adult care homes over the last year.

Commissioner Greene noted some of the poor conditions in adult care homes. She referred to #3 on the concerns and emerging issues list, which said, "Local leaders remain apathetic about improving the living conditions for the poor elderly residents in Orange County long term care homes." She asked if there are actions the BOCC could take to intervene to improve the situations, because apathy is not the root of the problem. She asked Autumn Cox if she knew, to what, these comments were referring.

Autumn Cox said she did not, as she was given the report, which was approved by the committee.

Commissioner Greene said the report asked for incentives to work with adult care providers. She said she was unsure what type of incentives the BOCC could provide, and she would be interested in learning more.

Autumn Cox agreed with Commissioner Greene, and said some of the homes are privately owned. She said she would follow-up with the CAC.

Commissioner Hamilton also expressed concern about the comments in the report. She said she used to work in adult care homes, and understands that some are in very poor condition. She said she wanted to review the role of the county and the role of volunteers. She said change is needed at all levels, and the Board of County Commissioners should see what it can do.

Chair Price agreed. She said she was particularly concerned about no handicap accessible door requirements, and staff ratios. She said the comment about local leadership being apathetic bewildered her. She referred to the comment about incentives for care home providers, and said she would strongly support the Board helping in any way possible. She asked Autumn Cox if she would relay to the CAC that the BOCC would like to work with them remediate these issues.

Commissioner Fowler agreed with the previous comments. She asked if inspections are happening, and does the BOCC need to file reports with the State. She referred to the possibility of incentives. She said many staff are underpaid and overworked, and turn over is high. She said the BOCC can continue to focus on raising the minimum wage.

Autumn Cox said some of the needs expressed in the report are not required by the state, such as accessible doors and generators. She said assisted living and family care homes are regulated at the state level, while nursing homes regulated at federal level.

Commissioner Hamilton said the state Medicaid system is paying adult care homes, and are dependent on what they receive. She said facilities need more compensation to provide better services.

Chair Price thanked Autumn Cox for her participation this evening.

Quintana Stewart presented on behalf of the Board of Health. She said 3 new board members joined the board in 2020. She said the Community Health Assessment was completed prior to pandemic, which is required every 4 years. She identified 3 new priority areas: access to care, health behaviors, and health equity. She said in the next 4-year cycle, access to health care will be a priority. She said health behaviors will fold in a previous priority of physical activity and nutrition, and will also include substance abuse. She said the goals are broader so as to address as much as possible. She said health equity is also a priority, and the Department will be looking at issues such as poverty, environmental justice, etc.

Quintana Stewart said the Health Department obtained a mobile dental van in 2020, and will have a soft launch in August, if COVID-19 restrictions are lifted. She said a tour of the van will be provided to the Board of Health members when they are allowed to meet in person. She said the BOCC would also be invited.

Quintana Stewart thanked the community and partners for their response to COVID-19. She said the Health Department and Emergency Services implemented a strike team to visit long-term care facilities in the early days of COVID-19 and helped with testing and PPE. She said the state provided funding for infection prevention teams across the state, and there is one such team here in Orange County that covers 9 counties. She said this team will be highlighted on the weekly NC DHHS call on COVID-19. She said the strike team is also working with vaccination clinics. She said there was a robust group of communicators and the messaging was effective, and the education campaign was really strong. She said everyone worked together, which was so encouraging. She said the county provided its 10,000th first dose vaccination last week. She said this is a great milestone, and there is great relief in the public to receive vaccines. She said the process will transition from a drive through method, to indoor clinics due to increasingly warm and stormy summer weather. She applauded everyone's efforts in fighting COVID. She said Orange County cases are stable, and she wishes the numbers were going down.

Commissioner Dorosin left the meeting at 7:42 p.m.

Commissioner Dorosin rejoined the meeting at 7:43 p.m.

Commissioner Dorosin left the meeting at 7:44 p.m.

Quintana Stewart said the community has remained vigilant, and the governor may lift restrictions soon.

Chair Price thanked Quintana Stewart for her leadership, and noted her dedication.

Commissioner Greene thanked Stewart for her and her staff's work. She highlighted an award that employee Victoria Hudson received for outstanding contributions to the area of environmental health. She said she received this award for working with local organizations and businesses to develop COVID safety plans.

Quintana Stewart said the department is very fortunate to have Victoria Hudson as the Environmental Health Director.

Commissioner Fowler thanked Quintana Stewart for her leadership. She asked if the Health department is doing targeted vaccinations for the Latinx community.

Quintana Stewart said yes, the Health Department has partnered with organizations providing services to the Latinx community. She said the mobile unit ensures access, by going out into the community to reach people more easily.

Commissioner Fowler said those who have showed up to clinics say it is because their employers told them to come.

Chair Price said the website has translated information.

Commissioner Bedford asked about vaccinations for homebound residents.

Quintana Stewart said the Health Department will go to the house and give vaccinations in the home.

Commissioner Bedford praised the Health department for its efforts over the last year.

Chair Price thanked Quintana Stewart.

Quintana Stewart introduced her board chairs.

Erika Brandt presented for the Affordable Housing Advisory Board (AHAB). She said the AHAB is interested in exploring new housing strategies. She said the AHAB is meeting virtually, only as needed, for high priority items. She said the AHAB reviewed funding applications in August 2020, and met in February of this year to review outside agency applications.

Erika Brandt said prior to the pandemic there was a community meeting to learn more about what AHAB does. She said AHAB has a new member from Hillsborough, and bring her

own perspective as a resident in affordable housing. She said 3 vacancies that will be filled in the new fiscal year. She said AHAB's goals are to expand outreach; developing a standardized presentation to use at community meetings; attending the NC Affordable Housing conference; and exploring other training opportunities for members.

Chair Price thanked Brandt for her work in keeping people in their homes.

Frances Castillo presented the work plan for the Human Relations Commission (HRC). She said the 30th annual Pauli Murray Awards were held this past year. She said the HRC conducted two fair housing hearings. She said the HRC is working with Commission for the Environment in order to see things through a social justice lens. She said the HRC expanded its community book read to include author discussions, as well as event with Democracy NC on how to vote safely during the pandemic. She said the HRC reviewed membership of other boards and commissions with an eye for diversity. She said the HRC also participated in the County's listening session about racialized policing, and did a follow up conversation this year on untangling the #defundthepolice debate.

Frances Castillo said this year the HRC had a Pauli Murray Award ceremony, which was wonderful. She said this is fair housing month, and the HRC has put together a social media campaign to help people understand their housing rights. She said these materials are being translated to other languages. She said in May, the HRC will have another community conversation about how to build community, and what are people's roles in doing social justice work, as everyone is needed.

Frances Castillo said the book read is being planned, and there is a desire to incorporate books families can read with children. She said the selection will be more holistic and multi-lingual, as the HRC wants the entire community to participate.

Frances Castillo said there is a future collaboration coming up in September or October, surrounding Pauli Murray and engaging educators.

Frances Castillo said the HRC's goals are to engage with community members who are not aware of the HRC's work. She said the HRC is reaching out to other boards, tapping into others' networks, reaching out to faith community, etc.

Chair Price thanked Frances Castillo for the work of the HRC, and for bringing people together.

Haywood Rhodes presented on behalf of the Orange County Parks and Recreation Council. He said the department pivoted during the pandemic, and provided recreational opportunities online. He said a concern that became apparent was that many residents do not have access to fast Internet. He said the department helped in these situations by sending recordings of the activities.

Haywood Rhodes said facilities are of concern, and the parks are getting a lot of use. He said the department would like to find a way to partner with public schools, as they have a lot of capacity. He said the Central Recreation facility in downtown Hillsborough is the only place for basketball currently, and schools could be a great resource. He said there is a local tennis group that is trying to expand tennis offerings in the County.

Haywood Rhodes said the second phase of Blackwood Farm construction is coming up. He said the Soccer.com facility master plan is also being reviewed.

Commissioner Bedford referred to the lands legacy plan, and asked if clarification could be provided.

David Stancil, Department of Environment, Agriculture, Parks and Recreation Director, said lands legacy has a three-year plan which will come to the BOCC in the fall, but advisory boards are providing comments on top priorities.

Chair Price thanked the department and council for their work. She said isolation during the pandemic has been difficult.

Haywood Rhodes said staff put a lot of effort into virtual resources, and it is hoped that this can continue to allow further reach into the community.

Art Menius presented the Historic Preservation Commission's work plan. He said the big project in 2020 was the historic book, for which all 225 entries have been written.

Commissioner Dorosin rejoined the meeting at 8:11 p.m.

Art Menius said the commission needs to raise $35,000 to print and deliver the book.

Art Menius said the commission got two new national Historic Register properties. He said both are important mid century properties, a time period which is now 60-70 years ago. He said the first was Cedar Grove School, which opened in 1951 and was a historically black school. He said the second property was Schley Grange Hall, which won a Sears and Roebuck competition as the best grange in the nation. He said locally Harvey's Chapel AME church's cemetery was added. He said this cemetery is deep in the woods, and was lost for many years, as roads were not maintained for historically black communities in the 1930s. He said the Old Eno Quaker Cemetery was also added, which was started in 1760s. He said the final local property is the David Fawcett house on the Eno River.

Art Menius said the commission's main goals for this year are raising funds for the book, as well as a historic marker program, which will help bring in more diversity. He said many properties important to African American heritage no longer extant. He said the marker program will tell the story, even without the property present. He said the commission wants to add more diversity in its historic marker program.

Art Menius said the commission will be looking at courthouse square, and the old courthouse in particular.

Art Menius said the commission will participate in the 250th anniversary of the Revolutionary War.

Commissioner Greene thanked the commission for the historic marker program. She asked if more details could be provided about the old courthouse program.

Peter Sandbeck, Cultural Resources Coordinator, said the project was formed in response to county's long range CIP project to do restoration at the old courthouse. He said part of the need is to learn about the physical evolution. He said such a project requires going through minutes, courthouse records, newspapers, etc. He said this led to a larger examination of the history of the county through the courthouse, and an in-depth social history needs to be completed. He said it will be important to secure the ideal research team.

Commissioner Greene said the Register of Deeds will be able to help.

Chair Price said she is looking forward to the book. She said there are stories in the community about the courthouse.

Cecilia Redding introduced the Agricultural Preservation Board's mission and objectives.

Peter Sandbeck said the board reviewed 12 farms, and added over 1000 acres. He said 133 farms are now enrolled, totaling 16,500 acres protected from development. He said this maintains the land in farm use, and is a voluntary program.

Commissioner McKee joined the meeting at 8:22 p.m.

Peter Sandbeck said there has been remarkable growth in 10 years, and he wants to keep the momentum going. He said there has been a lot of administrative work on the transfer of lands, as people can move in and out of the program.

Peter Sandbeck said the board is part of the food council project, and has a dedicated seat. He said this has been a very informative partnership. He said the board continues to help farms with the Century Farm program, having added four more farms this year, totaling 32.

Peter Sandbeck said grant money has been distributed by economic development to support farming, which has been wonderful.

Peter Sandbeck said the board hopes to create an Agricultural Trust Fund, under the auspices of the county, which would promote farm land production to support local food economy. He said this is in the exploratory stage, and would supplement the lands legacy program through a dedicated funding source.

Peter Sandbeck said the board wants the county to become a leader in dairy production, which is a large part of the county's history, and looking at ways to achieve this goal.

Chair Price thanked farmers for all they do, and looks forward to the board's future plans.

Christian Hirni presented for the Commission for the Environment (CfE). He said many CfE members are involved in Earth Day activities, and he is presenting on their behalf.

Christian Hirni noted accomplishments for 2020. He said the CfE reviewed the submitted rankings for applicants for the Climate Action Tax Fund Grants; participated in reviewing the lands legacy action plans, and submitting priority recommendations based on environmental concerns. He said the CfE held discussions around Orange County land holdings, and received presentations from the Eno New Hope land conservation group. He said the CfE worked with the Planning Department to review and comment on several county development proposals.

Christian Hirni said the CfE would like to draft and submit a proposed tree management plan to manage the tree canopy on Orange County lands. He said the CfE has concerns around food scarcity and availability in the county, and is interested in reviewing opportunities to preserve farmlands.

Commissioner Bedford asked if there is a timeline for the next round of proposals for climate tax funds.

Brennan Bouma, Sustainability Coordinator, said this process will begin in early May, and be open throughout summer. He said the CfE and the Human Relations Commission will review and score the applications, and come to the BOCC in the early fall.

Melissa McCullough presented for the Climate Council, and gave an overview of the council's history. She said this year the council created a database of 200 actions taken by local climate organizations, and brainstormed actions that could be taken by local governments. She said these actions were categorized. She said the council is part of the second round of LEED's beta testing system for cities and communities. She said the Council also held its first annual community update meeting, where actions and goals were presented to 80 local participants

Melissa McCullough said goals for this year include a work plan for effective joint actions based on previous evaluations. She said there is not only low hanging fruit, but over ripe fruit that can be accomplished. She said the council will also develop by-laws and member laws for increased collaboration.

Commissioner Fowler asked if an example of an over ripe fruit item could be identified.

Melissa McCullough said community solar, building codes to promote green building, school curriculum, resilient land use, low carbon, biogas to energy co-digestion, etc. She said the desire is to multiply effects, and there may be some federal money coming to address climate and infrastructure.

Melissa McCullough said all the information is available for the BOCC to review.

Chair Price asked if that information could please be provided.

Commissioner Greene asked if there is a plan in place to coordinate with other local climate plans, in order to avoid duplication and promote synchronization.

Melissa McCullough said it is challenging because all entities are in different stages, but the Climate Council is made up of representatives from all of various governments who are all working very closely together.

John Roberts said Commissioner McKee asked him two questions prior to the meeting. He said the questions were related to how the Climate Council is a public body. He said the council is a public body under state statutes, and serves the function of policy and providing information. He said the Climate Council cannot fill vacancies or create additional positions, unless the BOCC expressly gives permission to do so.

Commissioner McKee said his questions stemmed from the last full paragraph on the first page of the abstract. He said he wanted clarification on the council as an advisory board.

Commissioner McKee asked if the number of people originally on the Council could be identified.

Brennan Bouma clarified that there were 12 active member organizations on the Climate Council, with a roster of 30 spots.

Commissioner McKee asked how many of those positions are filled.

Brennan Bouma said he would check.

Commissioner McKee asked if staff is working with the Clerk's office to fill the vacancies.

Brennan Bouma said yes, staff is working to fill those vacancies.

Commissioner McKee asked for clarification on the number of vacancies.

Brennan Bouma said that three vacancies were recently filled, and there are still about 7-10 vacancies. He said some positions have never been filled, and the by-laws and membership rosters would help clarify the roles. He said it would be approved by the Board of County Commissioners.

Melissa McCullough said the council is also concerned about vacancies.

Commissioner McKee said he is concerned about keeping vacancies filled, and sometimes boards and commissions are just too large.

Commissioner Bedford said she was glad the council received a grant for membership and training. She said the group has capacity to do a lot of work and collaboration across many areas. She said she was glad the council could provide an update this evening, and their list of things to tackle is very large, and she looks forward to seeing how they proceed.

Commissioner Bedford said the new Deputy Clerk to the Board could assist as a liaison.

Commissioner Bedford asked if there has been any success in recruiting minority members.

Chair Price clarified that there are specific seats for different organizations for the council, and the Deputy Clerk may not have the ability to help.

Chair Price said there have been efforts to diversify.

Brennan Bouma said the National Association for the Advancement of Colored People (NAACP) is one of the active participants on the Council. He said there is some minority representation, and efforts are getting more serious in this regard. He said it is an active part of the council's discussions.

Commissioner Bedford said the by-laws might require legal assistance. She suggested speaking with the managers and mayors to see if things need adjusting, now that some time has passed. She said it is important to consider what is feasible, and to have focused clarity. She said it is important to be confident in the mission.

Commissioner McKee said given the high number of members, he would expect to have a more straightforward number of how many members represent diverse groups.

Melissa McCullough explained how each organization that makes up the Climate Council is allotted seats on the council. She said each organization makes a recommendation for who represents them. She said the local governments set aside a seat for the NAACP and

seats for youth. She said the way it is set up makes it difficult to get proportional representation. She said the council takes this seriously, and is looking for ways to hear other voices, even if they are not on the council.

Commissioner McKee said he would like to know the make-up of the council, and wants to know how many members from the Black, Latino, and Asian community are on the council.

Chair Price said there is very little diversity on the council. She said staff will have to provide the information.

Commissioner McKee asked if there could be clarification about the use of building codes to promote green building. He said he is concerned about regulations.

Melissa McCullough said the council would only provide advice to the BOCC.

Melissa McCullough said there are groups providing information on green building pertaining to code. She said green building is not just about energy, but also health, mechanisms, mechanical, etc. She said some things are related to codes, some are related to information. She said children learn better in a green building, patients heal faster, people are more productive, etc. She said sometimes those who make code just need to be educated.

Fred Joiner presented on behalf of the Arts Commission. He said the commission has tried to be innovative during the COVID-19 pandemic by providing resources to aid the arts industry. He said it has been a busy season, with significant funding being raised to support artists.

Fred Joiner said the commission met a need by providing artists' space for 13 artists at the Eno Mill, with net revenue of $16,000. He said the commission is working on phase 2 of this project to provide greater use of the space at the mill. He said there are ongoing conversations with the owner of the mill, including a children's theater, community dark room, ceramics studio, etc.

Fred Joiner said annual grants were distributed, and one use of these funds was the "Love Hillsborough" mosaic from Summer 2020.

Fred Joiner said there is a plan in the works for Art on the Hill, a partnership with 14 community and governmental organizations.

Fred Joiner said a new non-profit is being created to support the work of the Arts Commission. He said the commission participated in the Plein Air project, as it does every year. He said the commission also put out 30 stories of local community members. He said the commission educates the community on the economic impact of the arts, as well as providing high quality arts. He said the commission desires to strengthen the community, provide access to the arts for students and especially artists of color, and showcase the creativity in the community. He said the commission collaborates with over 20 organizations.

Fred Joiner said the commission wants to be a clearinghouse for the artistic community, and will continue to provide space and free education opportunities throughout the county for all residents.

Fred Joiner said the commission has given thought to economic development, and how best to reopen post pandemic. He said the commission has to plan ahead so that it is ready to be a support to the arts community when it reopens.

Fred Joiner said the commission continues to look for artists of color, and arts organizations that practice in racial equity and diversity. He said these efforts are being made across the arts community nationwide. He said he and Katie Murray are looking closely at artist residency programs and aiming to increase diversity therein. He said the commission desires to be a leader in this area.

Katie Murray, Arts Commission Director, said there are requests to allocate some of the ARP funding towards Arts Community. She said there will also be a proposal coming to the BOCC on May 4 for Eno Mill.

Commissioner Bedford thanked the commission for its efforts in fundraising and continuing to support the arts throughout the pandemic, and thinking about the post-pandemic recovery. She said she would like to speak to the commission at a later time about their efforts to develop a diverse board. She applauded the commission's success in this area.

Chair Price said Katie Murray does a great job at personally reaching out to people to serve.

Commissioner Greene said the arts can be life changing and life saving for people, and outlets need to be available for everyone to access the arts.

Chair Price said the National Association of Counties (NACo) did a resolution for the federal government to put forth funding for arts and mental health partnerships.

Chair Price said Fred Joiner is a phenomenal poet.

Katie Murray said he is also wonderful board chair.

A motion was made by Commissioner Hamilton, seconded by Commissioner Fowler, to recess the meeting.

Roll call ensued

VOTE: UNANIMOUS

RECONVENE THE MEETING

Commissioners Dorosin and McKee were not yet present, but due to a quorum of board members being present, Chair Price asked for a motion to reconvene the meeting.

A motion was made by Commissioner Fowler, seconded by Commissioner Hamilton, to reconvene at 9:37 p.m.

Roll call ensued.

VOTE: UNANIMOUS

2. Orange County Crisis/Diversion Facility: Findings and Recommendations by the Orange County Behavioral Health Task Force

The Board received information about the findings and recommendations of the Crisis/Diversion Facility Subcommittee of the Orange County Behavioral Health Task Force. In addition, the Behavioral Health Task Force is seeking feedback from the Board and initial support to move forward with detailed design and implementation planning. The first recommended action step is funding for contracting with a project design consultant to conduct detailed planning including design of Facility space, staffing, and licensing. Implementation planning would also include governance, policies and procedures, and cost estimates, budget sources, and funding needs.

BACKGROUND:
In April 2019, over thirty community stakeholders from the criminal justice system, healthcare, behavioral health system, and housing came together to participate in the Orange County Sequential Intercept Mapping (SIM) Workshop facilitated by the North Carolina Department of Health and Human Services. The SIM process is designed to inform and address community-based responses to the involvement of individuals with behavioral health issues and intercepts with the criminal justice system. An intercept map and Final Report were created (SIM Final

Report) and one of the identified community gaps that emerged from this process was the critical need for a Crisis/Diversion facility that would support diverting individuals in behavioral health crisis from the criminal justice system and the Emergency Departments at UNC Hospitals.

The Behavioral Health Task Force (BHTF), co-chaired by Barbara-Ann Bybel, Director of Inpatient Psychiatry Services at UNC Hospitals, and Caitlin Fenhagen, CJRD Director, formed in 2019 to address the behavioral health intercept gaps identified in Orange County. The mission of the BHTF is to improve outcomes for individuals with behavioral health disorders through partnerships across justice, law enforcement, mental health, homelessness and substance use service systems. Later in 2019, the Crisis/Diversion Facility Subcommittee was formed and tasked with bringing forth recommendations and a plan for a dedicated Facility. This Facility will offer behavioral health crisis services and allow for law enforcement and hospital ED diversion. The Subcommittee, under Tony Marimpietri's leadership, has met diligently and frequently over the last two years to address this high priority need. This process has included a lengthy literature review of best-practices and elements for a crisis/diversion facility, studying existing state and national crisis/diversion facilities, seeking input from critical local stakeholders, looking at use case scenarios, examining available data and determining the appropriate scope and function for an Orange County Facility.

This presentation will share the detailed findings and recommendations of the Subcommittee's work. An overview of these findings and recommendations has previously been shared with the Behavioral Health Task Force, the Justice Advisory Council and Orange County's law enforcement leaders. These presentations have been met with broad support and interest. It is the Behavioral Health Task Force's strong belief that the proposed Facility, and its evidence-based, holistic, trauma-informed policies and practices will lead to necessary enhancements in Orange County crisis system capabilities, will increase diversion and deflection from the criminal justice system and will improve healthy and safe outcomes for residents of Orange County.

Caitlin Fenhagen, Criminal Justice Resource Director, introduced the item.

Commissioner Dorosin rejoined the meeting at 9:40 p.m.

Tony Marimpietri, Orange County Behavioral Health Task Force member, made the following PowerPoint presentation:

Slide #1

Slide #2

EXECUTIVE SUMMARY

- **BHTF Report.** This report presents Orange County Behavioral Health Task Force findings and recommendations for Orange County to establish a dedicated behavioral health (BH) crisis-diversion Facility to enhance its crisis response system and capabilities.
- **Current Status.** Orange County does not have a comprehensive BH crisis system. We have identified many gaps in current services and limited options to successfully divert an individual in crisis from either hospital-based emergency department (ED) or criminal justice (CJ) system. This need is characterized in terms of critical services that currently are lacking and estimated need for crisis care.
- **Recommendation.** The recommendation presented herein is for Orange County to enhance its crisis system by establishing a dedicated Crisis/Diversion Facility to provide for BH crisis services/criminal justice diversion. If implemented, this Facility and associated policies, procedures, and practices will lead to enhancements in Orange County crisis system capabilities by establishing services that currently do not exist or are limited in one or more important ways.
- **Potential Benefits.** The benefits of establishing the recommended crisis-diversion Facility accrue to: 1) the individuals in crisis, his/her family, and friends; 2) law enforcement and emergency medical professionals; 3) hospital-based ED and in-patient facility and staff; and 4) various criminal justice stakeholders including detention center operations and staff. Through communitywide collaboration and networking with all allied treatment and social services partners, Orange County will maintain a continuum of care thus facilitating effective transition from crisis care to community treatment.
- **Next Steps.** If the Board of County Commissioners accepts the BHTF recommendations, the next phase will address creation of a detailed implementation plan for construction/operation of an Orange County Crisis-Diversion Facility. Funding will be needed for this detailed planning and additional assessment work.

2

Slide #3

CONTENTS

- Acronyms Used in This Report
- Introduction
  - Background
  - Subcommittee's Charge
- Current Status
  - SIM Workshop (opportunities and gaps)
  - Local Stakeholders (needed services)
  - Best Practices – opportunities for improvement
- Recommendation
  - Dedicated Facility
  - Scope and Function
- Potential Benefits
- Related Considerations
- Next Steps
- Exhibit A. April 2019 Workshops
  - Sequential Intercept Mapping Framework
  - Orange County SIM Map
  - Existing Resources
- Exhibit B. Best Practices Findings
  - Literature Review
  - U.S. Programs and Facilities
- Exhibit C. Orange County Data Sources and Notes

3

Slide #4

ACRONYMS USED IN THIS REPORT

988.	New national suicide/crisis hotline.
ADATC.	Alcohol and Drug Abuse Treatment Center.
BH.	Behavioral Health (includes serious mental illness and substance use disorders).
BHTF.	Orange County Behavioral Health Task Force.
BOCC.	Orange County Board of County Commissioners.
CHPD.	Chapel Hill Police Department.
Club Nova.	Nonprofit community center for individuals with SMI.
emPATH.	Emergency Psychiatric Assessment, Treatment & Healing Unit.
IDD.	Intellectual Developmental Disorder.
IVC.	Involuntary Commitment.
LE/LEO.	Law Enforcement/Law Enforcement Officer.
LME/MCO.	Local Management Entity/Managed Care Organization (manages Medicaid funds for mental health).
MAT.	Medication Assisted Treatment (refers to medications for Opioid Use Disorder).
NAMI.	National Alliance on Mental Illness.
OCSO.	Orange County Sheriff Office.
SIM.	Sequential Intercept Mapping.
SMI.	Serious Mental Illness.
SUD.	Substance Use Disorder.

4

Slide #5

INTRODUCTION: REPORT PREPARATION AND REVIEW

- This report has been prepared by the Orange County BHTF Crisis/Diversion Facility Subcommittee.
- The report puts forth the Subcommittee's recommendation for an Orange County Facility and provides a summary of the research and assessment work used to reach its recommendations.
- These recommendations have been presented to and reviewed by several advisory and public interest groups operating in Orange County including:
  - Orange County Behavioral Health Task Force (BHTF). January 20, 2021.
  - Orange County Justice Advisory Council (JAC). February 12, 2021.
  - Chiefs of Police and Orange County Sheriff. March 24, 2021.
- Comments and edits provided during these discussions have been incorporated into this version of the BHTF's report for the Orange County Board of County Commissioners (BOCC).
- Pursuant to guidance from the BOCC, these recommendations will provide a basis for more detailed planning including design of Facility space, staffing, licensing, governance, policies and procedures, budget, and funding.

5

Slide #6

INTRODUCTION: BACKGROUND

- **2015.** Orange County BOCC adopted a Resolution supporting *Stepping Up Initiative to Reduce the Number of People with Mental Illness in Jails*.
- **2018.** Orange County Sheriff Charles Blackwood raised the idea of including in the planning for the new Orange County Detention Center a separate area that would serve as a diversion unit for law enforcement. The planning for such a facility was not completed in time for consideration by the Orange County BOCC. At the time, Jail Mental Health Work Group stakeholders toured NC facilities that are providing services that might be a model for an Orange County facility.
- **2019.** On April 25-26, NC DHHS and Orange County held a series of workshops – *Sequential Intercept Mapping* and *Taking Action for Change (collectively referred to as SIM Workshop)* with 32 local representatives of organizations involved in criminal justice (CJ), UNC Health, community treatment, and emergency medical services to address issues involving BH and CJ. The workshop identified gaps in current services and assigned priorities for action: a crisis center was assigned high priority.
- **2019.** In November 2019, responsibility for addressing this high priority action item was assigned to the BHTF. Subsequently, the Crisis/Diversion Facility Subcommittee was formed and tasked with bringing forth recommendations.
- **2020.** In December, the Governor's Task Force for Racial Equity in Criminal Justice reported its findings and recommendations: three of the Task Force's recommendations relate directly to situations involving individuals with BH issues and criminal justice diversion.

Slide #7

INTRODUCTION: SUBCOMMITTEE'S CHARGE

- The findings and recommendations presented herein are based on the work of a subcommittee of the Orange County Behavioral Health Task Force (BHTF).
- **Mission:** Address high priority item identified in SIM Workshop: lack of a crisis center.
- **Goals:** Formulate recommendations for Orange County crisis services that would facilitate diversion of individuals experiencing BH (MH and SUD) crisis from either:
  - hospital-based emergency department and/or
  - criminal justice system.

Subcommittee Members	
Tony Marimpietri Chair	NAMI-Orange County
Caitlin Fenhagen Sponsor	OC Criminal Justice Resource Department (CJRD)
Barbara-Ann Bybel, Sponsor	UNC Health Care
Jamezetta Bedford	OC Board of County Commissioners
Heather Griffin-Dolciney	Freedom House
Megan Johnson	CHPD Crisis Unit
Angela Strain	UNC Health Care
Pamela Weiden	District Court Judge's Office
Kim Woodward	Orange County EMS
Allison Zirkel	Orange County CJRD

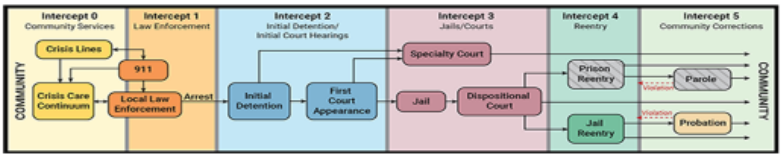
Slide #8

CURRENT STATUS: SIM WORKSHOP (OVERVIEW)

- The Orange County Criminal Justice Resource Department, District Court Judges' Office, and multiple other local stakeholders requested the *Sequential Intercept Mapping* and *Taking Action for Change* workshops held in April 2019 (SIM Workshop).
- The primary objectives of the SIM Workshop are:
  - Develop a comprehensive picture of how people with BH disorders flow through Orange County criminal justice system. **Exhibit A** describes the Sequential Intercept Mapping Framework and provides details of the sequential intercept mapping for Orange County.
  - Identify gaps, resources, and opportunities for intervention and deflection at each intercept.
  - Determine priorities to improve system and service level responses for individuals in the target population.
- As noted in the workshop documentation, improving outcomes for justice-involved persons with behavioral health disorders requires partnerships across the justice, mental health, homelessness, and substance use service systems.
- The BHTF is charged with being the lead partnership, in conjunction with representatives of other partnerships, to oversee implementation of the action plan developed during the *Taking Action for Change* Workshop.
- **Exhibit A** summarizes the programs and resources that already exist in Orange County. These resources provide a solid foundation upon which crisis system enhancements can be made.

Slide #9

CURRENT STATUS: SIM WORKSHOP (FRAMEWORK)



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- The Sequential Intercept Mapping Framework (Griffin, et. al.) is organized as illustrated above. SIM Workshop output is organized according to these intercepts.
- Orange County is fortunate to have many existing cross-system programs, services, and partnerships that can implement action plans established during the Workshop.
- Workshop identified opportunities to build on existing Orange County programs and services without replacing or duplicating any existing services.

Griffin, P.A., Heilbrun, K., Mulvey, E.P., DeMatteo, D., & Schubert, C.A. (Eds.). (2015). The Sequential Intercept Model and Criminal Justice: Promoting Community Alternatives for Individuals with Serious Mental Illness. New York: Oxford University Press. DOI: 10.1093/med:psy ch/9780199826759.001.0001

Slide #10

CURRENT STATUS: SIM WORKSHOP (GAP ANALYSIS)

Gaps identified by participants during the SIM Workshop are organized according to Intercepts as defined by the Sequential Intercept Mapping framework.

- **Intercept 0: Community-Based Crisis Services.** Existing crisis services have limited access due to exclusionary eligibility criteria, limited hours of operation, long wait times/waitlists due to being at capacity, and/or offer limited discharge planning and support.
- **Intercept I: Law Enforcement/Emergency Services.** There are limited options and support for law enforcement officers and other emergency service providers for diverting individuals from CJ or the hospital-based ED. The key issue at this intercept is: Divert to Where?
- **Intercept II: Initial Detention/Initial Court Hearing.** There are insufficient clinical services in the Detention Center to treat someone experiencing a mental health crisis, screening tools not fully consistent with best practices, and jail setting can exacerbate mental health symptoms.
- **Intercept III: Jails/Courts (See Note).** There is limited physical space in the Detention Center for additional programming, and no designated housing for persons with mental illness and/or substance use diagnoses. There is potential to increase referrals and clinical support for Outreach Court and Community Resource Court and thereby allow for more individuals to receive assistance.
- **Other Considerations:** There is a need to increase availability of Medication Assisted Treatment (MAT) for persons released from CJ involvement; ensure a cross-systems endeavor (e.g., BH, jail/prison, homeless services, courts, police, social services, consumers, family members, advocates); expand peer support to promote recovery; and facilitate transition to appropriate services in the community.

  Note: New Orange County Detention Center due to open soon will address many gaps identified during the April 2019 Workshop.

Slide #11

CURRENT STATUS: LOCAL STAKEHOLDERS (OVERVIEW)

- In addition to the gap assessment and action plan provided by the SIM Workshop, the subcommittee examined in detail the needs of stakeholders in Orange County.
- Subcommittee membership itself includes representatives of key stakeholder groups involved in Orange County crisis services: emergency medical services, existing clinical services including UNC Hospitals, law enforcement, courts, and jail.
- Working with stakeholder representatives, we examined crisis situations that arise in Orange County and used these to further identify the services and facility attributes that are absent and that if they existed would:
  - Enhance crisis response to better serve individuals by providing quality care in the most appropriate setting
  - Benefit stakeholders who engage individuals in crisis on a daily basis in Orange County by facilitating alternative responses that save these stakeholders time and dollars and result in better outcomes for all involved.
- This stakeholder input enriches our understanding of the gaps that exist in existing crisis services thus augmenting the findings of the SIM Workshops.

Slide #12

CURRENT STATUS: LOCAL STAKEHOLDER (GAP ANALYSIS)

- Several factors limiting effective, comprehensive crisis response in Orange County have been identified by the local stakeholder analysis. Existing services are limited by one or more of the following:
  - Do not provide a no refusal intake for law enforcement or emergency services.
  - Do not integrate well with CJ diversion programs.
  - Do not meet all needs due to extensive exclusionary criteria.
  - Do not provide an appropriate setting for BH crisis care (not the least restrictive setting).
  - Do not have the capacity to provide readily-available clinical services for CJ proceedings.
  - Do not serve incarcerated individuals due to billing restrictions.
  - Do not always provide peer support or case management follow up.
  - Do not always provide adequate discharge planning (fail to facilitate warm handoff to community treatment and/or social services).
  - Do not have the capacity to facilitate holistic support (recognize all determinants of health).
  - Do not offer immediate access to MAT.
  - Only Freedom House and the UNC ED allow access by the public on a 24/7/365 basis, and services are often at or over capacity.
  - Limited resources for people who are indigent and uninsured.

12

Slide #13

BEST PRACTICES: OPPORTUNITIES FOR IMPROVEMENT (LITERATURE)

Literature Review

- Currently there are no national standards for crisis services such as those existing for medical services (e.g., EMS).
- Existing literature points to an emerging framework for defining crisis services.
- There is an enormous body of literature that points to evidence-based practices that can be adopted and tailored to Orange County.
- Two references are key to our work are:
  - The *Sequential Intercept Model*.
  - *National Guidelines for Crisis Care: A Best Practice Toolkit*.

Elements of Current Best Practices

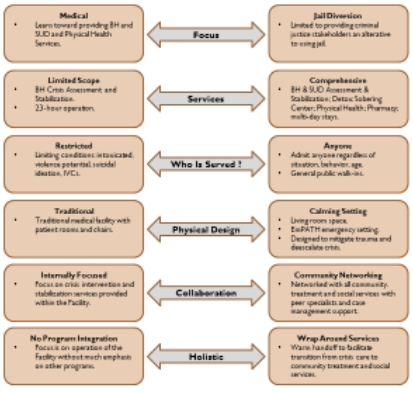
- Clear Objective.
  - Embrace the objective of diverting individuals in crisis away from traditional ED and jails
  - Support this objective with dedicated facilities and programs.
- Anyone, Anytime, Anywhere.
- Community-wide Collaboration.
- Calming Environment.
- Network with Community Treatment Providers.
- Holistic Wrap Around.
- Warm Handoffs and Case Management/Peer Specialist Support.
- Continuous Improvement.

13

Slide #14

BEST PRACTICES: OPPORTUNITIES FOR IMPROVEMENT (U.S. FACILITIES)

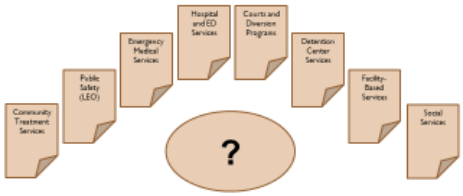
- In addition to the literature review, we researched existing programs and facilities.
- There are scores of existing programs and facilities across the U.S.
- Subcommittee members interviewed representatives of a dozen operating and planned facilities.
- This review includes two important N.C. facilities:
  - Wakebrook (Wake County, Raleigh).
  - C3 356 Comprehensive Care Center (Buncombe County, Asheville).
- Figure on right illustrates the wide variation in facilities across six dimensions.
- **Exhibit B** contains more complete summary of best practices findings.



14

Slide #15

RECOMMENDATION: FOCUSING ON THE NEED



- *Recap of Current Situation and Opportunities for Improvement.*
  - Multi-year series of actions in Orange County from 2015 to 2020.
  - *SIM Workshop* gap assessment: focused on needs at the intersection of BH and Orange County criminal justice.
  - Stakeholder Analysis: focused on local needs identified by those engaged in BH clinical services and criminal justice in Orange County.
  - Best Practices: literature review.
  - Best Practices: review of existing U.S. and N.C. programs and facilities.

15

Slide #16

RECOMMENDATION: ESTABLISH A DEDICATED CRISIS/DIVERSION FACILITY

We recommend Orange County enhance its crisis system by establishing a dedicated Crisis/Diversion Facility to deliver BH crisis services/criminal justice diversion.

- Recommended Facility will enhance Orange County's crisis care and complete a continuum of care resulting in benefits for patients, clinical/criminal justice stakeholders, and community at large.
- Facility will provide clinical and criminal justice-related services and will network with existing programs/services.
- Facility will provide services that currently do not exist for clinical care and serve as a default destination for law enforcement and EMS for diverting individuals in crisis.
- The Facility will build on and integrate with current capacity and strengths – it will not duplicate or replace existing services/programs.

16

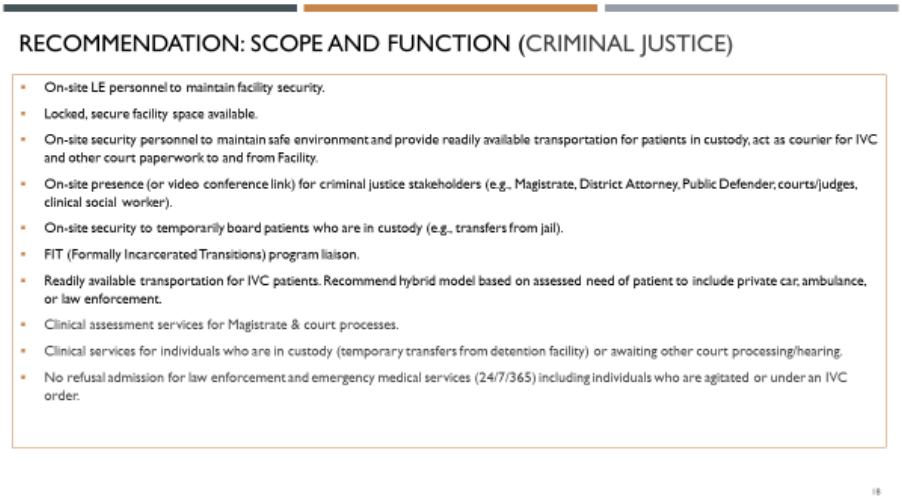
Slide #17

RECOMMENDATION: SCOPE AND FUNCTION

- Some 50 services/facility attributes have been specified to define the scope and function of the recommended Facility. Implementing these recommendations will establish services that do not currently exist thus enhancing crisis services and benefiting all involved in crisis care.
- In summary, recommended Facility:
  - Offers immediate clinical services for assessment, stabilization, and treatment for patients experiencing BH crisis (mental illness and substance use disorders) in a more appropriate/least restrictive setting (compared to hospital-based services or jail).
  - Makes referrals to community treatment and social services with warm handoff supported by case manager and/or peer support specialist facilitating transition of individuals from crisis care to community-based treatment.
  - Allows access for walk-in patients on a 24/7/365 basis.
  - Provides law enforcement and emergency medical services with a default destination and operates without restrictive entry or exclusion criteria (e.g., accepts under the influence, IVC, agitated, suicidal).
  - Provides criminal justice stakeholders with clinical assessment services and a facility to offer the most appropriate care for justice-involved individuals in the least restrictive setting possible.
- The next four pages provide a detailed list of specifications for the recommended Facility in four categories:
  - Criminal Justice
  - Clinical Services
  - Community Treatment and Social Services Networking
  - Physical Attributes of the Facility.

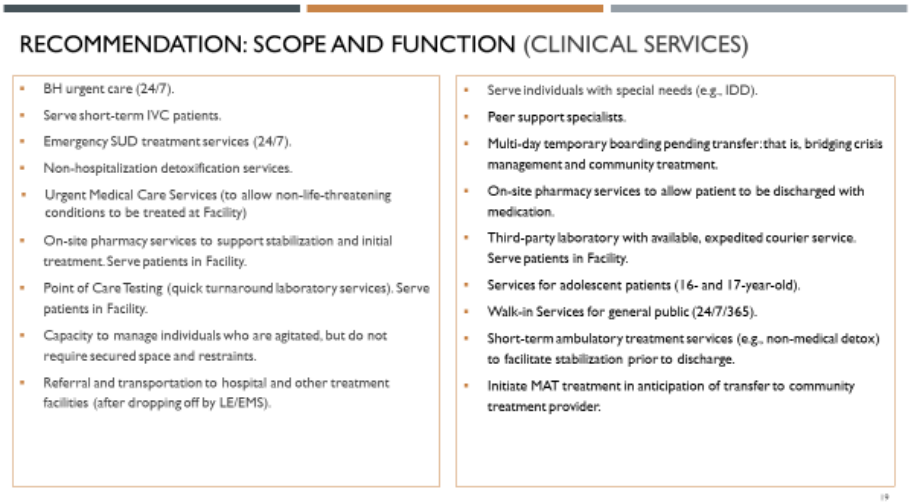
17

Slide #18



Commissioner McKee rejoined the meeting at 10:00 p.m.

Slide #19



Slide #20

RECOMMENDATION: SCOPE AND FUNCTION (COMMUNITY SERVICES NETWORKING)

Community Treatment Services Networking

- Provide information about all community treatment services (for all conditions) where Facility is well integrated with community providers.
- Referral to out-patient/in-patient BH treatment services.
- Referral to out-patient/in-patient SUD treatment services (e.g., Freedom House, MAT, ADATC).
- UNC Hospital referral liaison (facilitate transfer of patients needing higher level of care without involvement of LE or EMS who may have brought patient to Facility).
- Patient transfer to other treatment facilities (e.g., UNC Hospitals, detox facilities).
- LME/MCO liaison.
- Warm handoff to community treatment services with support from peer specialist and/or case manager.

Social Services Networking

- OC Partnership to End Homelessness and Housing Access (via OC Housing Helpline).
- Liaison for NAMI programs.
- Health insurance enrollment liaison including legal representation.
- Provide information about and a warm handoff to the existing network of social services with peer specialist support.
- Transportation assistance.

20

Slide #21

RECOMMENDATION: SCOPE AND FUNCTION (FACILITY ATTRIBUTES)

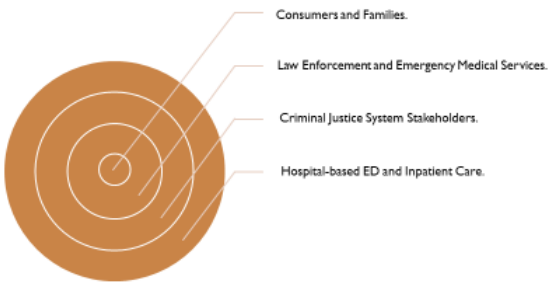
- Dual entry (dedicated entry) for LE and EMS.
- Calming area or living room setting.
- Rooms/beds for agitated patients.
- Space for law enforcement and emergency medical personnel.
- Video conference facility to provide access to magistrate.
- Video conference room for robust link between Facility and Magistrate, Courts, District Attorney.
- On-site criminal justice space to support criminal justice stakeholders.
- Short-term boarding space for patients awaiting transfer to third party community service.
- Dedicated space/rooms for patients housed in Facility in lieu of jail.
- Short-term boarding space for patients awaiting IVC or other hearing.
- Adolescent (16- and 17-year-old) clinical space.
- Call center coordination including 911, EMS, LE/Crisis Units, Hospitals.
- Space for resource library (references and information related to treatment services, social services, and related programs that are available to Orange County residents).

21

Slide #22

POTENTIAL BENEFITS

- The recommended Facility will fulfill the primary goal established by the BHTF in response to the SIM Workshop and based on the work of the Crisis-Diversion Facility Subcommittee: divert individuals experiencing a BH crisis from either jail or ED. Accomplishing these goals will result in an important set of benefits that will accrue to a broad cross-section of Orange County. These benefits fall into four categories.



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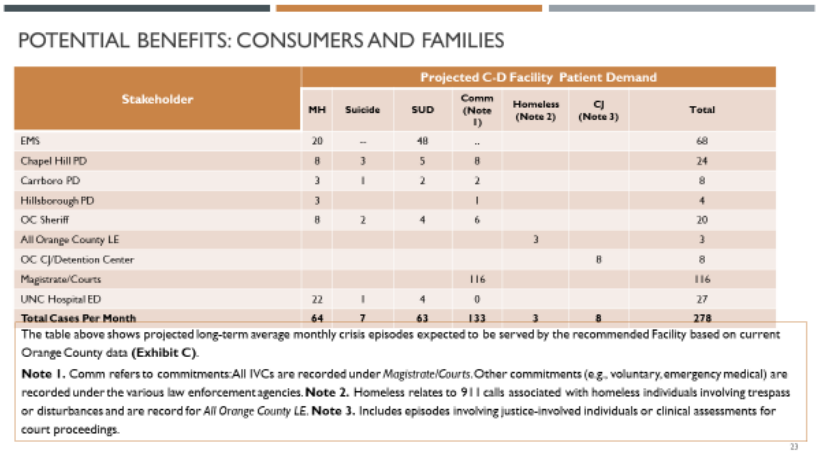
Slide #23



POTENTIAL BENEFITS: CONSUMERS AND FAMILIES

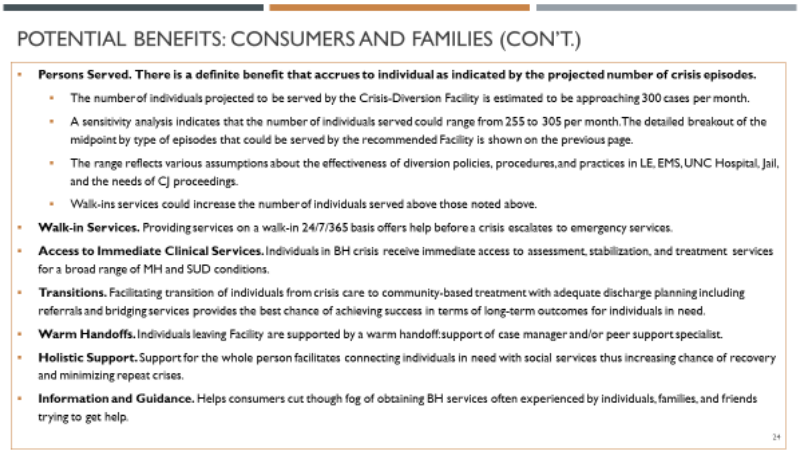
Stakeholder	Projected C-D Facility Patient Demand						
	MH	Suicide	SUD	Comm (Note 1)	Homeless (Note 2)	CJ (Note 3)	Total
EMS	20	--	48	--			68
Chapel Hill PD	8	3	5	8			24
Carrboro PD	3	1	2	2			8
Hillsborough PD	3			1			4
OC Sheriff	8	2	4	6			20
All Orange County LE					3		3
OC CJ/Detention Center						8	8
Magistrate/Courts				116			116
UNC Hospital ED	22	1	4	0			27
Total Cases Per Month	**64**	**7**	**63**	**133**	**3**	**8**	**278**

The table above shows projected long-term average monthly crisis episodes expected to be served by the recommended Facility based on current Orange County data **(Exhibit C)**.

Note 1. Comm refers to commitments: All IVCs are recorded under *Magistrate/Courts*. Other commitments (e.g., voluntary, emergency medical) are recorded under the various law enforcement agencies. **Note 2.** Homeless relates to 911 calls associated with homeless individuals involving trespass or disturbances and are record for *All Orange County LE*. **Note 3.** Includes episodes involving justice-involved individuals or clinical assessments for court proceedings.

23

Slide #24



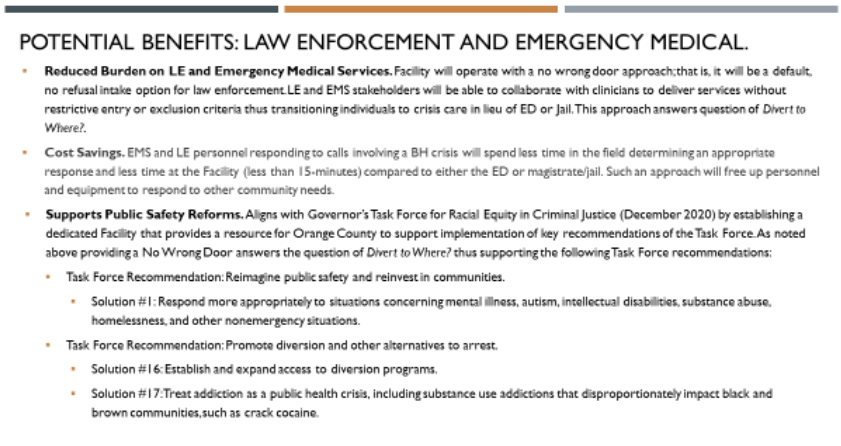
POTENTIAL BENEFITS: CONSUMERS AND FAMILIES (CON'T.)

- **Persons Served. There is a definite benefit that accrues to individual as indicated by the projected number of crisis episodes.**
  - The number of individuals projected to be served by the Crisis-Diversion Facility is estimated to be approaching 300 cases per month.
  - A sensitivity analysis indicates that the number of individuals served could range from 255 to 305 per month. The detailed breakout of the midpoint by type of episodes that could be served by the recommended Facility is shown on the previous page.
  - The range reflects various assumptions about the effectiveness of diversion policies, procedures, and practices in LE, EMS, UNC Hospital, Jail, and the needs of CJ proceedings.
  - Walk-ins services could increase the number of individuals served above those noted above.
- **Walk-in Services.** Providing services on a walk-in 24/7/365 basis offers help before a crisis escalates to emergency services.
- **Access to Immediate Clinical Services.** Individuals in BH crisis receive immediate access to assessment, stabilization, and treatment services for a broad range of MH and SUD conditions.
- **Transitions.** Facilitating transition of individuals from crisis care to community-based treatment with adequate discharge planning including referrals and bridging services provides the best chance of achieving success in terms of long-term outcomes for individuals in need.
- **Warm Handoffs.** Individuals leaving Facility are supported by a warm handoff: support of case manager and/or peer support specialist.
- **Holistic Support.** Support for the whole person facilitates connecting individuals in need with social services thus increasing chance of recovery and minimizing repeat crises.
- **Information and Guidance.** Helps consumers cut though fog of obtaining BH services often experienced by individuals, families, and friends trying to get help.

24

Commissioner McKee left the meeting at 10:05 p.m.

Slide #25



POTENTIAL BENEFITS: LAW ENFORCEMENT AND EMERGENCY MEDICAL.

- **Reduced Burden on LE and Emergency Medical Services.** Facility will operate with a no wrong door approach: that is, it will be a default, no refusal intake option for law enforcement. LE and EMS stakeholders will be able to collaborate with clinicians to deliver services without restrictive entry or exclusion criteria thus transitioning individuals to crisis care in lieu of ED or Jail. This approach answers question of *Divert to Where?*.
- **Cost Savings.** EMS and LE personnel responding to calls involving a BH crisis will spend less time in the field determining an appropriate response and less time at the Facility (less than 15-minutes) compared to either the ED or magistrate/jail. Such an approach will free up personnel and equipment to respond to other community needs.
- **Supports Public Safety Reforms.** Aligns with Governor's Task Force for Racial Equity in Criminal Justice (December 2020) by establishing a dedicated Facility that provides a resource for Orange County to support implementation of key recommendations of the Task Force. As noted above providing a No Wrong Door answers the question of *Divert to Where?* thus supporting the following Task Force recommendations:
  - Task Force Recommendation: Reimagine public safety and reinvest in communities.
    - Solution #1: Respond more appropriately to situations concerning mental illness, autism, intellectual disabilities, substance abuse, homelessness, and other nonemergency situations.
  - Task Force Recommendation: Promote diversion and other alternatives to arrest.
    - Solution #16: Establish and expand access to diversion programs.
    - Solution #17: Treat addiction as a public health crisis, including substance use addictions that disproportionately impact black and brown communities, such as crack cocaine.

25

Slide #26

POTENTIAL BENEFITS: CRIMINAL JUSTICE.

- **Orange County Diversion and Harm Reduction Programs.** The recommended Facility is aligned with Orange County's Commitment to diversions from criminal justice especially for individuals whose encounter with the criminal justice system is due to an underlying BH issue. The Facility will work with and enhance several programs:
  - Adult Pre-Arrest Diversion (OC PAD)
  - Pretrial Release
  - Drug Treatment and Community Resource Courts
  - Street Outreach, Harm Reduction and Deflection Program (SOHRAD).
- **Detention Center/OCSO.**
  - **Aligns with Stepping up Milestones.** Provides criminal justice stakeholders an alternative for treating individuals with BH concerns in an appropriate setting instead of jail. Aligns with Orange County Detention Center Stepping Up milestones by treating individual outside of jail setting.
  - **Provides Least Restrictive Setting.** Provides least restrictive setting for crisis care in a calming environment with case managers and peer specialists that can safely engage the individual in crisis. Individuals in custody are not transferred to other distant facilities nor require additional staff be brought in. Facility will supplement/coordinate with jail-based mental health and substance use programming.
  - **Aligns with New Detention Center.** Supports new programming in Orange County's new Detention Center. Also provides alternative destination for individuals in custody who are in need of BH services thus eliminating burden on OCSO to remain at hospital.
- **Courts/magistrate.** – Supports mental health/treatment courts and provides criminal justice stakeholders ready access to assessment services thus avoiding extending custody because individuals can receive crisis care in Crisis/Diversion Facility or treatment in appropriate community treatment facility; provides immediate access to crisis services for justice-involved individuals who are not incarcerated, but present to court with BH crisis; and provides Magistrate with resources to explore options for individuals in a BH crisis in lieu of CJ or jail.

26

Slide #27

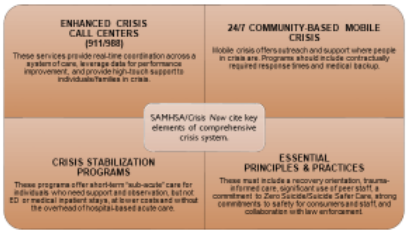
POTENTIAL BENEFITS: HOSPITAL-BASED CARE

- **Reduces Use of Hospital Emergency Services.**
  - Studies have shown that absent a dedicated crisis facility, BH patients in crisis are treated in a hospital-based ED at greater rates than in communities with a dedicated crisis facility.
  - The ED is required to board patients waiting for admittance to inpatient beds or other residential services. This overloads ED and is a poor setting for patients waiting for care. Boarding times in ED vary from a few hours to a few days and for some cases much longer.
  - Having a dedicated crisis facility reduces burden on hospital-based ED, which is frequently at capacity. This allows ED to focus on patients who require hospital-based psychiatric emergency services and to maintain capacity for medical emergency escalations.
- **Inpatient Bed Utilization.**
  - Nationally, data show that once a patient is admitted to hospital-based ED, there tends to be a higher rate of inpatient bed utilization as compared to having access to a dedicated crisis facility.
  - A significant number of IVC patients can be treated in a dedicated crisis facility instead of requiring use of ED. If eventual transfer to inpatient or residential care is required, the Crisis-Diversion Facility will provide quality care in an appropriate setting at lower costs while awaiting transfer.
- **Clinical Care Costs Savings.**
  - SAMHSA 2020, discusses a model developed by *Crisis Now* for comparison of clinical care costs in communities without a comprehensive crisis system (reliance on ED and inpatient beds) vs. communities with comprehensive crisis system (including a dedicated crisis facility).
  - The *Crisis Now* analysis indicates that costs associated with hospital-based care can be reduced on the order of 50%.

27

Slide #28

RELATED CONSIDERATIONS.

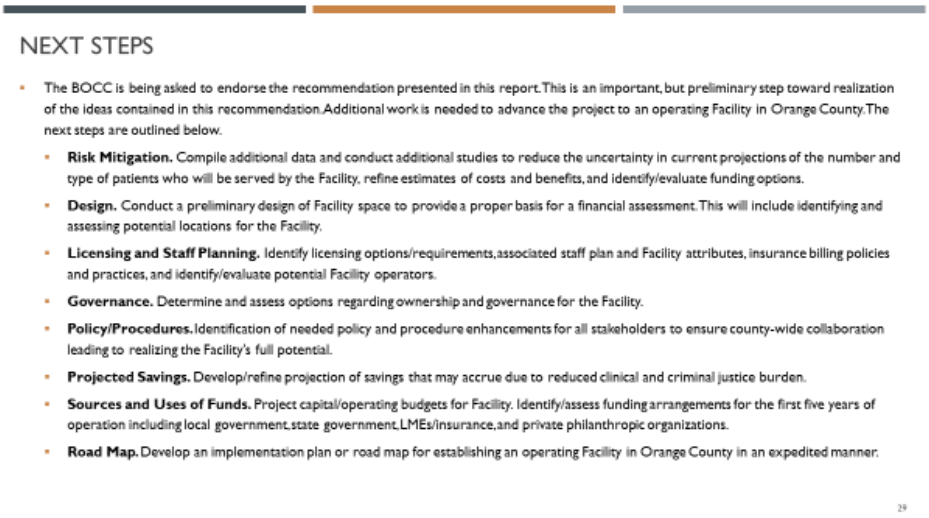


There are other elements of a crisis system that deserve consideration in conjunction with creation of a Crisis/Diversion Facility (Re. SAMHSA 2020 and Crisis Now). Subcommittee addresses bottom two.

- Some components of a comprehensive crisis system are outside the scope of the subcommittee; however, they appear in the best practices literature and are mentioned here because they are integral components of a crisis system and do not currently operate in Orange County.
  - **Enhanced Call Center:** Coordinate crisis hot lines including 911/988 to centralize crisis calls, provide for an on-line engagement and response, and guide crisis response assets.
  - **Enhanced Crisis Response:** Create a 24/7/365 community-based mobile crisis response units that operates throughout Orange County and respond in lieu of law enforcement, where appropriate. In addition, ensure law enforcement have trained mental health teams or crisis units.
- While all elements of a comprehensive crisis system are important, action or inaction on other elements does not negate or reduce the need to move forward with recommended Facility.

28

Slide #29



Commissioner McKee rejoined at 10:13 p.m.

Commissioner Fowler said the committee outlined the need in a very thorough manner. She said she recognizes there are a large number of moving parts, but there is an extreme need for this. She said it is a reimagining of crisis response, transforming from punishment to rehabilitation and support. She asked if there is a most immediate next step.

Tony Marimpietri said consensus, and then some funding, will be needed to take any next steps. He said they need studies for mental health facility design and costs.

Commissioner Hamilton said based on her experiences as a mental health professional this type of facility is very needed. She said she also approaches this issue as an economist, and thinks about economies of scale, data on the cost of running facilities, etc. She said she would like to gather data from other existing facilities, and wonders if a more regional approach would be more appropriate. She said this will be an expensive endeavor, as this is essentially a specialized hospital, and the county needs to have as much detail as possible to be realistic, but there is no doubt of the need.

Tony Marimpietri said the group needs to tighten its numbers.

Barbara-Ann Bybel, Director of Psychiatric Services at the University of North Carolina-Chapel Hill and WakeBrook, discussed funding and said Wake County provides $13 million annually for WakeBrook, which only serves Wake County residents. She said UNC also contributes $5 million per year to WakeBrook, but that commitment ends this year, and discussions are underway about continuing that funding and bringing in other partners. She said behavioral health patients languish in emergency departments, not getting the help they need. She said a facility like this would be ideal, and there is room for County funding, UNC backing, and other partnerships. She said the relationship between Alliance and Wake Brook has been positive. She said this could be a smaller facility than WakeBrook, and a facility like this would give options to law enforcement to take people to an appropriate place.

Commissioner Greene said she is supportive of the idea, and appreciates the care and analysis. She said having a facility like this provides indirect savings, and it is important to look at these issues comprehensively.

Chair Price thanked the presenters, and said being a role model is important. She said the County will pay for the care either way, and having appropriate care makes more sense.

Cait Fenhagen said she appreciates Chair Price's comments. She said this has to be an Orange County facility or it will lose the law enforcement and EMS diversion connection. She said this presentation was also made to law enforcement chiefs, and each one supports the idea, along with the courts and Emergency Management Services (EMS).

Commissioner Fowler said it is a shame that there is not an efficiency of scale, but she agrees it needs to be an Orange County facility. She said this will be much better than being taken to an emergency department.

Commissioner Bedford said she supports moving forward with next steps, as there is a critical need. She said the schools were involved, as well as other non-profits. She said there was a desire to do more, but the county needs to start smaller and grow from there. She said the goal is to service those most in need, and she hopes to bring in more non-profits to expand with time.

Commissioner McKee echoed previous comments, and support moving forward.

Commissioner Dorosin agreed.

Chair Price said next steps would be working with county staff on data and numbers to bring back to the BOCC for a future presentation.

3. Arts Commission – Appointment Discussion

The Board discussed an appointment to the Arts Commission.

BACKGROUND:

The following appointment information is for Board consideration.

NAME	SPECIAL REPRESENTATIVE	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Sarah Shore	At-Large	First Full Term	03/31/2024

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- None

Tara May introduced the item.

Commissioner Bedford said Sarah Shore was the only applicant for the Historic Preservation Commission (HPC), and she does not want to put a person on more than one board. She said Lamar Richards might be a strong contender for the Arts Commission.

Tara May said Lamar Richards is now UNC Student Body President, and is likely very busy, but she can continue to try and reach him.

Commissioner Bedford said there are other applicants for the Arts Commission, whereas the Historic Preservation Commission has no other applicants.

Commissioner Dorosin said she is the only applicant for the HPC.

Chair Price said one can serve on two boards.

Commissioner Greene said she would like to honor the Arts Commission's recommendation. She said if Shore's recommendation is not desired by the BOCC, then she asks that the Board defer a decision about the Arts Commission to a later date to give it time to come back with an alternative recommendation.

Commissioner Dorosin said he supports putting Sarah Shore on the HPC only, and going back to the Arts Commission for an alternative recommendation. He said while one can serve on two boards, he would like to avoid it, when possible.

Commissioners Fowler, McKee and Green agreed with Commissioner Dorosin's comments.

Tara May said she would go to the Arts Commission and ask for another recommendation.

Commissioner Hamilton expressed concern about the time, and making decisions after lengthy meetings.

Chair Price said the board should let staff know if they are not going to approve a recommended applicant. She said she would like the BOCC to be more transparent.

Commissioner Dorosin said he thinks the BOCC is being transparent. He said there has never been a guarantee that the BOCC will appoint a recommended applicant.

Commissioner Fowler asked if it would be appropriate to ask Sarah Shore what position she would prefer.

Commissioner Bedford said she applied for both, and the HPC has been vacant for so long, and she should be appointed there.

4. Board of Health – Appointments Discussion

The Board will discuss appointments to the Board of Health.

BACKGROUND:

The following appointment information is for Board consideration:

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
5	Dr. Bruce Baldwin	At-Large	Second Full Term	06/30/2024
6	Dr. Alison Stuebe	At-Large	First Full Term	06/30/2024
8	Keith Bagby	At-Large	Second Full Term	06/30/2024

NOTE - If the individual listed above is appointed, the following vacancies remain:

- None

Tara May introduced the item.

Commissioner Bedford said she the Board should take the recommendations.

Commissioner McKee agreed.

The Board agreed by Consensus.

5. Chapel Hill Board of Adjustment – Appointment Discussion

The Board will discuss an appointment to the Chapel Hill Board of Adjustment.

BACKGROUND:

The following appointment information is for Board consideration:

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
2	Daniel Hatley	ETJ or JPA BOCC Appointee	Second Full Term (re-appointment)	06/30/2024

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- None

Tara May introduced the item.
The Board agreed by consensus to appoint Daniel Hatley.

6. Historic Preservation Commission – Appointment Discussion
The Board will discuss an appointment to the Historic Preservation Commission.

BACKGROUND:
The following appointment information is for Board consideration.

NAME	SPECIAL REPRESENTATIVE	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Paul Noe	At-Large	Second Full Term Re-Appointment	03/31/2024

NOTE – If the individuals listed above are appointed, the following vacancies remain:

POSITION DESIGNATION	EXPIRATION DATE	VACANCY INFORMATION
At-Large	03/31/2024	**Vacant since 01/11/2021**

Tara May introduced the item, and said that earlier in the meeting, the Board of County Commissioners expressed interest in appointing Sarah Shore to the vacant At-Large position.
Chair Price expressed concern about the lack of diversity on the Historic Preservation Commission.
Commissioner Dorosin recommended Paul Noe and Sarah Shore for appointments to the Historic Preservation Commission.
Chair Price said she will support Sarah Shore, but she would rather wait to fill the vacancy until the BOCC can get a more diverse applicant pool.
Commissioner Fowler asked if the total number of positions on the HPC could be identified.
Chair Price said there are 7 positions.
Commissioner Fowler asked if the member serve 2 three-year terms.
Chair Price said she has no issues with Ms. Shore, and she just wanted to see more diversity.
Commissioner Bedford said a few people will rotate off next year.
Chair Price said does not accept excuses, and feels strongly there should be diversity.

7. Orange County Parks and Recreation Council – Appointments Discussion
The Board will discuss appointments to the Orange County Parks and Recreation Council.

BACKGROUND: The following appointment information is for Board consideration:

NAME	SPECIAL REPRESENTATIVE	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
Christopher Colvin	Carrboro City Limits	First Full Term	03/31/2024
Robert Smith	Little River Township (the request is being made to move Mr. Smith from his current At-Large position to the Little River Township position as the resident in Little River Township)	Second Full Term	03/31/2023

NOTE - If the individuals listed above are appointed, the following vacancies remain:

POSITION DESIGNATION	EXPIRATION DATE	VACANCY INFORMATION
At-Large	03/31/2024	**Vacant since 03/31/2021**

Tara May introduced the item.
Chair Price asked if there will still be a vacant At-Large position.
Tara May said there will be two vacancies.
Commissioner Bedford suggested taking the council's recommendation
The Board agreed by consensus.
Commissioner Bedford reviewed the other applicants for the vacant At-Large positions.
Commissioner Dorosin said the BOCC should wait for a more diverse applicant pool.

The Board agreed by consensus.

8. Orange Water & Sewer Authority Board of Directors – Appointment Discussion

BACKGROUND:
The following appointment information is for Board consideration:

POSITION NO.	NAME	SPECIAL REPRESENTATIVE	TYPE OF APPOINTMENT TERM	EXPIRATION DATE
1	Jo Leslie (Jody) Eimers	County BOCC Appointment	Second Full Term	06/30/2024

NOTE - If the individuals listed above are appointed, the following vacancies remain:

- None

Tara May introduced the item.

Commissioner Dorosin suggested Quinton Harper, instead of Jody Eimers, to increase the diversity on the OWASA board. He said he has served on the OWASA board before, and believes he would be a good candidate.

Commissioner Greene asked if there is a reason why he was not approved before.

Chair Price the other applicant had more experience.

Commissioner Greene said she is torn, and wants to increase diversity, but also feels uneasy about removing someone from a second term without reason.

Commissioner Dorosin said there is a reason: there is a better candidate.

Commissioner McKee said it all depends on how one defines “better,” and he thinks it sets a bad precedent to remove someone who has served well.

Commissioner Dorosin said Quentin Harper was a better candidate.

Chair Price said she does not follow Commissioner Dorosin’s logic, as he just voted to proceed with an appointment to the HPC, when she wanted to wait in order to seek greater diversity.

Commissioner Dorosin there was no other candidate, in the case of the HPC.

Chair Price said the BOCC could have waited for another applicant for the Historic Preservation Commission.

Commissioner Dorosin said the same argument could be made for Harper on the OWASA board.

Chair Price said she supported Quentin Harper’s appointment last time.

Commissioner Hamilton reviewed the other board members and said there are not many women on the board, and reappointing Jody Eimers would keep a woman on the board.

Commissioner Hamilton asked about the vacant Chapel Hill Township’s seat, and if Quentin could fill it.

Commissioner Bedford said Quentin Harper lives in Carrboro.

Commissioner Greene asked if the number of County seats on the OWASA board could be identified.

Tara May said there are 2 seats.

Commissioner Greene asked if the number of Chapel Hill seats could be identified.

Commissioner Hamilton said there are 5.

Commissioner Greene said when she served on the Chapel Hill Town Council, it took the OWASA seats very seriously. She said appointees on the OWASA board should represent the BOCC’s values, and there are policy interests in the people who are appointed. She said diversity is always a goal as well.

Chair Price said she and Commissioner Bedford met with the OWASA appointees, who voiced a desire to have people without the expertise and degrees on the board.

Commissioner Greene asked if the BOCC wants its OWASA appointees to make policy recommendations that are in line with the BOCC’s values.

Chair Price said all BOCC members might have different policy goals. She said this has not been required of previous appointments, and rather the BOCC looked at backgrounds and credentials.

Commissioner Greene asked if others support her opinion.

Commissioner Dorosin said he thought the question should be on a work session agenda.

Commissioner McKee said he does not think every appointment should walk in lock step with the BOCC; rather, he wants to appoint people who think and have ability and ethics to vote for best path forward. He said he supports Eimers reappointment, due to her experience on the board, and that she brings gender diversity to the board.

Commissioner Bedford said she supports reappointing Eimers to bring gender diversity and technical experience.

Commissioner Bedford said Commissioner Greene's concerns could be brought up at meetings with OWASA representatives.

Commissioner Bedford agreed that she wants good thinkers, over those who are exactly in lock step with the BOCC. She said the OWASA board listens to all appointees, but ultimately presents the best science and the best facts, rather than thinking about development. She said there will be opportunity for the BOCC to intervene if necessary.

Commissioner Fowler said she supports Eimers for the same reasons already outlined.

Commissioner Fowler said Quentin Harper has served on the board before, and can cycle back on after a rotation off of the board.

Commissioner Dorosin said he served for Carrboro when he was previously appointed.

Commissioner Fowler asked how long one must be off of a board, after serving 2 terms, before being able to reapply.

Tara May said one year.

Commissioner Greene said she would like the BOCC to have a future discussion about this. She said she agreed with Commissioner McKee when considering advisory boards, but the OWASA board is different as three governments control it together.

The majority of the board supported Eimers, with the exception of Commissioner Dorosin.

A motion was made by Commissioner McKee, seconded by Chair Price, to adjourn the meeting at 11:02 p.m.

Roll call ensued

VOTE: UNANMIOUS

Renee Price, Chair

Laura Jensen
Clerk to the Board

Submitted for approval by Laura Jensen, Clerk to the Board.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-b

SUBJECT: Approval of a Resolution on Renaming Braxton Bragg Court to Hydrangea Court

DEPARTMENT: Tax Administration

ATTACHMENT(S):

- Petition to Rename Braxton Bragg Court to Hydrangea Court
- Map of the Road to be Renamed
- Response from NCDOT
- DRAFT Resolution

INFORMATION CONTACT:
Nancy Freeman, Tax Administrator and Address Administrator, (919) 245-2726

PURPOSE: To approve a resolution regarding the petition to rename Braxton Bragg Court to Hydrangea Court, and authorize the Address Administrator to submit the resolution to the North Carolina Board of Transportation for approval.

BACKGROUND: At the May 4, 2021 Board Business meeting, the Board of County Commissioners conducted a public hearing on a petition to rename Braxton Bragg Court (State Road 2212) to Hydrangea Court. The County accepted written comments via email until 9:00 a.m. on Thursday, May 6, 2021. No written comments were received.

North Carolina General Statute § 153A-239.1 (NCGS §153A-239.1) grants a county the authority to rename any road within a county as provided by the statute and by a County Ordinance after the Board of County Commissioners has held a public hearing. In addition, the County may not change the name given a road by the North Carolina Board of Transportation unless the Board of Transportation agrees.

Orange County's Addressing Ordinance, § 6-34(b)(2)(b) allows property owners to request to rename a public road for personal reasons. A petition must be provided with the signatures of seventy-five percent (75%) of property owners on the road in question. The proposed road name must conform to the requirements of Addressing Ordinance § 6-34(b) and the name change may only be approved after a public hearing is held on the matter as provided in Addressing Ordinance § 6-36 and the Board of County Commissioners have approved the petition for a road name change.

GS §153A-239.1 requires that after renaming a road, the County shall request the approval of the Board of Transportation, and notify the local postmaster with jurisdiction over the road and any city within five miles of the road.

Ordinance § 6-34(b)(2)(b)(iii) requires the Petitioners to pay to Orange County the cost of purchasing new signs and erecting them prior to the name change becoming effective.

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board approve the petition and authorize the Chair to sign the Resolution Approving Petition to Rename a Public Road Known as Braxton Brag Court to Hydrangea Court. The Manager further recommends the Board authorize the Address Administrator to submit the Resolution to the North Carolina Board of Transportation (NCBOT) for approval and, upon approval of NCBOT, take any action required by statute or ordinance to effectuate the approved name change.

March 30, 2021

Margaret Jones, GIS Technician III
Orange County Tax Administration- Land Records GIS Division
228 S. Churton Suite 200
PO 8181
Hillsborough NC 27278

Dear Ms. Jones:

Attached please find, per request, the signed statement of homeowners on Braxton Bragg Court stating their reason for wanting to change the name of the street to Hydrangea Court. These are the same homeowners who submitted the original petition in January of 2021.

Owner Name	Property Address	PIN
GEORGE EDWARDS	1204 BRAXTON BRAGG CT	9873558615
MARY MALONEY	1203 BRAXTON BRAGG CT	9873556587
TIMOTHY & LESLIE DYESS	1202 BRAXTON BRAGG CT	9873557773

If you have any questions, you may contact our committee at wildwoodrenamingcommittee@gmail.com or reach out to our representative, Natalie Ziemba at (970) 310-4369 or natalieziemba@yahoo.com.

Best,

Wildwood Renaming Committee

As homeowners on Braxton Bragg Court, we do not feel that the life of Mr. Bragg reflects the values of our community. We do not wish to erase our history, but we would prefer not to honor a man who chose to fight against our country. As members of the Wildwood neighborhood, we would like our new name to be a native plant of North Carolina, the Hydrangea.

Signed:

Doug E Edwards — 3-13

Name — Date

_____ _____

Name — Date

PIN: 9873558615

As homeowners on Braxton Bragg Court, we do not feel that the life of Mr. Bragg reflects the values of our community. We do not wish to erase our history, but we would prefer not to honor a man who chose to fight against our country. As members of the Wildwood neighborhood, we would like our new name to be a native plant of North Carolina, the Hydrangea.

Signed:

Name

3/14/21
Date

Mary Maloney
Name

3/14/21
Date

PIN: 9873556587

As homeowners on Braxton Bragg Court, we do not feel that the life of Mr. Bragg reflects the values of our community. We do not wish to erase our history, but we would prefer not to honor a man who chose to fight against our country. As members of the Wildwood neighborhood, we would like our new name to be a native plant of North Carolina, the Hydrangea.

Signed:

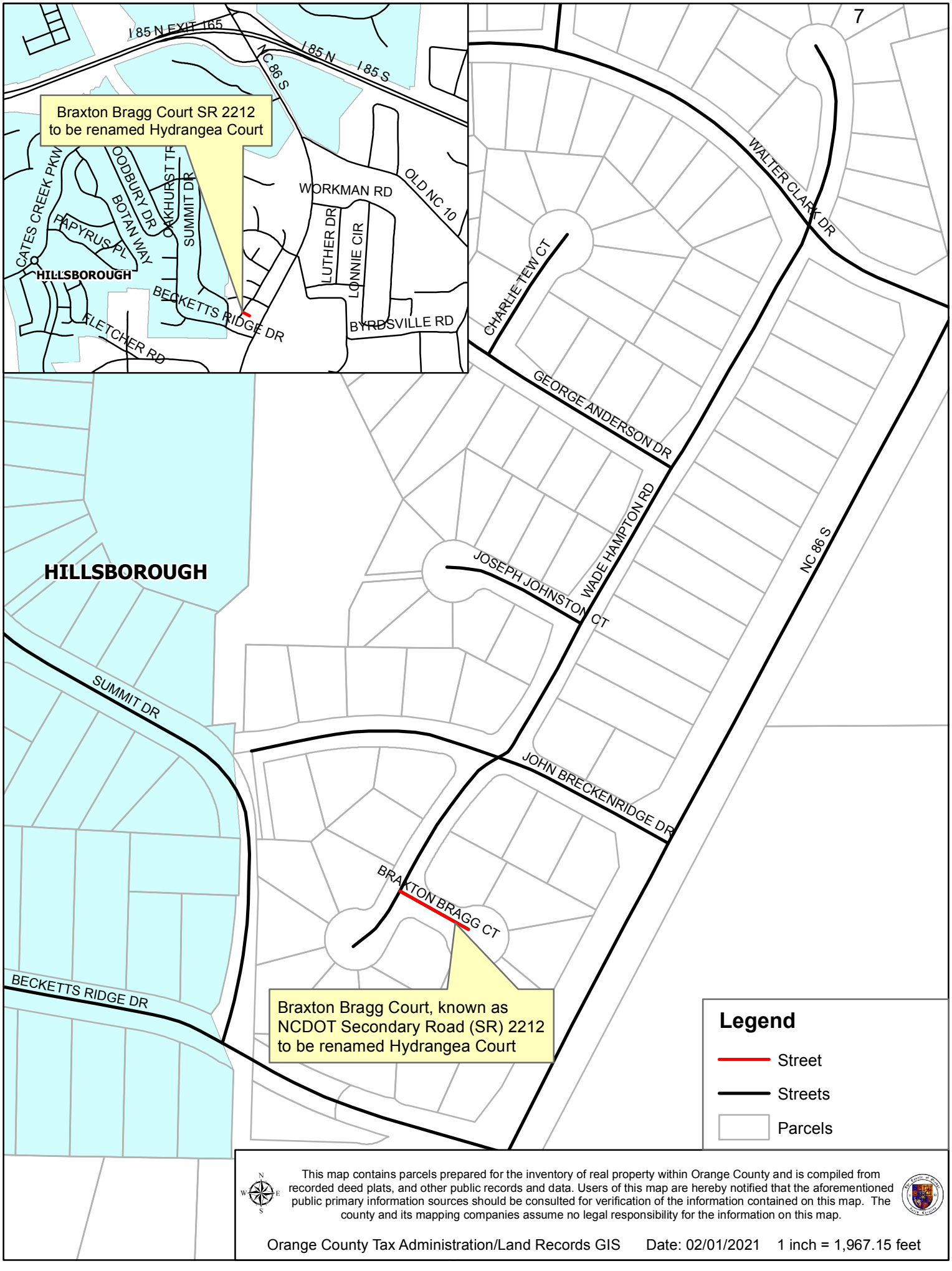
Leslie Dyess — 3/16/2021

Name — Date

[signature] — 3/16/2021

Name — Date

PIN 9873557773



This map contains parcels prepared for the inventory of real property within Orange County and is compiled from recorded deed plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. The county and its mapping companies assume no legal responsibility for the information on this map.

Orange County Tax Administration/Land Records GIS Date: 02/01/2021 1 inch = 1,967.15 feet

From: Edwards, Charles N [mailto:cnedwards@ncdot.gov]
Sent: Tuesday, October 20, 2020 4:35 PM
To: Michael Burton
Cc: Britney Pendleton; Margaret Jones
Subject: RE: [External] RE: Wildwood subdivision request to rename roads

Apologies for my delay in responding. There are two scenarios for this depending upon the intent of the renaming. (1) Naming for the purpose of assigning addresses (typical green street name signs) or (2) renaming for the specific purpose of honoring a person or group. (special honorary signage) . Happy to discuss further.

Scenario 1 Renaming for Addressing Purposes
Please refer to NCGS 153A-239.1 authorizing counties to name or rename any road in unincorporated areas. N.C. Board of Transportation (BOT) approval is required if the BOT ever took action to name the road. By virtue of the BOT action to approve the petition for addition of the subdivision streets to the State system on March 15, 1988, the BOT did take action to name the roads. Therefore BOT approval is needed for the renaming. Your BOCC should follow all requirements of NCGS 153A-239.1 and send me a resolution requesting BOT approval of the proposed new names.

Scenario 2 Renaming for Honorary Purposes:
This also requires BOT approval. The following information is needed.

- Background information of honorary nominee
- Description of segment(s) requested to be named
- Resolutions of endorsement and request from all local govt. bodies associated with or affected by the request.
- Verification of strong public support

https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_153A/GS_153A-239.1.pdf

C. N. Edwards Jr., PE (Chuck)
District Engineer
North Carolina Department of Transportation
Division of Highways
Division 7, District 1

336 570 6833
cnedwards@ncdot.gov

115 East Crescent Square Drive
P. O. Box 766
Graham, NC 27253

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To: Edwards, Charles N <cnedwards@ncdot.gov>
Cc: Britney Pendleton <brpendleton@orangecountync.gov>; Margaret Jones <mjones@orangecountync.gov>
Subject: [External] RE: Wildwood subdivision request to rename roads

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to report.spam@nc.gov

Good Morning Chuck,
Our resident are finalizing their decisions on new road names for this subdivision and we have not received a reply from you in regards to NCDOT's stance on this renaming request.
Respectfully,
Michael

Michael A. Burton, Sr. CMS
Land Records/GIS Division Manager
Tax Office/Land Records/GIS Division
228 S Churton St. Ste 240
P O Box 8181
Hillsborough, NC 27278-8181
mburton@orangecountync.gov
office (919) 245-2502
fax (919) 644-3015

ORANGE COUNTY
NORTH CAROLINA

From: Margaret Jones <mjones@orangecountync.gov>
Sent: Friday, September 18, 2020 11:10 AM
To: Chuck Edwards Contact <cnedwards@ncdot.gov>
Cc: Britney Pendleton <brpendleton@orangecountync.gov>; Michael Burton <mburton@orangecountync.gov>
Subject: Wildwood subdivision request to rename roads

We received an email from a resident in Wildwood subdivision requesting information on renaming their 9 streets. Attached above is a list of the streets and a map showing the location of the subdivision.

Land Records would like to confirm with you that the streets in the subdivision can be renamed.

Please let me know if you need more information, or have any questions.

Thanks!

Margaret Jones, GIS Technician III
919-245-2287
Orange County *Tax Administration- Land Records GIS Division*
228 S. Churton Suite 200 / PO 8181 / Hillsborough NC 27278

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

RESOLUTION APPROVING PETITION TO RENAME A PUBLIC ROAD KNOWN AS BRAXTON BRAGG COURT TO HYDRANGEA COURT

WHERAS, North Carolina General Statute § 153A-239.1 grants a county the authority to rename any road within a county as provided by the statute and pursuant to a procedure established by Ordinance; and

WHEREAS, the Orange County Board of Commissioners on December 13, 2011 adopted an Ordinance entitled "An Ordinance to Assign and Regulate Road Names, House and Building Numbers in Orange County" ("the Addressing Ordinance") establishing, among other things, a procedure for renaming roads in Orange County; and

WHEREAS, the Board of County Commissioners in adopting the Addressing Ordinance authorize property owners to have the name of a public and private roads changed for personal reasons pursuant to the procedure established by Ordinance Sec. 6-34(b)(2); and

WHEREAS, that property owners on Braxton Bragg Court have provided a petition requesting a road name change of Braxton Bragg Court (State Road 2212) to Hydrangea Court; and

WHEREAS, that the petition includes the requisite signatures of seventy-five percent (75%) of those persons owning property on Braxton Bragg Court; and

WHEREAS, that the proposed road name of Hydrangea Court conforms to the requirements of the Addressing Ordinance; and

WHEREAS, that the North Carolina Board of Transportation (BOT) took action to name the road when it approved a petition for the addition of the subdivision streets to the State system on March 15, 1988, and therefore BOT approval is required to rename the road; and

WHEREAS, the Board of County Commissioners has at least ten days prior to the public hearing being held on the renaming the road, has caused notice of the time, place and subject matter of the hearing to be prominently posted at the courthouse, in at least two public places in the township where the road is located, and published notice of such hearing in a newspaper of general circulation published in the County; and

WHERAS, a public hearing was held on the matter.

NOW THEREFORE, BE IT RESOLVED that the Orange County Board of County Commissioners approves the Petition to rename **BRAXTON BRAGG COURT**, known as NCDOT Secondary Road (SR) 2212, which is attached and hereby incorporated into this document, to **HYDRANGEA COURT,** and authorized the Address Administrator seek approval of the road name change by the North Carolina Board of Transportation; and

BE IT FURTHER RESOLVED, upon approval of the renaming of Braxton Bragg Court to Hydrangea Court by the North Carolina Board of Transportation, the Address Administrator shall cause notice of this action to be given to the local postmaster with jurisdiction over this road, to the Board of Transportation, and to any city or town within five miles of the road.

Adopted by the Orange County Board of County Commissioners this the ___ day of _____, 20____.

By:

_____
Renee Price, Chair
Orange County Board of Commissioners

Attest:

_____
Laura Jensen, Clerk to the Board

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-c

SUBJECT: Approval of a Resolution on Renaming Joseph Johnston Court to Water Oak Court

DEPARTMENT: Tax Administration

ATTACHMENT(S):

- Petition to Rename a Public Road Known as Joseph Johnston Court to Water Oak Court
- Map of the Road to be Renamed
- Response from NCDOT
- DRAFT Resolution

INFORMATION CONTACT:
Nancy Freeman, Tax Administrator and Address Administrator, (919) 245-2726

PURPOSE: To approve a resolution regarding the petition to rename Joseph Johnston Court to Water Oak Court, and authorize the Address Administrator to submit the resolution to the North Carolina Board of Transportation for approval.

BACKGROUND: At the May 4, 2021 Board Business meeting, the Board of County Commissioners conducted a public hearing on a petition to rename Joseph Johnston Court (State Road 2210) to Water Oak Court. The County accepted written comments via email until 9:00 a.m. on Thursday, May 6, 2021. No written comments were received.

North Carolina General Statute § 153A-239.1 (NCGS §153A-239.1) grants a county the authority to rename any road within a county as provided by the statute and by a County Ordinance after the Board of County Commissioners has held a public hearing. In addition, the County may not change the name given a road by the North Carolina Board of Transportation unless the Board of Transportation agrees.

Orange County's Addressing Ordinance, § 6-34(b)(2)(b) allows property owners to request to rename a public road for personal reasons. A petition must be provided with the signatures of seventy-five percent (75%) of property owners on the road in question. The proposed road name must conform to the requirements of Addressing Ordinance § 6-34(b) and the name change may only be approved after a public hearing is held on the matter as provided in Addressing Ordinance § 6-36 and the Board of County Commissioners have approved the petition for a road name change.

GS §153A-239.1 requires that after renaming a road, the County shall request the approval of the Board of Transportation, and notify the local postmaster with jurisdiction over the road and any city within five miles of the road.

Ordinance § 6-34(b)(2)(b)(iii) requires the Petitioners to pay to Orange County the cost of purchasing new signs and erecting them prior to the name change becoming effective.

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board approve the petition and authorize the Chair to sign the Resolution Approving Petition to Rename a Public Road Known as Joseph Johnston Court to Water Oak Court. The Manager further recommends the Board authorize the Address Administrator to submit the Resolution to the North Carolina Board of Transportation (NCBOT) for approval and, upon approval of NCBOT, take any action required by statute or ordinance to effectuate the approved name change.

March 30, 2021

Margaret Jones, GIS Technician III
Orange County Tax Administration- Land Records GIS Division
228 S. Churton Suite 200
PO 8181
Hillsborough NC 27278

Dear Ms. Jones:

Attached please find, per request, the signed statement of homeowners on Joseph Johnston Court stating their reason for wanting to change the name of the street to Water Oak Court. These are the same homeowners who submitted the original petition in January of 2021.

Owner Name	Property Address	PIN
ANA RUBIO	1106 JOSEPH JOHNSTON CT	9873567375
HOPPER FAMILY VENTURES LLC	1107 JOSEPH JOHNSTON CT	9873567128
SHAKTI & MAMOJ TRIPATHY (New owners as of Sept. 2020)	1101 JOSEPH JOHNSTON CT	9873565250
REBECCA CATES	1100 JOSEPH JOHNSTON CT	9873565380
TIMOTHY & LESLIE DYESS	1103 JOSEPH JOHNSTON CT	9873566117
WILLIAM & VIVIAN OLSEN	1108 JOSEPH JOHNSTON CT	9873568322

If you have any questions, you may contact our committee at wildwoodrenamingcommittee@gmail.com or reach out to our representative, Natalie Ziemba at (970) 310-4369 or natalieziemba@yahoo.com

Best,

Wildwood Renaming Committee

As homeowners on Joseph Johnston Court, we do not feel that the life of Mr. Johnston reflects the values of our community. We do not wish to erase our history, but we would prefer not to honor a man who chose to fight against our country. As members of the Wildwood neighborhood, we would like our new name to be a native plant of North Carolina, the Water Oak.

Signed:

Ana Rubio
Name

3/14/21
Date

KIN: 9873567375

Name

Date

As homeowners on Joseph Johnston Court, we do not feel that the life of Mr. Johnston reflects the values of our community. We do not wish to erase our history, but we would prefer not to honor a man who chose to fight against our country. As members of the Wildwood neighborhood, we would like our new name to be a native plant of North Carolina, the Water Oak.

Signed:

X James E Hopper Sr, Manager — 3-17-21

Name c/o Hopper Family Ventures, LLC — Date
PO Box 607
Hillsborough NC 27278

owner of property at

Name 107 Joseph Johnston Court — Date
Hillsborough NC 27278
PIN 9873567128

As homeowners on Joseph Johnston Court, we do not feel that the life of Mr. Johnston reflects the values of our community. We do not wish to erase our history, but we would prefer not to honor a man who chose to fight against our country. As members of the Wildwood neighborhood, we would like our new name to be a native plant of North Carolina, the Water Oak.

Signed:

MANOJ KUMAR TRIPATHY — 03/15/2021

Name — Date

Shakti — 03/15/2021

Name — Date

PIN: 9873565250

As homeowners on Joseph Johnston Court, we do not feel that the life of Mr. Johnston reflects the values of our community. We do not wish to erase our history, but we would prefer not to honor a man who chose to fight against our country. As members of the Wildwood neighborhood, we would like our new name to be a native plant of North Carolina, the Water Oak.

Signed:

Thelma Cates 3-15-21

Name Date

Name Date

PIN: 9873565380

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Signed:

Name

3/16/2021

Date

Name

3/16/2021

Date

PIN 9873560117

As homeowners on Joseph Johnston Court, we do not feel that the life of Mr. Johnston reflects the values of our community. We do not wish to erase our history, but we would prefer not to honor a man who chose to fight against our country. As members of the Wildwood neighborhood, we would like our new name to be a native plant of North Carolina, the Water Oak.

Signed:

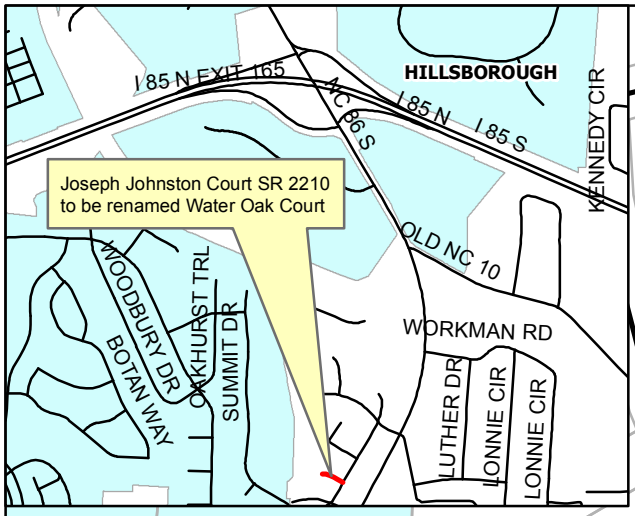
Vivian M. Olsen — March 16, 2021

Name — Date

William C. Olsen — March 16, 2021

Name — Date

PIN 9873568322



Joseph Johnston Court, known as NCDOT Secondary Road (SR) 2210, to be renamed Water Oak Court

HILLSBOROUGH

WALTER CLARK DR
CHARLIE TEW CT
GEORGE ANDERSON DR
WADE HAMPTON RD
JOSEPH JOHNSTON CT
NC 86 S
SUMMIT DR
JOHN BRECKENRIDGE DR
BRAXTON BRAGG CT
BECKETTS RIDGE DR

Legend

- Street to be changed
- Streets
- Parcels

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C. N. Edwards Jr., PE (Chuck)
District Engineer
North Carolina Department of Transportation
Division of Highways
Division 7, District 1

336 570 6833
cnedwards@ncdot.gov

115 East Crescent Square Drive
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Good Morning Chuck,
Our resident are finalizing their decisions on new road names for this subdivision and we have not received a reply from you in regards to NCDOT's stance on this renaming request.
Respectfully,
Michael

Michael A. Burton, Sr. CMS
Land Records/GIS Division Manager
Tax Office/Land Records/GIS Division
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P O Box 8181
Hillsborough, NC 27278-8181
mburton@orangecountync.gov
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ORANGE COUNTY
NORTH CAROLINA

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Margaret Jones, GIS Technician III
919-245-2287
Orange County *Tax Administration- Land Records GIS Division*
228 S. Churton Suite 200 / PO 8181 / Hillsborough NC 27278

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RES-2021-023

RESOLUTION APPROVING PETITION TO RENAME A PUBLIC ROAD KNOWN AS JOSEPH JOHNSTON COURT TO WATER OAK COURT

WHERAS, North Carolina General Statute § 153A-239.1 grants a county the authority to rename any road within a county as provided by the statute and pursuant to a procedure established by Ordinance; and

WHEREAS, the Orange County Board of Commissioners on December 13, 2011 adopted an Ordinance entitled "An Ordinance to Assign and Regulate Road Names, House and Building Numbers in Orange County" ("the Addressing Ordinance") establishing, among other things, a procedure for renaming roads in Orange County; and

WHEREAS, the Board of County Commissioners in adopting the Addressing Ordinance authorize property owners to have the name of a public and private roads changed for personal reasons pursuant to the procedure established by Ordinance Sec. 6-34(b)(2); and

WHEREAS, that property owners on Joseph Johnston Court have provided a petition requesting a road name change of Joseph Johnston Court (State Road 2210) to Water Oak Court for personal reasons; and

WHEREAS, that the petition includes the requisite signatures of seventy-five percent (75%) of those persons owning property on Joseph Johnston Court; and

WHEREAS, that the proposed road name of Water Oak Court conforms to the requirements of the Addressing Ordinance; and

WHEREAS, that the North Carolina Board of Transportation (BOT) took action to name the road when it approved a petition for the addition of the subdivision streets to the State system on March 15, 1988, and therefore BOT approval is required to rename the road; and

WHEREAS, the Board of County Commissioners has at least ten days prior to the public hearing being held on the renaming the road, has caused notice of the time, place and subject matter of the hearing to be prominently posted at the courthouse, in at least two public places in the township where the road is located, and published notice of such hearing in a newspaper of general circulation published in the County; and

WHERAS, a public hearing was held on the matter.

NOW THEREFORE, BE IT RESOLVED that the Orange County Board of County Commissioners approves the Petition to rename **JOSEPH JOHNSTON COURT**, known as NCDOT Secondary Road (SR) 2210, which is attached and hereby incorporated into this document, to **WATER OAK COURT**, and authorized the Address Administrator seek approval of the road name change by the North Carolina Board of Transportation; and

BE IT FURTHER RESOLVED, upon approval of the renaming of Joseph Johnston Court to Water Oak Court by the North Carolina Board of Transportation, the Address Administrator shall cause notice of this action to be given to the local postmaster with jurisdiction over this road, to the Board of Transportation, and to any city or town within five miles of the road.

Adopted by the Orange County Board of County Commissioners this the ___ day of _____, 20____.

By:

_____
Renee Price, Chair
Orange County Board of Commissioners

Attest:

_____
Laura Jensen, Clerk to the Board

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-d

SUBJECT: Affordable Housing General Obligation Bond Sale – $2,500,000

DEPARTMENT: Finance and Administrative Services

ATTACHMENT(S):
1. General Obligation Bond Sale Resolution

INFORMATION CONTACT:
Gary Donaldson, 919-245-2453
Paul Laughton, 919-245-2152
Bob Jessup, 919-933-9891

PURPOSE: To adopt the attached General Obligation (GO) bond resolution for the following purposes:

1) Formally authorizes the sale of $2,500,000 in affordable housing bonds;
2) Formally pledges the County's taxing power to provide for payment on the bonds;
3) Approves the proposed form of the bonds;
4) Approves the form of the draft official statement for use in offering bonds to investors;
5) States the County's agreement to comply with the relevant provisions of federal tax law and the federal rules for continuing disclosure to the securities markets; and
6) Authorizes County staff to complete the process of issuing the bonds and authorizing the final principal payment schedule.

BACKGROUND: On November 8, 2016 the voters of Orange County approved the issuance of up to $5,000,000 of the County's general obligation bonds to pay capital costs of providing housing for persons of low and moderate income. On November 15, 2017, the County issued $2.5 million of the $5 million authorized Bonds through the General Obligation Taxable Affordable Housing Bonds, Series 2017C.

On November 5, 2020, the BOCC approved the four Affordable Housing projects below:

Center for Community Self-Help-2200 Homestead Apartments	$	1,500,000
EmPOWERment Inc. PEACH Apartments	$	700,000
Habital for Humanity- Weavers Grove	$	134,160
Interchurch Council Housing-Chase Park Apartments	$	165,840
TOTAL	$	2,500,000

In accordance with the County Capital Investment Program and in advisement with the County's bond counsel and financial advisor, County staff recommends that the County proceed with the

General Obligation Bond sale. Careful consideration has been taken by the financing team to enter the bond markets and the team is daily monitoring market conditions up until the bond sale.

The actual interest rates on these bonds will be set when the Local Government Commission takes competitive bids from underwriters on June 15, 2021. The GO bond closing is scheduled for July 8, 2021.

FINANCIAL IMPACT: The amortization schedule is based on 20 Years Level Principal. The GO debt issuance is factored into the County's tax rates, Debt Affordability Model Metrics as indicated below:

Debt Ratios	10-year Payout	Debt to AV	DS to GF Revenues
2022	63.36%	1.63%	**16.02%**
2023	62.14%	1.69%	**15.33%**
2024	64.02%	1.61%	**16.00%**
2025	65.78%	1.51%	**15.40%**
2026	67.95%	1.41%	14.58%
2027	70.83%	1.27%	14.73%
2028	74.22%	1.13%	12.80%
2029	78.71%	1.01%	11.86%

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
  The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impact is applicable to this item:

- **ENERGY EFFICIENCY AND WASTE REDUCTION**
  Initiate policies and programs that: 1) conserve energy; 2) reduce resource consumption; 3) increase the use of recycled and renewable resources; and 4) minimize waste stream impacts on the environment.

RECOMMENDATION(S): The Manager recommends that the Board approve the attached GO Bond resolution.

s☆h draft of April 22

Resolution for the Sale of Affordable Housing Bonds

INTRODUCTION --

The voters of Orange County have previously approved the issuance of up to $5,000,000 of the County's general obligation bonds to pay capital costs of providing housing for persons of low and moderate income. The County still has $2,500,000 of these affordable housing bonds left to be issued. The Board has now determined that the County should issue the remaining $2,500,000 of affordable housing bonds.

This resolution provides for the issuance of these bonds and takes related action, such as approving the form of the disclosure document that will be used to provide information to prospective bond investors.

BE IT THEREFORE RESOLVED by the Board of Commissioners of Orange County, North Carolina, as follows:

1. County Will Sell Affordable Housing Bonds - The County will issue and sell up to the full remaining amount of $2,500,000 unissued affordable housing bonds (referred to as the "Bonds" in this resolution) for their authorized purpose.

2. Payment Provisions. The Bonds will bear interest at the rates determined at the time of their sale by the Local Government Commission (currently scheduled for June 15). The principal of the Bonds will be payable in annual installments as the Finance Officer may determine after consultation with the LGC, except that the final maturity for the Bonds must not extend beyond December 31, 2041.

3. Pledge of Faith, Credit and Taxing Power -- The County's full faith and credit are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the County will levy and collect an annual ad valorem tax,

without restriction as to rate or amount, on all locally taxable property in the County sufficient to pay the principal of and interest on the Bonds as the same become due.

4. Approval of Official Statement for Offering - There has been made available to each member of the Board a draft of an official statement (the "Official Statement") relating to the Bonds, which is designed to provide appropriate information about the County and the financing to prospective investors in the Bonds. The draft Official Statement remains subject to completion and amendment.

The Board approves the LGC's distribution of the Official Statement to prospective purchasers of the Bonds. The Official Statement as distributed must be in substantially the form presented to this meeting, which the Board approves, with changes as the Finance Officer may approve. The Board ratifies the prior actions of the Finance Officer and other County representatives, in collaboration with the LGC staff, in preparing the text of the Official Statement.

The Board acknowledges that it is the County's responsibility, and ultimately the Board's responsibility, to ensure that the Official Statement in its final form neither contains an untrue statement of a material fact nor omits to state a material fact required to be included therein for the purpose for which the Official Statement is to be used or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading. By the adoption of this resolution, the Board members acknowledge and accept their own responsibility for causing the County to fulfill these responsibilities for the Official Statement.

The County deems the Official Statement as distributed by the LGC to be a "final official statement" within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended ("Rule 15c2-12"), except for the omission of certain final Bond pricing and other information that Rule 15c2-12 allows to be omitted.

5. Prepayment Provisions – The Board directs the Finance Officer, upon advice from the LGC, to determine the terms and conditions under which the Bonds will be subject to prepayment prior to maturity. The Finance Officer shall execute a certificate prior to the initial delivery of the Bonds designating prepayment terms and

conditions. This certificate will be conclusive evidence of the Finance Officer's determination of these terms and conditions.

6. Form of Bonds; Payment Details -- The Bonds will be designated "General Obligation Affordable Housing Bonds, Series 2021."

The Bonds will be in substantially the form set out in Exhibit A. The Bonds will be dated the date of their initial issuance, will be in fully registered form, will be in denominations of $5,000 and integral multiples thereof and will be numbered for identification from R-1 upward.

The Bonds must be signed by the manual or facsimile signature of the Board's Chair or the County Manager. The County's seal must be affixed to the Bonds (or a facsimile of the seal printed on the Bonds) and attested by the manual or facsimile signature of the Clerk to this Board or any Deputy or Assistant Clerk. No Bond will be valid unless at least one of the signatures appearing on the Bond (which may be the signature of the LGC's representative required by law) is manually applied or until the Bond has been authenticated by the manual signature of an authorized officer or employee of a bond registrar selected by the Finance Officer.

Interest on each Bond will be payable semiannually (a) from its date, if it is authenticated prior to the first interest payment date, or (b) otherwise from the interest payment date that is, or immediately precedes, the date on which it is authenticated (unless payment of interest is in default, in which case such Bond will bear interest from the date to which interest has been paid). Principal, interest and any prepayment premium will be payable in lawful money of the United States of America. Interest will be calculated on the basis of a 360-day year consisting of twelve 30-day months.

The Board directs the Finance Officer to execute a certificate prior to the initial delivery of the Bonds designating the final aggregate principal amount of the Bonds (up to the maximum authorized amount of $2,500,000), the final principal payment schedule, and the interest payment dates for the Bonds. This certificate will be conclusive evidence of the Finance Officer's approval and determination of these matters.

7. Finance Officer as Registrar; Payments to Registered Owners -- The Board appoints the Finance Officer as Registrar for the Bonds. As Registrar, the Finance Officer shall maintain appropriate books and records of the ownership of the Bonds. The County will treat the registered owner of each Bond as the person exclusively entitled to payment of principal, interest and any prepayment premium and the exercise of all rights and powers of the owner, except that the County will make payments to the person shown as owner on the registration books at the end of the calendar day on the 15th day of the month (whether or not a business day) preceding each interest payment date.

8. Advertising Bonds for Sale – The Board directs the Finance Officer, in collaboration with the LGC, to take all proper steps to advertise the Bonds for sale in accordance with standard LGC procedures, including through the use of a "Notice of Sale" document in the LGC's customary form and in substantially the same form as used for prior County bond sales. The Board directs the Finance Officer to review and approve a form of Notice of Sale as that officer may determine to be in the County's best interest.

9. LGC To Sell Bonds -- The County asks the LGC to sell the Bonds, to receive and evaluate bids and to award the Bonds based on the best bid received.

10. Completing Official Statement after Sale – After the LGC has received bids and awarded the Bonds to the successful bidder, the Board directs the Finance Officer, in collaboration with the LGC, to prepare a final Official Statement within the meaning of Rule 15c2-12. The Board authorizes the Finance Officer to approve the final document as a final Official Statement. The County, together with the LGC, will arrange for the delivery within seven business days of the sale date of a reasonable number of copies of the final Official Statement to the successful bidder on the Bonds for delivery to each potential investor requesting a copy of the final Official Statement and to each entity to which the bidder and members of the bidding group initially sell the Bonds.

11. County Officers To Complete Closing – The Board authorizes the Finance Officer and all other County officers and employees to take all proper steps

to deliver the Bonds to the purchaser upon payment for the Bonds, and to take all other proper steps to complete the issuance of the Bonds.

The Board authorizes the Finance Officer to hold the executed Bonds, and any other documents permitted by this resolution, in escrow on the County's behalf until the conditions for the delivery of the Bonds and other documents have been completed to the Finance Officer's satisfaction. The Finance Officer may then release the executed Bonds and other documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Board specifically authorizes the Finance Officer to approve changes to any documents previously signed by County officers or employees, provided that the Bonds must be in substantially the form approved by this resolution and that any changes must not substantially alter the intent of the document from that expressed in the form originally executed. The Finance Officer's authorization of the release of any such document for delivery will constitute conclusive evidence of that officer's approval of any such changes.

In addition, the Board authorizes the Finance Officer to take all appropriate steps for the efficient and convenient carrying out of the County's on-going responsibilities with respect to the Bonds. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under the Bonds, this resolution, or otherwise with respect to the Bonds.

12. Undertaking for Continuing Disclosure -- The County undertakes, for the benefit of the beneficial owners of the Bonds, to provide continuing disclosure with respect to the Bonds as described in Exhibit B.

The Board designates the Finance Officer as the County officer to be primarily responsible for the County's compliance with its undertakings for continuing disclosure provided for in this resolution. The Finance Officer will provide for the filings and reports (including the reports of material events) constituting the continuing disclosure provided for in this resolution.

13. Resolutions as to Tax Matters -- The County will not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds," within the meaning of Section 148 of the "Code" (as defined below), or "private activity bonds" within the meaning of Code Section 141, or otherwise cause interest on the Bonds to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the County will comply with any Code provision that may require the County at any time to pay to the United States any part of the earnings derived from the investment of the proceeds of the Bonds, and the County will pay any such required rebate from its general funds. For this paragraph, "Code" means the United States Internal Revenue Code of 1986, as amended, including applicable Treasury regulations.

14. Book-Entry System for Bond Registration -- The County will issue the Bonds by means of a book-entry system, with one bond certificate for each maturity immobilized at The Depository Trust Company, New York, New York ("DTC"), and not available for distribution to the public. The book-entry system for registration will operate as described in the Official Statement. Therefore, so long as the book-entry system of registration with DTC is in effect, (a) the County will make Bond payments only to DTC or its nominee as registered owner of the Bonds, (b) the County will not be responsible or liable for any transfer of payments to parties other than DTC or for maintaining, supervising or reviewing the records maintained by DTC or any other person related to the Bonds, and (c) the County will not send redemption notices (or any other notices related to the Bonds) to anyone other than DTC or its nominee. The Board, by resolution, may elect to discontinue the County's book-entry system with DTC. The Board authorizes the Finance Officer to enter into any agreements he deems appropriate to put into place and carry out the book-entry system with DTC.

15. Finding as to Useful Life and Term of the Bonds – The Board finds and determines that the average weighted maximum useful life of the projects to be financed with the proceeds of the Bonds is at least twenty years, subject to ordinary maintenance for projects of this type, and therefore the term of the Bonds will be within that maximum useful life.

16. Additional Provisions – The Board authorizes all County officers and employees to take all such further action as they may consider desirable in carrying

out the purposes of this resolution. The Board ratifies all prior actions of County officers and employees in this regard. Upon the absence, unavailability or refusal to act of the Chair, the County Manager or the Finance Officer, any of such officers may assume any responsibility or carry out any function assigned to another officer in this resolution. In addition, upon the unavailability of the Chair or the Clerk, respectively, any of the rights or responsibilities directed to such officers may be carried out or exercised by the Vice Chair or any Deputy or Assistant Clerk. All other resolutions, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

EXHIBIT A - Form of Bonds

REGISTERED **REGISTERED**

Number R-X

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA

ORANGE COUNTY

General Obligation Affordable Housing Bond, Series 2021

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
_____ %	August 1, ____	July 8, 2021	684609 XXX

REGISTERED OWNER: *****CEDE & CO.***

PRINCIPAL AMOUNT: ** _____ THOUSAND DOLLARS ($____,000)*****

ORANGE COUNTY, NORTH CAROLINA (the "County"), for value received, promises to pay to the registered owner of this Bond, or registered assigns or legal representative, the principal amount stated above on the maturity date stated above, subject to prior redemption as described below, and to pay interest on this Bond semiannually on each February 1 and August 1, beginning February 1, 2022, at the annual rate stated above. Interest is payable (a) from the dated date stated above, if this Bond is authenticated prior to February 1, 2022, or (b) otherwise from the February 1 and August 1 that is, or immediately precedes, the date on which this Bond is authenticated (unless payment of interest on this Bond is in default, in which case this Bond will bear interest from the date to which interest has been paid).

This Bond is one of an issue of the County's $2,500,000 General Obligation Affordable Housing Bonds, Series 2021 (the "Bonds"), of like date and tenor, except as to number, rate of interest, privilege of redemption and maturity. The Bonds are issued pursuant to a resolution adopted by the County's governing Board of Commissioners on May 18, 2021, and the Constitution and laws of the State of North Carolina, including the Local Government Bond Act.

The County's full faith and credit are pledged for the payment of principal of and interest on this Bond.

The County will make all payments in lawful money of the United States. Interest is calculated based on a 360-day year consisting of twelve 30-day months.

The Bonds are issued by means of a book-entry system, with one bond certificate for each maturity immobilized at The Depository Trust Company, New York, New York ("DTC"), and not available for distribution to the public. Transfer of beneficial ownership interests in the Bonds in the principal amount of $5,000 or any integral multiple thereof will be effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Principal and interest on the Bonds are payable by the County to DTC or its nominee as registered owner of the Bonds. The County is not responsible or liable for such transfer of ownership or payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

Bonds maturing prior to August 1, 2032, are not subject to redemption prior to maturity. Bonds maturing on August 1, 2032, and thereafter are redeemable, at the County's option, from any moneys that may be made available for that purpose, in whole or in part on any date not earlier than August 1, 2031, at a redemption price of 100% of the principal amount to be redeemed, plus interest accrued to the redemption date, without premium.

If less than all of the Bonds stated to mature on different dates are called for redemption, the County will select the Bonds to be redeemed in such manner as the County may determine in its discretion. If less than all of the Bonds of any one

maturity are called for redemption, the particular Bonds or portions of Bonds to be redeemed from that maturity will be selected by lot in such manner as the County in its discretion may determine; provided, however, that the portion of each Bond to be redeemed will be in the principal amount of $5,000 or some integral multiple thereof, and that, in selecting Bonds for redemption, each Bond will be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by $5,000. Notwithstanding the foregoing, so long as a book-entry system with DTC is used for determining beneficial ownership of Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC and its participants will determine which of the Bonds within any such maturity are to be redeemed. If a portion of a Bond is called for redemption, the County will issue a new Bond to the registered owner in a principal amount equal to the unredeemed portion, upon the registered owner's surrender of the Bond.

The County will send notice of redemption to DTC or its nominee as the registered owner of the Bonds in such manner as may be provided for under DTC's then-current operating procedures. The County will send this notice not more than 60 days and not less than 30 days prior to the date fixed for redemption. The County is not responsible for sending redemption notices to anyone other than DTC or its nominee.

If (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the County so elects, the County will discontinue the book-entry system with DTC. If the County does not identify another qualified securities depository to replace DTC, the County will deliver replacement Bonds in the form of fully registered certificates.

The County Finance Officer has been appointed Registrar for the Bonds. As Registrar, the Finance Officer will maintain appropriate books and records indicating ownership of the Bonds. The County will treat the registered owner of this Bond as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner, except that the County will make Bond payments to the person shown as owner on the County's registration books on the **Record Date**, which is the end of the calendar day on the 15th day of the month

(whether or not a business day) preceding each interest payment date. Principal and interest are payable in lawful money of the United States of America.

The County intends that North Carolina law will govern this Bond and all matters of its interpretation.

All acts, conditions and things required by the Constitution and laws of the State of North Carolina to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed, and the issue of Bonds of which this Bond is one, together will all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the State of North Carolina.

[The reminder of this page has been left blank intentionally.]

IN WITNESS WHEREOF, Orange County, North Carolina, has caused this Bond to be signed by its County Manager, its seal to be affixed hereto and attested by the Clerk to its Board of Commissioners, and this Bond to be dated July 8, 2021.

(SEAL)

ATTEST:

[Sample only - do not sign]	*[Sample only - do not sign]*
Clerk, Board of Commissioners	County Manager
Orange County, North Carolina	Orange County, North Carolina

The Bonds have been approved by
the North Carolina Local Government
Commission in accordance with the
Local Government Bond Act.

[Sample only - do not sign]
Sharon G. Edmundson
Secretary, Local Government Commission

[Orange County, North Carolina
$2,500,000 General Obligation Affordable Housing Bonds, Series 2021]

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

_____

(Please print or type transferee's name and address, including zip code)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OR TRANSFEREE:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing _____, Attorney, to transfer said bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed: _____ NOTICE: Signature(s) must be guaranteed by a participant in the Securities Transfer Agent Medallion Program ("STAMP") or similar program	_____ (Signature of Registered Owner) NOTICE: The signature above must correspond with the name of the registered owner as it appears on the front of this bond in every particular without alteration or enlargement or any change whatsoever.

[Orange County, North Carolina
$2,500,000 General Obligation Affordable Housing Bonds, Series 2021]

Exhibit B -- Undertaking for Continuing Disclosure

The County undertakes, for the benefit of the beneficial owners of the Bonds, to provide the following items and information to the Municipal Securities Rulemaking Board (the "MSRB"):

(a) by not later than seven months from the end of each of the County's fiscal years, beginning with the year ending June 30, 2021, audited County financial statements for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements are not available by seven months from the end of any fiscal year, unaudited County financial statements for such fiscal year, to be replaced subsequently by audited County financial statements to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each of the County's fiscal years, beginning with the year ending June 30, 2021, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year (which data will be prepared at least annually, will specify the date as to which such information was prepared and will be delivered with any subsequent material events notices specified in subparagraph (c) below) for the type of information included under heading "The County - Debt Information" and "- Tax Information" in the final Official Statement (excluding any information on overlapping or underlying units), and (ii) the combined budget of the County for the current fiscal year, to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event notice of any of the following events with respect to the Bonds:

(1) principal and interest payment delinquencies;

(2) non-payment related defaults;

(3) unscheduled draws on debt service reserves reflecting financial difficulties;

(4) unscheduled draws on any credit enhancements reflecting financial difficulties;

(5) substitution of credit or liquidity providers, or their failure to perform;

(6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

(7) modifications to rights of the beneficial owners of the Bonds, if material;

(8) calls for redemption of the Bonds (other than calls pursuant to sinking fund redemption), if material, and tender offers;

(9) defeasances;

(10) release, substitution or sale of any property securing repayment of the Bonds;

(11) rating changes;

(12) bankruptcy, insolvency, receivership or similar proceedings related to the Town or any other person or entity that may at any time become legally obligated to make payments on the Bonds (collectively, the "Obligated Persons");

(13) the consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

(15) Incurrence of a financial obligation (as defined below) of the Town, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Town, any of which affect Bondholders, if material; and

(16) Default, event of acceleration, termination event, modification of terms or other similar events under the terms of a financial obligation of the Town, any of which reflect financial difficulties; and

(d) in a timely manner, notice of a failure of the Town to provide required annual financial information described in (a) or (b) above on or before the date specified.

"Financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of an obligation described in either clause (a) or (b). The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occurs: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

If the County fails to comply with the undertaking described above, any beneficial owner of the Bonds may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking will not be an event of default and will not result in any acceleration of payment of the Bonds. All actions will be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the Bonds.

The County shall provide the documents and other information referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The County may discharge its undertaking as set forth in this resolution by providing such information in any manner that the United States Securities and Exchange Commission subsequently authorizes in lieu of the manner described above.

The County reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the County's judgment, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the County;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 as of the date of the final Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the County or by the approving vote of the registered owners of a majority in principal amount of the Bonds pursuant to the terms of the bond resolution, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the effect of the change in the type of operating data or financial information being provided.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-e

SUBJECT: Adoption of the Final Financing Resolution Authorizing the Issuance of Installment Purchase Financing for Various Capital Investment Plan Projects and To Refinance Existing County Obligations

DEPARTMENT: Finance and Administrative Services

ATTACHMENT(S):

Attachment 1. Resolution in Support of LGC Application for Financing
Attachment 2. Resolution Approving Financing Terms and Documents for 2021 Installment Financing
Attachment 3. Deed of Trust
Attachment 4. Trust Agreement
Attachment 5. Escrow Agreement
Attachment 6. Modification to Culbreth School Lease
Attachment 7. Draft Preliminary Official Statement
Attachment 8. Bond Purchase Agreement

INFORMATION CONTACT:

Gary Donaldson, (919) 245-2453
Paul Laughton, (919) 245-2152
Robert Jessup, (919) 933-9891

PURPOSE: To adopt the preliminary and final financing resolutions authorizing the issuance of approximately $45,000,000 in installment financing to finance capital investment projects and equipment for the fiscal year, and to refinance existing County obligations. The financing will also include amounts to pay transaction costs.

BACKGROUND: At the May 4, 2021 Board Business meeting, the Board of County Commissioners conducted a public hearing and received preliminary information of capital projects and equipment financing and refinancing existing debt obligations. The Board made a preliminary determination to finance costs of these projects and equipment, and financing costs by the use of an installment financing, as authorized under Section 160A-20 of the North Carolina General Statutes.

The statutes require that the County adopt a financing resolution supporting the application to the Local Government Commission (LGC) for approval of the financing. County staff has been in

contact with the LGC staff, and expects no issues in receiving full LGC approval. At the May 4 meeting, the Board adopted an appropriate resolution. A comment on the topic of the hearing was subsequently received within the 24-hour window for post-hearing comments, so this preliminary financing resolution is presented to the Board for adoption.

If the Board adopts the final resolution approving the financing at tonight's meeting, staff expects to price the bonds and to set the final interest rates and other terms of the financing on June 3, 2021 contingent on market conditions. The closing is scheduled for June 24, 2021.

FINANCIAL IMPACT: A preliminary estimate of maximum debt service applicable to the capital investment projects and equipment financing would require the highest debt service payment of $1.9 million in FY 2023 (based on current market interest rates). The tax rate equivalent for the estimated highest debt service payment is approximately $0.009 (0.9 cents).

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: FOSTER A COMMUNITY CULTURE THAT REJECTS OPPRESSION AND INEQUITY**
  The fair treatment and meaningful involvement of all people regardless of race or color; religious or philosophical beliefs; sex, gender or sexual orientation; national origin or ethnic background; age; military service; disability; and familial, residential or economic status.
- **GOAL: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.
- **GOAL: ENABLE FULL CIVIC PARTICIPATION**
  Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impacts applicable to this item:

- **ENERGY EFFICIENCY AND WASTE REDUCTION**
  Initiate policies and programs that: 1) conserve energy; 2) reduce resource consumption; 3) increase the use of recycled and renewable resources; and 4) minimize waste stream impacts on the environment.
- **RESULTANT IMPACT ON NATURAL RESOURCES AND AIR QUALITY**
  Assess and where possible mitigate adverse impacts created to the natural resources of the site and adjoining area. Minimize production of greenhouse gases.

RECOMMENDATION(S): The Manager recommends that the Board approve both the preliminary resolution in support of the County's LGC application and the final financing resolution, thereby approving the substantially final financing documents and authorizing County staff to complete the financing of the stated capital projects and equipment and refinancing of existing obligations.

Resolution supporting an application to the Local Government Commission for its approval of a County financing agreement

WHEREAS --

The Orange County Board of Commissioners has previously determined to carry out various public improvements and acquisitions, as identified in the County's capital improvement plan and as described in Exhibit A. The County has also been advised that the County may be able to save money at the same time by refinancing some of its outstanding loans, as described in Exhibit B.

The Board has also determined to finance the costs of these projects through an installment financing, as authorized under Section 160A-20 of the North Carolina General Statutes. In an installment financing, the County's repayment obligation is secured by a mortgage-type interest in all or part of the property being financed, but not by any pledge of the County's taxing power or any specific revenue stream. In this case, the County expects to place that mortgage on the Whitted Building, Blackwood Farm Park and possibly other facilities originally financed with loans now to be refinanced.

North Carolina law requires that the County's financing be approved by the North Carolina Local Government Commission (the "LGC"), a division of the North Carolina State Treasurer's office. Under the guidelines of the North Carolina Local Government Commission, this governing body must make certain findings of fact to support the County's application for the LGC's approval of the County's financing arrangements.

1. THEREFORE, BE IT RESOLVED by the Orange County Board of Commissioners, as follows:

(a) The County makes a preliminary determination to finance approximately $18,700,000 to pay capital costs of public improvements and acquisitions, and in particular those described in Exhibit A.

(b) In addition, the County makes a preliminary determination to finance an amount estimated as up to approximately $18,060,000 to refinance existing loans and

in particular those described in Exhibit B. The amount for refinancing may be reduced depending on which County loans can be efficiently refinanced.

(c) The Board will determine the final amount to be financed by a later resolution. The final amount financed may be slightly lower or slightly higher than a total of $36,760,000. The final amount financed will include funds to pay financing costs and other related costs.

2. The Board of Commissioners makes the following findings of fact in support of the County's application to the LGC:

(a) The proposed projects are necessary and appropriate for the County under all the circumstances.

(b) The proposed installment financing is preferable to a bond issue for the same purposes.

The County has no meaningful ability to issue non-voted general obligation bonds for these projects, other than the school projects. The County is in the midst of a program for issuing voter-approved bonds for school purposes and affordable housing purposes. It is appropriate for the County to balance its capital program between various types of financings. The County expects that in the current interest rate environment for municipal securities there would be no material difference in the overall financing costs between general obligation bonds and installment financings for these projects. These projects will produce no revenues that could be used to support a self-liquidating financing.

(c) The estimated sums to fall due under the proposed financing contract are adequate and not excessive for the proposed purpose. The County will closely review proposed financing rates against market rates with guidance from the LGC and in consultation with the County's financial adviser. All amounts financed will reflect either approved contracts, professional estimates, or previous actual expenditures.

(d) As confirmed by the County's Finance Officer, (i) the County's debt management procedures and policies are sound and in compliance with law, and (ii) the County is not in default under any of its debt service obligations.

(e) Although the County expects there will be tax increases associated with the County's overall capital improvement program, any tax increase directly attributable to the current proposed financing will be minimal. The County will manage the projects and its borrowing plans so as to minimize the tax impact while still allowing the projects to proceed. The County believes that the tax rate impact of this financing is reasonable under all the circumstances. Furthermore, the refinancings will result in a lower debt service burden for the County.

(f) The County Attorney is of the opinion that the proposed project is authorized by law and is a purpose for which public funds of the County may be expended pursuant to the Constitution and laws of North Carolina.

3. Additionally, the Board resolves as follows:

(a) The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse project expenditures from financing proceeds. The County intends that funds that have been advanced for project costs, or which may be so advanced, from the County's general fund, or any other County fund, may be reimbursed from the financing proceeds.

(b) The Board directs the Finance Officer to take all appropriate steps toward the completion of the financing, including completing an application to the LGC for its approval of the proposed financing. The Board ratifies all prior actions of County representatives in this regard.

(c) This resolution takes effect immediately.

Exhibit A – list of projects to be financed with estimated amounts

Component	Estimated Cost
Court Street Annex Renovations	$ 188,600
Criminal Justice Resource Department Expansion/Renovation	$ 205,779
Accessibility & Security Improvements	$ 194,643
Government Services Annex Stormwater & Renovations	$ 375,000
HVAC Projects	$ 714,203
Major Plumbing Repairs	$ 195,343
Justice Facility Improvements	$ 43,221
Parking Lot Improvements	$ 57,280
Roofing & Building Façade Improvements	$ 1,130,353
Whitted Building Stormwater & Renovations	$ 942,372
Link Center Remediation	$ 282,377
IT Fiber Connectivity	$ 302,532
ITGC Initiatives & IT Infrastructure	$ 372,097
Solid Waste – Improvements & Vehicle Replacement	$ 319,952
Emergency Services Vehicle Replacements	$ 801,802
Sheriff vehicle replacements	$ 107,104
Communication System Improvements	$ 150,000
Blackwood Farm Park Construction	$ 2,935,000
Parks – Renovations & Easements	$ 420,486
Sportsplex – Maintenance & Repairs	$ 698,304
Land Banking – Affordable Housing	$ 628,313
Orange County Schools – Recurring Capital Projects	$ 1,200,300
Orange County Schools – Maintenance & Improvements	$ 651,586
Chapel Hill-Carrboro Schools – Recurring Capital Projects	$ 1,799,700
Chapel Hill-Carrboro Schools – IT Infrastructure	$ 1,519,261
Chapel Hill-Carrboro Schools – Supplemental Deferred Maintenance	$ 631,740
Chapel Hill-Carrboro Schools – Various Maintenance & Improvements	$ 1,808,454
Total Project Costs	**$ 18,675,802**

Exhibit B – list of potential refinancings, with estimated amounts

Component	Estimated Cost
2014 IPC Bank of America	$ 3,600,000
2014 NC DEQ Loan	$ 760,000
Series 2012 Limited Obligation Bonds	$ 3,805,000
2017 IFC (Sterling)	$ 9,895,000
Total Loan Amounts Refinanced	**$ 18,060,000**

Resolution providing final approval of terms and documents for Spring 2021 installment financing for capital projects and loan refinancings

Introduction

The Board of Commissioners has previously determined to carry out various public improvements and acquisitions, as identified in the County's capital improvement plan and as described in Exhibit A, and to refinance some existing County loans as described in Exhibit B.

The Board has determined to carry out the financings by using a single installment financing, as authorized under Section 160A-20 of the North Carolina General Statutes. In an installment financing, the County's repayment obligation is secured by a mortgage-type interest in all or part of the property being acquired or improved, but not by any pledge of the County's taxing power or any specific revenue stream. The County's financing plan also includes the use of limited obligation bonds (the "Bonds"), which represent interests in the installment payments to be made by the County that can be sold to investors.

The County staff has made available to the Board the draft documents listed on Exhibit C (the "Documents"), and a draft of an official statement designed to provide information about the County and the financing to prospective investors in the bonds. These items relate to the County's carrying out the financing plan.

This resolution provides the Board's final approval of the financing terms and the substantially final financing documents, and authorizes County staff to complete the financing process.

BE IT THEREFORE RESOLVED by the Board of Commissioners of Orange County, North Carolina, as follows:

1. Determination to Proceed with Financing -- The Board confirms its decision to carry out the proposed installment financing as described above, to provide financing for new public assets and improvements as well as refinancing of existing loans.

Under the financing plan, the County will receive funds from the sale of the Bonds to carry out the projects, including the refinancings. The County will pay the Bonds over time, with interest. The County will secure its repayment obligation by granting a mortgage-like interest in some or all of the property acquired or improved through the proceeds of the new borrowing and, potentially some or all of the property acquired or improved through the proceeds of the borrowings to be refinanced. In particular, the County expects that the collateral will include some or all of the following: the County's Whitted Building on West Tryon Street in Hillsborough; the County library on Margaret Lane in Hillsborough; Culbreth Middle School on Culbreth Road in Chapel Hill; and Blackwood Farm Park on NC-86 in Chapel Hill.

2. Approval of Documents; Direction to Execute Documents -- The Board approves the forms of the Documents submitted to this meeting. The Board authorizes the Chair and the County Manager, or either of them, to execute and deliver the Documents in final form. The Documents in their respective final forms must be in substantially the forms presented, with changes as the Chair or the County Manager may approve. The execution and delivery of any Document by an authorized County officer will be conclusive evidence of that officer's approval of any changes.

The Documents in final form, however, must provide for the aggregate principal amount of the Bonds to not exceed $39,000,000 and a financing term not to extend beyond December 31, 2041. Bonds related to refinancings must be payable not later than the end of the fiscal year in which the refinanced obligations are payable. The amount financed under the Documents may include amounts to pay financing expenses and other necessary and incidental costs. As indicated in the draft Documents, some of the Bonds will be issued on a taxable basis, and some on a tax-exempt basis. The true interest cost on the tax-exempt bonds must not exceed 4.00%, and the true interest cost on the taxable bonds must not exceed 1.50%.

3. Sale of Bonds; Approval of Official Statement – The Board appoints FHN Financial Capital Markets, as senior manager, and Robert W. Baird & Co.

Incorporated, as co-manager, to underwrite a public offering of the proposed limited obligation bonds.

The Board approves the draft official statement submitted to this meeting as the form of the preliminary official statement pursuant to which the underwriters will offer the bonds for sale. The preliminary official statement as distributed to prospective investors must be in substantially the form presented, with such changes as the Finance Officer may approve. The Board directs the Finance Officer, after the sale of the bonds, to complete and otherwise prepare the preliminary official statement as an official statement in final form.

The Board authorizes the use of the preliminary official statement and the final official statement (collectively, the "Official Statement") by the underwriters in connection with the sale of the bonds.

The Board acknowledges that it is the County's responsibility, and ultimately the Board's responsibility, to ensure that the Official Statement neither contains an untrue statement of a material fact nor omits to state a material fact required to be included therein for the purpose for which the Official Statement is to be used or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

4. Officers to Complete Closing – The Board authorizes the County Manager, the Finance Officer and all other County officers and employees to take all proper steps to complete the financing in accordance with the terms of this resolution.

The Board authorizes the County Manager to hold executed copies of all financing documents authorized by this resolution in escrow on the County's behalf until the conditions for their delivery have been completed to her satisfaction, and then to release the executed documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the previous paragraphs, the Board specifically authorizes the County Manager (a) to approve and enter into, on behalf of the County, any additional agreements appropriate to carry out the financing plan contemplated by this resolution, and (b) to approve changes to any documents previously signed by County officers or employees, provided that the changes do not

substantially alter the intent from that expressed in the form originally signed. The County Manager's authorization of the release of any document for delivery will constitute conclusive evidence of her approval of any changes.

In addition, the Board authorizes the County Manager and the Finance Officer to take all appropriate steps for the efficient and convenient carrying out of the County's on-going responsibilities with respect to the financing. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under the Documents, this resolution or otherwise with respect to the bonds.

5. Other Financing Participants – Sanford Holshouser LLP will serve as the County's bond counsel. Davenport & Company LLC will serve as the County's financial adviser. The Bank of New York Mellon Trust Company, N.A., will serve as Trustee under the Trust Agreement referenced in Exhibit C.

6. Redemption of Prior Obligations - The Board directs the Finance Officer to make, on the County's behalf, an irrevocable call for prepayment or redemption of such of the County's existing loan and financing obligations as the Finance Officer deems beneficial to the County, including any or all of obligations described in Exhibit B. The Finance Officer shall make this call for redemption by the execution and delivery of an appropriate certificate in connection with the original delivery of the Documents.

7. Release of County Library Property – The County requests that The Bank of New York Mellon Trust Company, N.A., as Trustee, release the existing financing lien on the Orange County Library property in Hillsborough. This property currently secures an existing County financing. The County wants the existing lien released so the Library property can form part of the collateral for this 2021 financing. This will facilitate the County's plan of refinancing some existing loans.

8. Additional Provisions – The Board authorizes all County officers and employees to take all further action as they may consider desirable to carry out the purposes of this resolution. In particular, the Board directs the Clerk to this Board to apply the County's seal to the final form Documents, and to attest to the application of the seal. The Board ratifies all prior actions of County officers and employees to this

end. Upon the unavailability or refusal to act of the County Manager, the Chair or the Finance Officer, any other of those officers may assume any responsibility or carry out any function assigned in this resolution. In addition, the Vice Chair or any Deputy or Assistant Clerk may carry out or exercise any rights or responsibilities assigned in this resolution to the Chair or the Clerk. The Board repeals all other Board proceedings, or parts of proceedings, in conflict with this resolution, to the extent of the conflict. This resolution takes effect immediately.

Exhibit A – list of projects to be financed with estimated amounts

Component	Estimated Cost
Court Street Annex Renovations	$ 188,600
Criminal Justice Resource Department Expansion/Renovation	$ 205,779
Accessibility & Security Improvements	$ 194,643
Government Services Annex Stormwater & Renovations	$ 375,000
HVAC Projects	$ 714,203
Major Plumbing Repairs	$ 195,343
Justice Facility Improvements	$ 43,221
Parking Lot Improvements	$ 57,280
Roofing & Building Façade Improvements	$ 1,130,353
Whitted Building Stormwater & Renovations	$ 942,372
Link Center Remediation	$ 282,377
IT Fiber Connectivity	$ 302,532
ITGC Initiatives & IT Infrastructure	$ 372,097
Solid Waste – Improvements & Vehicle Replacement	$ 319,952
Emergency Services Vehicle Replacements	$ 801,802
Sheriff vehicle replacements	$ 107,104
Communication System Improvements	$ 150,000
Blackwood Farm Park Construction	$ 2,935,000
Parks – Renovations & Easements	$ 420,486
Sportsplex – Maintenance & Repairs	$ 698,304
Land Banking – Affordable Housing	$ 628,313
Orange County Schools – Recurring Capital Projects	$ 1,200,300
Orange County Schools – Maintenance & Improvements	$ 651,586
Chapel Hill-Carrboro Schools – Recurring Capital Projects	$ 1,799,700
Chapel Hill-Carrboro Schools – IT Infrastructure	$ 1,519,261
Chapel Hill-Carrboro Schools – Supplemental Deferred Maintenance	$ 631,740
Chapel Hill-Carrboro Schools – Various Maintenance & Improvements	$ 1,808,454
Total Project Costs	**$ 18,675,802**

Exhibit B– list of potential refinancing candidates

Component	Estimated Cost
2014 IPC Bank of America	$ 3,600,000
2014 NC DEQ Loan	$ 760,000
Series 2012 Limited Obligation Bonds	$ 3,805,000
2017 IFC (Sterling)	$ 9,895,000
Total Loan Amounts Refinanced	**$ 18,060,000**

Exhibit C -- Draft Documents

(a) A draft dated May 4, 2021, of a Trust Agreement to be dated on or about June 1, 2021, between the County and The Bank of New York Mellon Trust Company, N.A. (the "Trustee"). The Trust Agreement provides for the advance of funds to the County, for the issuance of limited obligation bonds, for the County's obligation to repay the amounts advanced, and for the County's responsibilities for the use and care of the collateral.

(b) A draft dated May 4, 2021, of a Deed of Trust to be dated on or about June 1, 2021, from the County to a deed of trust trustee for the Trustee's benefit. The Deed of Trust imposes a security interest on certain County property to secure the County's obligations under the Bonds and the other financing documents.

(c) A draft dated April 21, 2021, of a Lease Modification between the County and the Chapel Hill – Carrboro Board of Education. This Lease Modification (approved by the School Board on May 6) extends the current financing lease agreement for that school so as to allow Culbreth to serve as a part of the collateral for this 2021 County bond issue.

(d) A draft of a Bond Purchase Agreement to be dated on or about June 3, 2021, providing for the underwriters' obligation to purchase the bonds. The final form of this Agreement will set out the final principal amount, principal payment schedule and interest rates for the bonds, and the other terms and conditions for the underwriters' obligation to purchase the bonds.

(e) A draft dated May 4, 2021, of an Escrow Agreement to be dated on or about June 1, 2021, between the County and the Trustee in the capacity of an escrow agent, which provides for the escrow agent's custody and investment of some of the new bond proceeds until those proceeds can be used to pay off some of the County's existing loans.

s☆h draft of May 4

Prepared by and return after recording to:

Robert M. Jessup Jr.
Sanford Holshouser LLP
209 Lloyd St., Suite 350
Carrboro, NC 27510

PINs [To come] (Whitted)
[To come] (Blackwood Farm Park)
9777-99-9032 (Culbreth)
9874-05-2954 (Library)

Brief description:

Whitted Building, 300 West Tryon Street, Hillsborough

Blackwood Farm Park, 4215 NC-86, Hillsborough

Orange County library, 137 West Margaret Lane, Hillsborough

Culbreth Middle School, 225 Culbreth Road, Chape Hill

STATE OF NORTH CAROLINA)	**The collateral is or includes fixtures.**
)	
ORANGE COUNTY)	**This Deed of Trust secures future advances.**

THIS DEED OF TRUST AND SECURITY AGREEMENT (this "Deed of Trust") is dated as of June 1, 2021, and is granted by **ORANGE COUNTY, NORTH CAROLINA**, a political subdivision of the State of North Carolina (the "County"), to **Robert M. Jessup Jr.,** as trustee (the "Deed of Trust Trustee"), for the benefit of **THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. as Trustee** ("BNY-M").

R E C I T A L S:

The County is issuing its [$22,000,000] Limited Obligation Bonds, Series 2021A, and its [$23,000,000] Taxable Limited Obligation Bonds, Series 2021B (together, the "Bonds"). The County is issuing the Bonds under a Trust Agreement dated as of June 1, 2021 (the "Trust Agreement"), between the County and BNY-M, as trustee. The County is issuing the Bonds to provide funds, to be used together with other available funds, to acquire, construct, equip and otherwise improve a variety of County facilities and assets, to refinance a variety of existing County obligations, and to pay financing costs.

To secure its obligations under the Trust Agreement and with respect to the Bonds, the County is providing for the conveyance by this Deed of Trust of the facilities described in Exhibit A (the "Pledged Facilities," as more particularly defined below), along with the real property associated with the Pledged Facilities and the other "Mortgaged Property," as defined below.

The Mortgaged Property includes the property described in Exhibit B. The County is the record owner of the property described in Exhibit B.

This Deed of Trust is given to secure current advances under the Trust Agreement of [$45,000,000], as well as potential future advances in the total maximum principal amount of $200,000,000. The time during which such future advances may be made is 30 years from June 1, 2021. The current scheduled date for final repayment is on or about June 1, 2041.

NOW, THEREFORE,

(1) in consideration of the execution and delivery of the Trust Agreement and other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge,

(2) to secure the County's performance of all its covenants under this Deed of Trust, the Bonds and the Trust Agreement, including the repayment of amounts advanced under the Trust Agreement, and

(3) to charge the Mortgaged Property with this payment and performance,

the County sells, grants and conveys to the Deed of Trust Trustee, his successors and assigns forever, in trust, with power of sale, the following (collectively, the "Mortgaged Property"):

(a) the property described in Exhibit B and any real property later acquired by the County in exchange for, or in consideration of the exchange of, or with the proceeds from any disposition of, all or any part of any property described in this paragraph, and in all cases together with all easements, rights, rights-of-way and appurtenances belonging to any of that property (collectively, the "Pledged Sites"); and

(b) all buildings and other improvements and fixtures (including any "Fixtures," as defined in Section 1-4) now or later attached to or used in or on those improvements or the Pledged Sites, including (i) all renewals, replacements, and additions, (ii) all articles in substitution, (iii) all building materials for construction, improvement, modification or repair of improvements upon their delivery to the Pledged Sites, and (iv) all proceeds of all the foregoing in whatever form resulting from the loss or disposition of the foregoing, including all proceeds of and unearned premiums for any insurance policies covering the Pledged Sites and the improvements, proceeds of title insurance and payments related to the exercise of condemnation or eminent domain authority, and all judgments or settlements in lieu of any of the foregoing (collectively, the "Pledged Facilities");

TO HAVE AND TO HOLD the Mortgaged Property with all privileges and appurtenances belonging thereto, to the Deed of Trust Trustee, his successors and assigns forever, upon the trusts, terms and conditions and for the purposes set out below, in fee simple in trust;

SUBJECT, HOWEVER, to the existing encumbrances described in Exhibit C;

BUT THIS CONVEYANCE IS MADE UPON THIS SPECIAL TRUST: if the County pays its "Obligations," as defined below, in full in accordance with the Trust Agreement, the Bonds and this Deed of Trust, and the County complies with all the terms, covenants and conditions of the Trust Agreement, the Bonds and this Deed of Trust, this conveyance will be null and void and will be canceled of record at the County's request and cost, and title will revest as provided by law;

BUT IF, HOWEVER, THERE OCCURS AN EVENT OF DEFAULT UNDER THE "DOCUMENTS," as defined below, then BNY-M will have the remedies provided for in this Deed of Trust, including directing the Deed of Trust Trustee to sell the Mortgaged Property under power of sale.

THE COUNTY COVENANTS AND AGREES with the Deed of Trust Trustee and BNY-M (and their respective heirs, successors and assigns), in consideration of the foregoing, as follows:

1. Warranties of Title; Security Provided by this Deed of Trust

1-1 Warranties of Title. The County covenants with the Deed of Trust Trustee and BNY-M that the County is seized of and has the right to convey the Mortgaged Property in fee simple, that the Mortgaged Property is free and clear of all liens and encumbrances other than Permitted Encumbrances (as defined in the Trust Agreement), that title to the Mortgaged Property is marketable, and that the County will forever warrant and defend title to the Mortgaged Property (subject to the Permitted Encumbrances) against the claims of all persons.

1-2 Security for Payment and Performance. The County is delivering this Deed of Trust (a) to secure the County's payment, as and when the same become due and payable, of all amounts payable by the County (the "Obligations") under (i) the Trust Agreement, (ii) this Deed of Trust, (iii) the Bonds, and (iv) any Additional Bonds, as defined in the Trust Agreement, as may be executed and delivered pursuant to the Trust Agreement (together, the "Documents"), and (b) to secure the County's timely and full compliance with all terms, covenants and conditions of the Documents.

1-3 Present and Future Advances. This Deed of Trust is executed to secure all the County's present and future obligations to the Trustee related to amounts advanced to the County or owed by the County under the Documents. The making of future advances is subject to the terms and conditions of the Trust Agreement and this Deed of Trust. The amount of the present obligations secured by this Agreement is [$45,000,000] and the total amount, including present and future obligations, that may be secured by this Deed of Trust at any one time is $200,000,000. The period within which future obligations may be incurred is 30 years from June 1, 2021.

The provisions in this Deed of Trust for future advances are made only to facilitate the possible financing of additions or improvements to the Mortgaged Property, to refinance the present obligations or otherwise as provided for under the Trust Agreement. As of the date of this Deed of Trust there is no agreement or obligation by the County to borrow, or for any person to lend, any additional funds beyond the [$45,000,000] that constitutes the present obligations.

1-4 Security Interest in Fixtures. This Deed of Trust is intended to be a security agreement pursuant to the Uniform Commercial Code as in effect in North Carolina for the "Fixtures," as defined below. The County grants to BNY-M and the Deed of Trust Trustee a security interest in the Fixtures to secure the Obligations.

Upon the occurrence of an Event of Default under this Deed of Trust or the Trust Agreement, BNY-M or the Deed of Trust Trustee is entitled to exercise all rights and remedies of a secured party under the Uniform Commercial Code as in effect in North Carolina and may proceed as to the Fixtures in the same manner as provided in this Deed of Trust for the real property.

The "Fixtures" are all items of personal property attached or affixed to the Pledged Facilities in such a manner that removing the items would cause damage to the Pledged Facilities. The Fixtures may include plumbing, heating, lighting, electrical, laundry, ventilating, refrigerating, incinerating, air-conditioning, fire and theft protection and sprinkler equipment, and include all renewals and replacements and all additions, and all articles in substitution of any such property, and all proceeds of all the foregoing in whatever form.

The County is not obliged to renew, repair or replace any undesirable or unnecessary Fixture. If the County determines that any Fixture has become undesirable or unnecessary, the County may remove that Fixture from the Pledged Facilities and sell, trade-in, exchange or otherwise dispose of it (in whole or in part), with an amount equivalent to the fair market value of the Fixture as removed becoming Net Proceeds and subject to the provisions of [Section 5.16] of the Trust Agreement.

With respect to those items of the Mortgaged Property that are or are to become Fixtures, this Deed of Trust constitutes a financing statement filed as a fixture filing. The County agrees that the security interest in the Fixtures granted in this Section 1-4 is in addition to, and not in lieu of, any security interest in the

Fixtures acquired by real property law. The Fixtures are located on the land described on Exhibit B, and the County is the record owner of that land. Section 5-1 sets forth the name and address of the County, as debtor, and BNY-M and the Deed of Trust Trustee, as secured parties. The County agrees to execute, deliver and file, or cause to be filed, in such place or places as may be requested by BNY-M or the Deed of Trust Trustee, any additional financing statements (including any continuation statements) in whatever form any party may reasonably request to evidence the security interest provided for in this Section.

1-5 County's Obligation Limited. Notwithstanding any other provision of this Deed of Trust, the parties intend that this transaction will comply with North Carolina General Statutes Section 160A-20. No deficiency judgment may be entered against the County in violation of Section 160A-20.

No provision of this Deed of Trust is to be construed or interpreted as creating a pledge of the County's faith and credit within the meaning of any constitutional debt limitation. No provision of this Deed of Trust should be construed or interpreted as an illegal delegation of governmental powers, nor as an improper donation or lending of the County's credit within the meaning of the North Carolina constitution. The County's taxing power is not and may not be pledged, directly or indirectly contingently, to secure any moneys due under this Deed of Trust.

No provision of this Deed of Trust restricts the County's future issuance of any of its bonds or other obligations payable from any class or source of the County's moneys, except to the extent the "Documents," as defined in Section 1-2, restrict the incurrence of additional obligations secured by the Mortgaged Property.

Nothing in this Section is intended to impair or prohibit foreclosure on this Deed of Trust if the Obligations are not paid when due or otherwise upon the occurrence of an Event of Default under this Deed of Trust or the Trust Agreement.

To the extent of any conflict between this Section and any other provision of this Deed of Trust, this Section takes priority.

1-6 No Transfers; Provision for Releases; Grants of Easements and Similar Interests

(a) The County shall not sell, transfer or encumber any interest in any Mortgaged Property, except as otherwise permitted by the Trust Agreement or this Deed of Trust. This prohibition applies whether the sale, transfer, or encumbrance is of a legal or an equitable interest, is voluntary, involuntary, by operation of law, or otherwise, and includes any encumbrance that is not a Permitted Encumbrance. BNY-M may take any action it deems appropriate to prevent or rescind any unauthorized sale, transfer or encumbrance.

(b) BNY-M is required, upon the County's direction and at any time, to execute and deliver all documents necessary to effect the release of all or any portion of the Mortgaged Property from the lien of this Deed of Trust upon the County's compliance with the requirements of this Section. No consent or acknowledgment by the Deed of Trust Trustee is required for any release under this Section.

(c) To obtain a release, the County must file with BNY-M a County Certificate (i) stating that (A) no Event of Default is continuing, (B) the release will not materially impair the intended use of the property remaining subject to this Deed of Trust, and (C) the release complies with the requirements of this Section, (ii) providing a copy of the proposed instrument of release, (iii) directing the execution and delivery of the instrument, and (iv) providing evidence of compliance with (v) or (vi) below. BNY-M may not release any property under this subsection (b) during the continuation of an Event of Default.

(v) In the case of a proposed release of all the Mortgaged Property, the County must pay to BNY-M, or to some other fiduciary reasonably acceptable to BNY-M, an amount (A) that is sufficient to provide for the payment in full of all Bonds Outstanding and any other Obligations and (B) that is required to be used for that payment.

(vi) In the case of a proposed release of a portion (but less than all) of the Mortgaged Property, the County must provide evidence to BNY-M that the appraised, taxable or insured value (and the County may provide different evidence for different portions) of that portion of the Mortgaged Property that is proposed to remain subject to the lien of this Deed of Trust will not be less than 50% of the

aggregate principal component of the Bonds Outstanding at the time the release is effected.

(d) The County may make the following grants and dispositions, so long as the grant or disposition will not materially impair the intended use of the Pledged Facilities, and without regard to subsection (c) above.

(i) The County may from time-to-time grant easements, licenses, rights-of-way and other similar rights with respect to any part of the Mortgaged Property, and the County may release similar interests, with or without consideration.

(ii) The County may dispose of any undesirable or unnecessary Fixture as provided in Section 1-4.

1-7 Construction Mortgage. The parties intend that the security interest evidenced by this Deed of Trust will be a "construction mortgage" with respect to the Pledged Facilities within the meaning of Section 25-9-334 of the North Carolina General Statutes.

2. County's Payment Obligations

2-1 Payment of Obligations; Compliance with Covenants. The County will pay the Obligations as and when the same become due and payable in the manner set forth in this Deed of Trust and in the Trust Agreement and will comply in all respects with all the terms of the Documents.

2-2 Payment of Costs and Legal Fees. (a) If the Deed of Trust Trustee or BNY-M employs an attorney to assist in the enforcement or collection of any Obligations, or if the Deed of Trust Trustee or BNY-M voluntarily or otherwise becomes a party to any suit or legal proceeding (including a proceeding conducted under any state or federal bankruptcy or insolvency statute) to protect the Mortgaged Property, to protect the lien of this Deed of Trust, to enforce collection of the Obligations, or to enforce compliance by the County with any of the provisions of the Documents, then the County will pay reasonable legal fees and costs that the Deed of Trust Trustee or BNY-M may reasonably have incurred (whether or not any suit or proceeding is commenced). The County's repayment of all amounts paid for any such purpose, together with interest at the annual rate of 4.00% (calculated on

the basis of a 360-day year consisting of twelve 30-day months), is secured as an Obligation under this Deed of Trust.

(b) If any suit or proceeding described in subsection (a) is adverse to the County, however, then the County has this liability for payment of fees and costs only if the Deed of Trust Trustee or BNY-M, as the case may be, is a prevailing party in the suit or proceeding.

2-3 Advances for Performance of County's Obligations. If the County fails to perform any of its obligations under the Documents, then the Deed of Trust Trustee and BNY-M are authorized, but not obligated, to perform the obligation or cause it to be performed. The County must repay any amounts paid for any such purpose. The County's repayment of all those amounts, together with interest at the annual rate of 4.00% (calculated on the basis of a 360-day year consisting of twelve 30-day months), is secured as an Obligation under this Deed of Trust.

3. The Deed of Trust Trustee

3-1 No Liability for Deed of Trust Trustee. The Deed of Trust Trustee will suffer no liability by his acceptance of this trust except as may be incurred because of any failure on his part to account for the proceeds of any sale under this Deed of Trust.

3-2 Resignation. The Deed of Trust Trustee may resign at any time by giving notice to the County and BNY-M as provided in Section 5-1.

3-3 Substitute Trustees. If any Deed of Trust Trustee dies, becomes incapable of acting or renounces the trust, or if for any reason BNY-M desires to replace any Deed of Trust Trustee, then BNY-M has the unqualified right to appoint one or more substitute or successor Deed of Trust Trustees by instruments filed for registration in the office of the Register of Deeds where this Deed of Trust is recorded. BNY-M may make any removal or appointment at any time without notice, without specifying any reason, and without any court approval. Any appointee becomes vested with title to the Mortgaged Property and with all rights, powers, and duties conferred upon the Deed of Trust Trustee by this Deed of Trust in the same manner and to the same effect as if that Deed of Trust Trustee had been named as the original Deed of Trust Trustee.

4. Defaults and Remedies; Foreclosure

4-1 Defaults and Remedies. During the continuation of an Event of Default under the Trust Agreement, BNY-M may pursue its rights and remedies as provided under the Trust Agreement and this Deed of Trust.

4-2 Foreclosure; Sale under Power of Sale.

(a) *Right to foreclosure or sale.* During the continuation of an Event of Default, at BNY-M's request, the Deed of Trust Trustee must foreclose this Deed of Trust by judicial proceedings or, at BNY-M's option, the Deed of Trust Trustee must sell (and is empowered to sell) all or any part of the Mortgaged Property at public sale to the last and highest bidder for cash (free of any equity of redemption, homestead, dower, curtesy or other exemption, all of which the County expressly waives to the extent permitted by law) after compliance with applicable State laws relating to foreclosure sales under power of sale. The Deed of Trust Trustee will execute and deliver a proper deed or deeds to the successful purchaser at any sale. If only a part of the Mortgaged Property is sold, the partial sale in no way adversely affects the lien created by this Deed of Trust against the remainder.

(b) *BNY-M's Bid.* BNY-M may bid and become the purchaser at any sale under this Deed of Trust. Instead of paying cash, BNY-M may make settlement for the purchase price by crediting against the Obligations the bid price net of sale expenses, including the Deed of Trust Trustee's commission, and after payment of any taxes and assessments as may be a lien on the Mortgaged Property superior to the lien of this Deed of Trust (unless the Mortgaged Property is sold subject to those liens and assessments, as provided by law).

(c) *County's Bid.* The County may bid for all or any part of the Mortgaged Property at any foreclosure sale. The County, however, may not bid less than an amount sufficient to provide for full payment of the Obligations, unless BNY-M consents in writing.

(d) *Successful bidder's deposit.* At any sale, the Deed of Trust Trustee may, at his option, require any successful bidder (other than BNY-M) immediately to make a deposit with the Deed of Trust Trustee against the successful bid in the form of cash or a certified check in an amount of up to 5% of the sale price. The advertised notice of sale need not include notice of this requirement.

(e) *Application of sale proceeds.* The Deed of Trust Trustee must apply the proceeds of any foreclosure sale in the manner and in the order prescribed by State law. The parties agree (i) that the sale expenses will include a commission to the Deed of Trust Trustee equal to one-half of one percent of the gross sales price for all services performed by the Deed of Trust Trustee under this Deed of Trust, and (ii) that any sale proceeds remaining after the prior application of the proceeds in accordance with State law, including to the payment of the Obligations, will be paid to the County.

4-3 Possession of Mortgaged Property. During the continuation of an Event of Default, upon BNY-M's demand the County must deliver possession of the Mortgaged Property to BNY-M. In addition, the County must surrender possession of the Mortgaged Property to the purchaser of the Mortgaged Property at any judicial or foreclosure sale under this Deed of Trust.

During the continuation of an Event of Default, BNY-M, to the extent permitted by law, is also authorized to (a) take possession of the Mortgaged Property, with or without legal action, (b) lease the Mortgaged Property, (c) collect all rents and profits from the Mortgaged Property, with or without taking possession of the Mortgaged Property, and (d) after deducting all costs of collection and administration expenses, apply the net rents and profits to the payment of necessary maintenance and insurance costs, and then apply all remaining amounts to the County's account and in reduction of the Obligations.

BNY-M will be liable to account only for rents and profits it receives. BNY-M may take any action permitted under this Section with respect to all or any portion of the Mortgaged Property, as it may elect.

4-4 No Remedy Exclusive; Delay Not Waiver. All remedies under this Deed of Trust are cumulative and may be exercised concurrently or separately. The exercise of any one remedy is not an election of that remedy as an exclusive remedy, nor does the exercise of one remedy preclude the exercise of any other remedy. If any Event of Default occurs and is later waived by the other party or parties, that waiver is limited to the default waived and does not constitute a waiver of any other default. The Deed of Trust Trustee and BNY-M may exercise every power or remedy given by this Deed of Trust from time to time as often as the Deed of Trust Trustee or BNY-M may deem expedient.

5. Miscellaneous

5-1 Notices.

(a) Any communication provided for in this Deed of Trust must be in English and must be in writing, and "writing" includes facsimile transmission and electronic mail.

(b) For the purposes of this Deed of Trust, any communication sent by facsimile transmission or electronic mail will be deemed to have been given on the date the communication is similarly acknowledged by a County Representative (in the case of the County) or other authorized representative (in the case of any other party). No such communication will be deemed given or effective without such an acknowledgment. Any electronic communication to the Trustee is subject to the provisions of [Section 9.02] of the Trust Agreement.

(c) Any other communication under this Deed of Trust will be deemed given on the delivery date shown on a United States Postal Service certified mail receipt, or a delivery receipt (or similar evidence) from a national commercial package delivery service, if addressed as follows:

(i) if to the County, to Orange County Manager, Re: Notice under 2021 LOBs Deed of Trust, Post Office Box 8181, Hillsborough, NC 27278

(ii) if to the Deed of Trust Trustee, to Deed of Trust Trustee, c/o The Bank of New York Mellon Trust Company, N.A., Re: Notice for 2021 Financing for Orange County (NC), 4655 Salisbury Rd., STE 300, Jacksonville, FL 32256

(iii) if to BNY-M, to The Bank of New York Mellon Trust Company, N.A., Re: Notice for 2021 Financing for Orange County (NC), 4655 Salisbury Rd., STE 300, Jacksonville, FL 32256

(iv) If to the LGC, to the North Carolina Local Government Commission, Attn: Secretary of the Commission, Re: Notice for 2021 Orange County Financing, Longleaf Building, 3200 Atlantic Ave., Raleigh, NC 27604

(d) Any addressee (including the LGC) may designate additional or different addresses for communications by notice given under this Section to each of the others. No notice need be delivered to the Deed of Trust Trustee for any notice or action to be effective. The County must send copies of any notices it sends to the Deed of Trust Trustee also to the Trustee.

(e) Whenever this Deed of Trust requires the giving of a notice, the person entitled to receive the notice may waive the notice, in writing. The giving or receipt of the notice will then not be a condition to the validity of any action taken in reliance upon the waiver.

5-2 Successors; Assignments. This Deed of Trust is binding upon, will inure to the benefit of, and is enforceable by the County, the Trustee, any registered owner of Bonds (subject to the limitations in the Trust Agreement), and by the Deed of Trust Trustee, and by their respective successors and assigns.

5-3 No Marshalling. The County waives all rights to require marshalling of assets in connection with the exercise of any remedies provided in this Deed of Trust or as permitted by law.

5-4 Definitions. All capitalized terms used in this Deed of Trust and not otherwise defined have the meanings ascribed to them in the Trust Agreement.

5-5 Governing Law; Forum. The County, BNY-M, and the Deed of Trust Trustee intend that North Carolina law will govern this Deed of Trust and all matters of its interpretation. To the extent permitted by law, the County, BNY-M, and the Deed of Trust Trustee agree that any action brought with respect to this Deed of Trust must be brought in the North Carolina General Court of Justice in Orange County, North Carolina.

5-6 Limitation of Liability of Officers and Agents. No officer, agent or employee of the County, BNY-M or the Deed of Trust Trustee will be subject to any personal liability or accountability by reason of the execution of this Deed of Trust or any other documents related to the transactions contemplated by this Deed of Trust. Those officers or agents are deemed to execute documents in their official capacities only, and not in their individual capacities. This Section does not relieve any officer, agent or employee from the performance of any official duty provided by law.

5-7 Covenants Run with the Land. All covenants contained in this Deed of Trust run with the real estate encumbered by this Deed of Trust.

5-8 Further Instruments. Upon the request of BNY-M or the Deed of Trust Trustee, the County will execute, acknowledge and deliver any further instruments reasonably necessary or desired by BNY-M or the Deed of Trust Trustee to carry out more effectively the purposes of this Deed of Trust or any other document related to the transactions contemplated by this Deed of Trust, and to subject to the liens and security interests of this Deed of Trust all or any part of the Mortgaged Property intended to be given or conveyed, whether now given or conveyed or acquired and conveyed subsequent to the date of this Deed of Trust.

5-9 Severability. If any provision of this Deed of Trust is determined to be unenforceable, that will not affect any other provision of this Deed of Trust.

5-10 Non-Business Days. If the date for making any payment, or the last day for performance of any act or the exercising of any right, is not a Business Day, that payment may be made, or act performed or right exercised, on or before the next succeeding Business Day.

5-11 Entire Agreement; Amendments. This Deed of Trust, together with the other Documents, constitutes the County's entire agreement with the Trustee and the Deed of Trust Trustee with respect to its general subject matter. This Deed of Trust may not be changed except in accordance with [Article XIII] of the Trust Agreement. The consent of the Deed of Trust Trustee is not required for any changes.

[The remainder of this page has been left blank intentionally.]

IN WITNESS WHEREOF, the County has caused this instrument to be signed, sealed and delivered by duly authorized officers, all as of June 1, 2021.

(SEAL)

ATTEST:

ORANGE COUNTY,
NORTH CAROLINA

_____
Laura Jensen
Clerk, Board of Commissioners

By: _____
Bonnie B. Hammersley
County Manager

* * * * * *

STATE OF NORTH CAROLINA;
ORANGE COUNTY

I, a Notary Public of such County and State, certify that Laura Jensen and Bonnie B. Hammersley personally came before me this day and acknowledged that they are the Clerk of the Board of Commissioners and the County Manager, respectively, of Orange County, North Carolina, and that by authority duly given and as the act of such County, the foregoing instrument was signed in the County's name by such Manager, sealed with its corporate seal and attested by such Clerk.

WITNESS my hand and official stamp or seal, this _____ day of June, 2021.

[SEAL]

_____
Notary Public

My commission expires: _____

[Deed of Trust and Security Agreement
dated as of June 1, 2021, for the benefit of
The Bank of New York Mellon Trust Company, N.A., as trustee]

EXHIBIT A – Pledged Facilities Description

Whitted Building, 300 West Tryon Street, Hillsborough

Blackwood Farm Park, 4215 NC-86, Hillsborough

Orange County library, 137 West Margaret Lane, Hillsborough

Culbreth Middle School, 225 Culbreth Road, Chape Hill

EXHIBIT B – Pledged Sites Description

[To come]

EXHIBIT C -- Existing Encumbrances

s☆h draft of May 4

TRUST AGREEMENT

by and between

Orange County, North Carolina

and

The Bank of New York Mellon Trust Company, N.A., as Trustee

Relating to the execution and delivery of

$_____

Limited Obligation Bonds, Series 2021A

and

$_____

Taxable Limited Obligation Refunding Bonds Series 2021B

Dated as of June 1, 2021

THIS AGREEMENT (this "Agreement") is dated as of June 1, 2021, is between **ORANGE COUNTY, NORTH CAROLINA,** a North Carolina political subdivision (the "County"), and **THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.,** a national banking association having an office in Jacksonville, Florida, as trustee (the "Trustee"), and relates to the issuance of [$45,000,000] aggregate amount Limited Obligation Bonds (the "2021 Bonds").

Introduction

The County is issuing bonds pursuant to this Agreement to provide funds to be used, together with other available funds, on a project (the "Project") (a) to acquire, construct, and equip various public facilities, assets and improvements, (b) to refinance existing County obligations, and (c) to pay financing costs, all as described in Exhibit A. In accordance with the County's authority under Section 160A-20 of the North Carolina General Statutes, the, the County will secure its obligations under this Agreement and the Bonds by a security interest in the Pledged Facilities and the Pledged Sites (each as defined in Exhibit B).

This Agreement provides for the issuance of the bonds, the County's obligation to pay the bonds, the security for the bonds, the County's obligation to care for the collateral and other related matters.

Unless the context clearly requires otherwise, capitalized terms used in this Agreement and not otherwise defined have the meanings set forth in Exhibit B.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained in this Agreement, the parties agree as follows:

ARTICLE I

THE BONDS

Section 1.01. Provision for 2021 Bonds; Advance. (a) The County will issue, and the Trustee will authenticate and deliver, 2021 Bonds in an aggregate principal amount of [$45,000,000], consisting of two separate series as follows:

* $_____ Limited Obligation Bonds, Series 2021A (the "Series A Bonds"); and

* $_____ Taxable Limited Obligation Refunding Bonds, Series 2021B (the "Series B Bonds").

(b) The County is receiving a total of $_____ (the "Amount Advanced") from the sale of the 2021 Bonds. The County will use the Amount Advanced as provided in this Agreement to pay Project Costs.

Section 1.02. Bonds Constitute Installment Contracts. Each of the Bonds, together with the County's corresponding obligations under this Agreement and the Deed of Trust, constitutes a separate "installment contract" within the meaning of Section 160A-20 between the County and the owner of that Bond. The County's payment obligations, and its other obligations under this Agreement and with respect to the Bonds, are secured by the lien on the Mortgaged Property created under the Deed of Trust and by the other security provided for in this Agreement. The security for each Bond ranks on parity with the security for every other Bond.

Section 1.03. Form and Details; Payments. The Series A Bonds will be numbered RA-1 upward for identification, will be designated "Limited Obligation Bonds, Series 2021A," and will be in substantially the form of Exhibit B, with any changes as this Agreement permits or requires. The Series B Bonds will be numbered RB-1 upward for identification, will be designated "Taxable Limited Obligation Refunding Bonds, Series 2021B," and will be in substantially the same form as the Series A Bonds. The 2021 Bonds are payable as to interest semiannually until payment on each Payment Date at the following rates (calculated based on a 360-day year consisting of twelve 30-day months), and are payable as to principal on December 1 in the following years and amounts:

Series A Bonds

Maturity Date (December 1)	**Principal Amount ($)**	**Rate (%)**
[To come.]		

Series B Bonds

Maturity Date (December 1)	**Principal Amount ($)**	**Rate (%)**
[To come.]		

Exhibit D shows a schedule of payments due on the 2021 Bonds for each Payment Date. Upon any redemption of any 2021 Bonds, the County will recalculate the schedule of payments to reflect the redemption and will then deliver a substitute Exhibit D to the Trustee reflecting the recalculated payment schedule. The Trustee has no responsibility to confirm any recalculated payment schedule.

Section 1.04. Redemption Dates and Prices. The Bonds are subject to redemption as described in Section 2.01.

Section 1.05. Delivery of 2021 Bonds. The Trustee will authenticate and deliver the 2021 Bonds when the County has filed with or delivered to the Trustee all the following items:

(a) Original executed counterparts of this Agreement and the Deed of Trust

(b) Certified copies of County Board resolutions approving substantially final forms of this Agreement and the Deed of Trust, authorizing their execution and delivery, and approving the issuance of the 2021 Bonds

(c) Executed 2021 Bonds in the aggregate principal amounts, bearing interest at the rates, and payable as to principal and interest at the times and in the amounts as are provided in this Agreement

(d) A County Certificate directing the Trustee to authenticate and then deliver the 2021 Bonds to the person or persons named therein upon payment to the Trustee of a specified sum, and directing the Trustee as to the application of the Amount Advanced

(e) An Opinion of Bond Counsel to the effect that the issuance of the 2021 Bonds has been duly authorized by all necessary authorities

(f) Evidence that the LGC has approved the issuance of the 2021 Bonds

Section 1.06. Additional Bonds. The County may provide for Additional Bonds to be issued under this Agreement to provide funds (a) to expand or improve the Pledged Facilities, (b) to construct further improvements to the Pledged Sites, (c) to refund any Outstanding Bonds, (d) to pay financing costs or establish reserves in connection with the issuance of Additional Bonds, (e) for any other purpose that may be allowed by law from time to time, including the acquisition and construction of additional public facilities, whether or not any such facility is related to the Pledged Facilities or the Pledged Sites, or (f) for any combination of these purposes.

The Trustee will authenticate and deliver Additional Bonds when the County has filed with or delivered to it all the following items:

(i) Certified copies of County Board resolutions approving the terms and conditions under which the Additional Bonds are to be issued and authorizing the execution of amendments or supplements to the Deed of Trust (if necessary) and this Agreement providing for the issuance of the Additional Bonds

(ii) Evidence that the LGC has approved the issuance of the Bonds and the related transactions (if that approval is then required by law)

(iii) An executed copy of an amendment or supplement to this Agreement providing for the issuance of the Additional Bonds, which must set forth the payment and redemption terms of the Additional Bonds, together with other appropriate terms

(iv) An executed copy of an appropriate amendment or supplement to the Deed of Trust, if necessary to extend the security of the Deed of Trust to the

County's obligations (A) under the Trust Agreement as amended or supplemented or (B) with respect to the Additional Bonds

(v) A County Certificate directing the Trustee to authenticate and then deliver the Additional Bonds to the person or persons named therein upon payment to the Trustee of a specified sum, and directing the Trustee as to the application of proceeds from the sale of the Additional Bonds

(vi) An Opinion of Bond Counsel to the effect (A) that the issuance of the Additional Bonds is permitted under the terms of this Agreement and has been duly authorized, and (B) that the issuance of the Additional Bonds in itself will have no adverse effect on the exemption from Federal income tax with respect to any Outstanding Bonds with respect to which any such interest is intended to be exempt

(vii) Evidence of the issuance or proposed issuance of one or more lender's title insurance policies (or an appropriate endorsement to an existing policy) in favor of the Trustee and including any amendment or supplement to the Deed of Trust referenced in (iv) above as an insured instrument, if necessary to increase the aggregate face amount of insurance to equal to the total amount of Outstanding Bonds plus the principal amount of the Additional Bonds then to be issued

The Trustee is not required to authenticate and deliver any Additional Bonds if any Event of Default under this Agreement is continuing.

Simultaneously with the delivery of the Additional Bonds, the proceeds (including any accrued interest) of the Additional Bonds will be applied as provided in the certificate described in (v) above.

After the execution and delivery of any Additional Bonds, they will be "Bonds" under this Agreement and subject to all its terms and conditions, except as may be provided in the supplement to this Agreement provided for in (iii) above.

ARTICLE II

REDEMPTION

Section 2.01. Redemption Dates and Prices. The 2021 Bonds are subject to redemption only as provided in this Section.

(a) *Optional Redemption* – The 2021 Bonds maturing on or after December 1, 2032, are subject to redemption at the County's option, in whole or in part on any date on or after December 1, 2031, upon payment of the principal amount to be redeemed plus interest accrued to the redemption date, without any prepayment penalty or premium.

(b) *Mandatory Sinking Fund Redemption* -- The 2021 Bonds maturing on _____ are required to be redeemed in part prior to maturity pursuant to the terms of the sinking fund requirements of Section 2.05 at a redemption price equal to the principal amount to be redeemed plus interest accrued to the redemption date, without any prepayment penalty or premium.

The supplement to this Agreement providing for the issuance of any Additional Bonds will set out the terms and conditions for their redemption.

Section 2.02. Selection of 2021 Bonds for Redemption.

(a) If less than all the 2021 Bonds are to be redeemed pursuant to the provisions of subsection 2.01(a), they will be redeemed among maturities in any manner the County chooses. The County is not required to redeem Series A Bonds in preference to Series B Bonds, or vice versa, or to redeem Bonds ratably among Series.

(b) If less than all of the 2021 Bonds of any maturity are to be redeemed, the Trustee must select the 2021 Bonds to be redeemed by lot; provided, however, that so long as a book-entry system with DTC is used for determining beneficial ownership of 2021 Bonds, if less than all of the 2021 Bonds within a maturity are to be redeemed, the parties agree that DTC may determine which of the 2021 Bonds within the maturity are to be redeemed in accordance with DTC's then-current rules and procedures.

(c) In any case, (i) the portion of any 2021 Bond to be redeemed must be in the principal amount of $5,000 or some integral multiple thereof, and (ii) in selecting 2021 Bonds for redemption, each 2021 Bond will be considered as representing that number of 2021 Bonds which is obtained by dividing the principal amount of that 2021 Bond by $5,000. If a portion of a 2021 Bond is called for redemption, the County will prepare, and the Trustee will deliver, a new 2021 Bond of the same series in principal amount equal to the unpaid portion to the registered owner upon the surrender of the 2021 Bond.

Section 2.03. Redemption Notices. (a) The Trustee, at the County's direction, upon being satisfactorily indemnified with respect to expenses, and with at least two Business Days' notice, will send notice of redemption no less than 30 nor more than 60 days prior to the redemption date, as follows:

(i) With respect to any 2021 Bonds being called for redemption for which DTC or its nominee is the registered owner, to DTC, in whatever manner may be provided for under DTC's standard operating rules as then in effect (and if the Trustee is unable to determine those rules, by registered or certified mail, return receipt requested);

(ii) With respect to any 2021 Bonds for which no book-entry-only system of registration is in effect, to each of the registered owners of those 2021 Bonds at their addresses as shown on the Trustee's registration books, by registered or certified mail; and

(iii) In any case, both (A) to the MSRB for posting on the EMMA System and (B) to the LGC.

Notwithstanding anything to the contrary in this Agreement, the County acknowledges and agrees that the Trustee is not acting as the disclosure or dissemination agent for purposes of Rule 15c2-12 in connection with any notice to be posted with the MSRB via the EMMA System.

Failure to give any notice specified in (i) or (ii), as applicable, or any defect in that notice, will not affect the validity of any proceedings for the redemption of any 2021 Bonds with respect to which no failure has occurred. Failure to give any notice specified in (iii), or any defect in that notice, will not affect the validity of any proceedings for the redemption of any 2021 Bonds with respect to which the notice specified in (i) or (ii) is correctly given. Any notice mailed as provided in this Agreement will conclusively be presumed to have been given regardless of whether received by any Owner.

(b) Any redemption notice, except a notice given in respect of a mandatory sinking fund redemption, may state that the redemption to be effected is conditioned upon --

(i) the Trustee's receipt on or prior to the redemption date of moneys sufficient to pay the principal of and premium, if any, and interest on the 2021 Bonds to be prepaid; or

(ii) any other condition not unacceptable to the Trustee.

If a notice contains a condition and the Trustee either (A) does not receive moneys sufficient to pay the principal of and premium, if any, and interest on the 2021 Bonds on or prior to the redemption date, or (B) the stated condition is not fulfilled, as evidenced to the Trustee by a County Certificate,

in either case on or prior to the redemption date,

then redemption will not be made, and the Trustee must, within a reasonable time, give notice the same way the redemption notice was given that the moneys were not so received (or condition was not fulfilled) and the redemption was not made.

(c) Each redemption notice must specify (i) the complete designation of the 2021 Bonds to be redeemed, (ii) the CUSIP numbers of the 2021 Bonds to be redeemed, (iii) the dated dates, maturity dates and interest rates of the 2021 Bonds to be redeemed, (iv) the date fixed for redemption, (v) any conditions to the redemption, as contemplated by subsection (b) above, (vi) the principal amount of 2021 Bonds or portions of Bonds to be redeemed, (vii) the applicable redemption price, (viii) the address of the place or places of payment, (ix) the Trustee's name and telephone number, and the name of a contact person, (x) that interest accrued to the date fixed for redemption will be paid as specified in the notice, and (xi) that on and after the established redemption date interest on 2021 Bonds which have been redeemed will cease to accrue. The Trustee must also include in any redemption notice any additional information provided by the County for use in the notice.

Section 2.04. 2021 Bonds Payable on Redemption Date; Interest Ceases To Accrue. If on or before the date fixed for redemption funds are deposited with the Trustee to pay the principal of and interest accrued to the redemption date on 2021 Bonds called for redemption, the 2021 Bonds (or portions of 2021 Bonds) called for redemption cease to accrue interest from and after the redemption date. Thereafter, those 2021 Bonds (a) are no longer entitled to the benefits provided by this Agreement and (b) are not deemed to be Outstanding under this Agreement.

Section 2.05. Mandatory Sinking Fund Redemption. (a) The Trustee, from amounts received from or on behalf of the County, will redeem 2021 Bonds maturing on December 1, 20_____, on December 1 in years and amounts upon payment of 100% of the principal amount thereof plus interest accrued to the redemption date, as follows:

Year	**Amount ($)**
[To come.]	

_____
*Final maturity

(b) In addition, [provisions for a second term bond if necessary]

The Trustee shall take all appropriate action to withdraw funds from the Principal Account and make timely payment to the Owners of the Term Bonds subject to sinking fund redemption.

(b) Notwithstanding the foregoing, on or before the 70th day next preceding any sinking fund payment date, the County may do either of the following:

(i) deliver to the Trustee for cancellation Term Bonds required to be redeemed on that sinking fund payment date in any aggregate principal amount desired; or

(ii) instruct the Trustee to apply a credit against the County's sinking fund payment obligation for any Term Bonds that previously have been redeemed (other than through the operation of the sinking fund requirements) and canceled by the Trustee but not previously applied as a credit against any sinking fund payment obligation.

The Trustee will credit against the County's sinking fund payment obligation on each sinking fund payment date the amount of 2021 Bonds so purchased, delivered or previously redeemed as described in paragraphs (i) or (ii) above.

(c) Within seven days of receipt of the funds, Term Bonds or instruction to apply a credit (as described in subsection (b) above), any amounts remaining in the Principal Account in excess of the amount required to fulfill the remaining required principal and sinking fund redemption obligations on the next sinking fund payment date will, as specified in a County Certificate, either be (i) transferred to the Interest Account or (ii) used to redeem 2021 Bonds as soon as practicable. In the absence of any written direction from the County, the Trustee will deposit those amounts to the Interest Account.

ARTICLE III

FUNDS AND ACCOUNTS

Section 3.01. Creation and Use of Project Fund. The Trustee will establish a special fund designated as the "Orange County 2021 Project Fund." The Trustee will keep this Fund separate and apart from all other funds and moneys held by it, and the Trustee will hold and administer this Fund as provided in this Agreement. Moneys in the Project Fund will be expended only as described in Sections 3.02 and 3.03. The Trustee is not required to disburse any moneys from the Project Fund during the continuation of any Event of Default.

Section 3.02. Deposits to Project Fund; Payment of Project Costs.

(a) The Trustee will deposit into the Project Fund the amount specified in the certificate referenced in Section 1.05(d) and all other amounts paid to it for deposit in the Project Fund. This certificate may also direct the Trustee as to the further application of amounts in the Project Fund without any requirement for additional direction or requisition.

(b) In addition, the Trustee will disburse moneys in the Project Fund from time to time, either to pay Project Costs directly to the County or the person indicated in the requisition to pay Project Costs or to reimburse the County for previous expenditures on Project Costs, upon the Trustee's receipt of a requisition substantially in the form of Exhibit E. The County need not submit any additional information other than the requisition. The Trustee may rely conclusively on requisitions as authorization for payments, and the Trustee has no duty or responsibility to verify any matters in the requisitions.

(c) Unless otherwise directed by the County, the Trustee will disburse moneys from the Project Fund that are due to the County by wire transfer to any bank account in the United States as a County Certificate may designate from time to time. Any electronic notice to the Trustee is subject to the provisions of Section 9.02.

Section 3.03. Transfer of Unexpended Proceeds. Upon the first to occur of (a) July 1, 2024, or (b) receipt of a County Certificate stating that there are no more 2021 Project Costs to be paid from the 2021 Proceeds Fund, the Trustee will withdraw all remaining moneys in the 2021 Proceeds Fund and deposit those moneys in the Payment Fund. The Trustee will then apply those moneys to Bond payments as directed by a County Representative. In the absence of any direction from the County, the Trustee will deposit those moneys in the Interest Account and use them to pay interest on the 2021 Bonds as the same becomes due.

Section 3.04. Other Funds and Accounts. The Trustee will establish the following special funds and accounts, must keep the same separate and apart from all other funds and moneys held by it, and must hold and administer the same as provided in this Agreement:

(a) Orange County 2021 Bond Payment Fund, and therein an Interest Account, a Principal Account and a Redemption Account; and

(b) Orange County 2021 Net Proceeds Fund.

Any amendment or supplement to this Agreement providing for the issuance of Additional Bonds may create additional funds or accounts related to those Bonds.

Section 3.05. Payment Fund. (a) The Trustee must deposit in the proper account in the Payment Fund all amounts paid to it for deposit in the Payment Fund, including all amounts paid to it by the County for payments on the Bonds.

(b) The County will make payments to the Trustee sufficient in times and amounts to allow the Trustee to make full and timely payment of all Bond Payments as the same become due. The County will make the payments to the Trustee not later than the 25th day of the month preceding a Payment Date. The County will make the payments in lawful money of the United States, by wire transfer or other transfer of immediately available funds to any account in the United States as the Trustee may designate to the County from time to time.

(c) Not less than 15 days prior to each Payment Date, the Trustee must determine the amounts on deposit and available to make the payments due on that Payment Date with respect to the 2021 Bonds, whether in (i) the Interest Account or the Principal Account of the Payment Fund, or (ii) any special trust fund established pursuant to Section 11.01. The Trustee must notify the County of the available amounts not less than 10 days prior to the applicable Payment Date. The County's obligation to make payments with respect to any Payment Date is reduced by the available amounts the Trustee determines.

(d) The Trustee must pay the principal of the 2021 Bonds from the Principal Account and the interest on the 2021 Bonds from the Interest Account, as the same become due. On or before each Payment Date, the Trustee must first determine if it has on hand amounts sufficient to pay the principal and interest coming due on the Bonds on the Payment Date. Then, the Trustee must set aside an amount sufficient to pay the interest on the Bonds becoming due and payable on that Payment Date, and then an amount sufficient to pay the principal on the Bonds becoming due and payable on that Payment Date. The Trustee must then transfer on the Payment Date the amounts due to DTC as registered owner of the Bonds.

(e) If the amount on deposit in the Principal Account or the Interest Account is insufficient for its purposes two Business Days before any Payment Date, the Trustee must notify the County of the amount of the insufficiency. The Trustee must then transfer the required amounts to those Accounts from any amounts as may be available in the Redemption Account.

If the amount on deposit in the Interest Account on any Payment Date exceeds the amount payable on account of interest on the Bonds on that date, the Trustee must, as directed by a County Certificate, retain the excess in the Interest Account or transfer the excess to the Principal Account to be credited against subsequent required deposits to the Principal Account. In the absence of any direction from the County, the Trustee will retain the excess in the Interest Account.

If the amount on deposit in the Principal Account on any December 1 exceeds the amount required on that date to pay principal of Bonds coming due on that date (whether by reason of maturity or mandatory redemption), then the Trustee must, as directed by a County Certificate, retain the excess in the Principal Account or transfer the excess to the Interest Account to be credited against subsequent required deposits to the Interest Account. In the absence of any direction from the County, the Trustee will transfer the excess to the Interest Account.

(f) The Trustee must deposit in the Redemption Account of the Payment Fund all amounts paid to it for deposit in that Account, and must use those amounts within 12 months of their deposit to pay Bonds called for redemption on their redemption dates.

(g) The Trustee must apply Net Proceeds deposited in the Redemption Account pursuant to Section 5.16 to the redemption of Bonds pursuant to Section 2.01(a) as directed by a County Representative.

The Trustee must transfer any amounts not so used within 12 months of their deposit in the Redemption Account to the Interest Account for use on the next Payment Date to pay interest on the Bonds, and pending that use or in the absence of direction must invest those funds in Legal Investments having a yield not in excess of the Restricted Yield.

Subject to retaining moneys necessary to pay Bonds that have been called for redemption but not yet presented for payment, the Trustee must use amounts in the Redemption Account as directed by a County Certificate to make transfers to the Interest Account or the Principal Account to the extent the balances in those Accounts may be insufficient.

Section 3.06. Net Proceeds Fund. The Trustee must deposit in the Net Proceeds Fund (a) Net Proceeds as provided in Section 5.16 and (b) any other amounts paid to it for deposit in that fund. The County must direct the investment and reinvestment of all amounts on deposit in the Net Proceeds Fund only in Legal Investments having a yield not in excess of the Restricted Yield, to the extent those amounts are on deposit on any date following the later of (i) the third anniversary of the Closing Date or (ii) 30 days from the payment of those Net Proceeds to the County or the Trustee. The Trustee must disburse Net Proceeds for replacement or repair as provided in Section 5.16.

ARTICLE IV

SECURITY; APPROPRIATIONS; LIMITED OBLIGATION

Section 4.01. Payments on the Bonds; Additional Payments. (a) The County will make full and timely payment of all Bond Payments and Additional Payments due from the County under this Agreement, subject to the limitations of

Section 160A-20 and the terms of this Agreement, and in particular the terms of Section 4.02 and Section 4.05.

(b) The County must pay all Additional Payments on a timely basis directly to the person or entity to which the Additional Payments are owed in lawful money of the United States. If the County fails to pay any Additional Payment when due, the Trustee may (but is under no obligation to) pay the Additional Payment for the County's account. The County agrees to reimburse the Trustee for any Additional Payment made by the Trustee, together with interest on the amount paid at the annual rate of 4.00%.

(c) The County is not entitled to any abatement or reduction of the Bond Payments or Additional Payments for any reason, including, but not limited to, any defense, recoupment, setoff, counterclaim, or any claim arising out of or related to the Pledged Sites or the Pledged Facilities. The County assumes and bears the entire risk of loss and damage to the Pledged Sites and the Pledged Facilities from any cause whatsoever. The parties intend that the County must make all payments provided for in this Agreement, unless the County's obligation to make the payments has been terminated as provided in this Agreement.

Section 4.02. Appropriations. (a) The County will cause the officer who prepares the draft County budget initially submitted for County Board consideration to include in the initial proposal each year the amount of all Bond Payments and estimated Additional Payments coming due during the Fiscal Year to which the budget applies. Notwithstanding that the initial proposed budget includes an appropriation for these payments, the County Board may determine not to include the appropriation (in whole or in part) in the final County budget for any Fiscal Year, or may amend an adopted budget to reduce or delete an approved appropriation.

(b) (i) If for any Fiscal Year the County adopts an annual budget that does not appropriate (for that purpose) an amount equal to the Bond Payments and estimated Additional Payments coming due during that Fiscal Year, then the County will send notice of this failure to the Trustee and the LGC within ten days after the adoption of that budget.

(ii) If for any Fiscal Year the County has not adopted an annual budget that appropriates (for that purpose) an amount equal to the Bond Payments and estimated Additional Payments coming due during that Fiscal Year within 15 days

after the beginning of any Fiscal Year, then the County will send notice of this failure to the Trustee and the LGC within an additional ten days.

(iii) If at any time the County amends the annual budget to reduce the amounts appropriated for Bond Payments and Additional Payments below the amounts expected to be required for the remainder of that Fiscal Year, then the County will send notice of this amendment to the Trustee and the LGC within ten days after the amendment.

(iv) The County must also post a copy of any notice sent to the LGC under this Section with respect to the Bonds on the EMMA System as an event described in Section 6.03(c)(2).

Section 4.03. Deed of Trust. Coincidentally with the execution and delivery of this Agreement, the County is executing and delivering the Deed of Trust. The Deed of Trust secures the County's obligations to each of the Owners, on parity with one another.

Section 4.04. Money in funds and accounts. The County grants a security interest, to the Trustee for the benefit of the Owners, in all the funds and accounts held under this Agreement to secure the County's obligations under the Bonds and otherwise under this Agreement. This security interest secures the County's obligations to each of the Owners, on parity with one another.

Section 4.05. Limited obligation. The Bonds are payable solely from the amounts paid by the County to the Trustee for the Bond Payments, as, when and if received by the Trustee, except to the extent payable from the proceeds of the Bonds, income from investments, Net Proceeds and other funds and property pledged as provided in this Agreement, which funds are pledged as provided in this Agreement to secure payment of the Bonds.

Notwithstanding any other provision of this Agreement, the parties intend that this transaction comply with the provisions of Section 160A-20. No deficiency judgment may be entered against the County in violation of Section 160A-20.

No provision of this Agreement should be interpreted as creating a pledge of the County's faith and credit within the meaning of any constitutional debt limitation. No provision of this Agreement should be construed or interpreted as an illegal delegation of governmental powers or as an improper donation or lending of

the County's credit within the meaning of the North Carolina constitution. The County's taxing power is not and may not be pledged directly or indirectly or contingently to secure any moneys due under this Agreement.

No provision of this Agreement should be interpreted as pledging or creating a lien on any class or source of the County's moneys (other than Net Proceeds and the funds and accounts established pursuant to this Agreement as may be provided in this Agreement). No provision of this Agreement restricts the County's future issuance of any of its bonds or other obligations payable from any class or source of the County's moneys (except to the extent this Agreement, the Deed of Trust and the 2021 Bonds restrict the incurrence of additional obligations secured by the Mortgaged Property).

To the extent of any conflict between this Section and any other provision of this Agreement, this Section takes priority.

ARTICLE V

CONSTRUCTION, MAINTENANCE AND OTHER PROVISIONS RELATED TO THE PLEDGED FACILITIES

Section 5.01. Construction Contracts; Changes. (a) The County will comply with the provisions of the North Carolina General Statutes and enter into the Construction Contracts. The County will cause the construction of the Pledged Facilities to be carried on continuously in accordance with the Construction Contracts and all applicable State and local laws and regulations.

(b) The County will provide for the Pledged Facilities to be constructed on the Pledged Sites and will insure (i) that no portion of the Pledged Facilities encroaches upon nor overhangs any easement or right-of-way, (ii) that the Pledged Facilities will be wholly within any applicable building restriction lines, however established, and (iii) that the Pledged Facilities will not violate applicable use or other restrictions, whether imposed by law or rule or by prior conveyances.

(c) The County may approve changes to the Construction Contracts in its discretion except that the County may not approve any changes that (i) increase total estimated Project Costs above the amounts previously identified and designated for the payment of those costs, or (ii) result in the use of the Mortgaged

Property for purposes substantially different from the use intended as of the Closing Date.

Section 5.02. Contractors' Performance and Payment Bonds. The County shall require each contractor entering into a Construction Contract to furnish a performance bond and a separate labor and material payment bond as required by State law. The County shall provide copies of all bonds to the Trustee at the Trustee's request.

Section 5.03. Cooperation. The Trustee and the County will cooperate fully with each other in filing any claim or proof of loss with respect to any bond or insurance policy described in this Agreement.

Section 5.04. Care and Use. The County must use the Pledged Sites and the Pledged Facilities in a careful and proper manner. The County must keep the Mortgaged Property in good condition, repair, appearance and working order for the purposes intended.

Section 5.05. Utilities. The County must pay all charges for utility services furnished to or used on or in connection with the Pledged Sites and the Pledged Facilities.

Section 5.06. Risk of Loss. The County bears all risk of loss to and condemnation of the Pledged Facilities and the Pledged Sites. Upon loss, damage or condemnation of the Mortgaged Property, the County must proceed as provided in Sections 5.15 and 5.16.

Section 5.07. Trustee's Performance of County's Responsibilities. The Trustee may (but is not required to) undertake any payment or performance required of the County for the insurance, maintenance or preservation of the Mortgaged Property that is not timely paid or performed by the County. The County must then reimburse the Trustee for any payments and for any associated costs and expenses, legal or otherwise, together with interest at annual rate of 4.00%, all as Additional Payments under this Agreement.

Section 5.08. Compliance with Requirements. The County must promptly and faithfully comply with all requirements of governmental authorities relating to the use or condition of the Mortgaged Property, the violation of which would adversely affect the use, value or condition of the Mortgaged Property,

whether or not any requirement necessitates structural changes or improvements or interferes with the use or enjoyment of the Mortgaged Property (or be diligently and in good faith contesting such requirements). Unless required by applicable law or unless the Trustee has otherwise agreed in writing, the County must not use the Mortgaged Property for any purposes other than that for which the same were intended as of the Closing Date. In no event may the County use the Mortgaged Property or any part thereof, nor allow the same to be used for, any unlawful purpose or in violation of any certificate of occupancy or other permit or certificate, or any law, ordinance or regulation.

Section 5.09. Use and Operation. (a) The County represents that the acquisition and construction of the improvements to the Pledged Facilities will be useful to the County in carrying out its required public functions. The County has an immediate need for the Pledged Facilities, and the County expects to use the Pledged Facilities throughout the Contract Term.

(b) The County will be solely responsible for the operation of the Pledged Facilities and will not contract with any other person or entity for that operation. The Pledged Facilities will not be used in any private business or put to any private business use, except for such minor and occasional uses as may be consistent with their use as local government facilities and that will not cause the County to be in violation of its covenant as set forth in Section 6.01(k). The County will use and operate the Financed Facilities for their intended public purposes, and for no other purpose unless required by law.

(b) Notwithstanding the provisions of subsections (a) and (b), the parties acknowledge that the County intends to lease a portion of the Pledged Facilities that constitute public school facilities (the "School Facilities") to the School Board, or may otherwise provide for the School Board's use and operation of those School Facilities. In addition, the County and the School Board may agree that the School Board will assume some of the County's responsibilities under this Agreement, including obligations with respect to maintaining primary casualty insurance on the School Facilities. Notwithstanding any other provision of this Agreement to the contrary, the parties agree that any such lease or other arrangements between the County and the School Board will not violate any provision of this Agreement. No such lease or other arrangement, however, will in any way reduce the County's responsibilities with respect to the School Facilities under this Agreement.

In this Agreement, the "School Board" is The Board of Education for the Chapel Hill – Carrboro City Schools.

Section 5.10. Modification of Pledged Facilities; Installation of Equipment and Machinery. The County has the right to repair, maintain and remodel the Pledged Facilities or make substitutions, additions, modifications and improvements to the Pledged Facilities, at its own cost and expense; provided, however, that any substitutions, additions, modifications and improvements must not in any way damage the Pledged Facilities or result in the use of the Pledged Facilities for purposes substantially different from those initially proposed; and provided further that the Pledged Facilities, as improved or altered, upon completion of these substitutions, additions, modifications and improvements, will be of a value not materially less than the value of the Pledged Facilities immediately prior to making those substitutions, additions, modifications and improvements.

The County may also, from time to time in its sole discretion and at its own expense, install machinery, equipment and other tangible property in or on the Pledged Facilities. All that property will remain the County's sole property in which neither the Trustee nor any Bondholder will have any interest; provided, however, that any property which becomes permanently affixed to the Pledged Facilities will be subject to this Agreement and the lien and security interest arising under the Deed of Trust if the Trustee determines that the Pledged Facilities would be damaged or impaired by the removal of that machinery, equipment or other tangible property.

Section 5.11. Property Damage Insurance. (a) The County must, at its own expense, acquire, carry and maintain broad form extended coverage property damage insurance with respect to the Pledged Facilities in an amount equal to the replacement cost. This insurance must include standard mortgagee coverage in favor of the Trustee.

(b) (i) The County must maintain the insurance required by this Section with generally recognized responsible insurers and may carry reasonable deductible or risk-retention amounts. The County must provide copies of all policies to the Trustee upon request.

(ii) In the alternative, the County may maintain the insurance required by subsection (a) above (A) by one or more blanket or umbrella insurance policies or

(B) by means of an adequate self-insurance fund or risk-retention program, or by participation in a group risk pool or similar program.

(iii) If the County obtains blanket or umbrella coverage, the County must provide to the Trustee, upon the Trustee's request, a certificate or certificates of the respective insurers evidencing the coverage and, with respect to property insurance, stating the amount of coverage provided with respect to the Pledged Facilities (or any covered portion thereof). The County must provide to the Trustee such evidence as to the sufficiency of any such alternative program as the Trustee may reasonably request.

(c) Before the County adjusts or settles any property damage loss greater than $1,000,000 with respect to the Pledged Facilities, whether or not covered by insurance, the County must first notify the Trustee of the planned adjustment or settlement and the County's planned use of insurance proceeds.

(d) The Trustee is not responsible for the sufficiency or adequacy of any required insurance. The Trustee shall have no liability in accepting payment on account of any insurance or with respect to any adjustment, compromise or settlement of any loss agreed to by the County.

Section 5.12. Right of Entry and Inspection. The Trustee and its representatives and agents have the right to enter upon the Pledged Sites and inspect the Pledged Facilities at any time while any Bonds are Outstanding.

No right of inspection or approval granted in this Section imposes upon any party any duty or obligation whatsoever to undertake any inspection or to make any approval. No inspection or approval by any party imposes upon any party any duty or obligation whatsoever to identify or correct any defects in the Pledged Facilities or to notify any person with respect thereto. No inspection constitutes a warranty (either express or implied) by the Trustee as to the quality or fitness of any improvement. Any such inspection is solely for the benefit of the Trustee and the Bondholders, and not for the County's benefit.

Section 5.13. Title. Title to the Pledged Sites and the Pledged Facilities and all additions, repairs, replacements or modifications thereto will always be in the County, subject to the lien of the Deed of Trust and to the other Permitted Encumbrances.

Section 5.14. Taxes and Encumbrances. (a) If the Mortgaged Property (or any portion) is, for any reason, deemed subject to taxation, assessments or other lawful governmental charges the County will, during the Contract Term, pay (as Additional Payments) the amount of all those taxes, assessments and governmental charges. With respect to special assessments or other charges which may be lawfully paid in installments over a period of years, the County is obligated under this Agreement only to provide for the installments that are required to be paid during the Contract Term. The County must not allow any liens for taxes, assessments or governmental charges with respect to the Mortgaged Property (or any portion) to become delinquent, including any taxes levied upon the Trustee's interest in the Mortgaged Property, or on any rentals or other revenues derived from the Mortgaged Property.

(b) The County will not directly or indirectly create, incur, assume or suffer to exist any mortgage, pledge, lien, charge, encumbrance or claim on or with respect to the Mortgaged Property (or any portion), except Permitted Encumbrances. The County will promptly, at its own expense, take such action as may be appropriate to discharge any such mortgage, pledge, lien, charge, encumbrance or claim.

(c) The County may, at its own expense and in its own name, in good faith contest any taxes or other charges and encumbrances described in this section. In the event of a contest, the County may permit the charges to remain unpaid during the period of the contest and any appeal. If, however, the Trustee notifies the County that, in the opinion of independent counsel selected by the Trustee, the security afforded pursuant to this Agreement or the Deed of Trust will be materially endangered by nonpayment of any items, then the County must promptly pay those items (but the payment will not in itself constitute a waiver of the right to continue to contest the charges).

Section 5.15. Damage, Destruction or Condemnation. The County must promptly notify the Trustee if (a) the Mortgaged Property or any portion thereof is destroyed or damaged by fire or other casualty, (b) any governmental authority takes, or notifies the County of any intent to take, title to, or the temporary or permanent use of the Mortgaged Property or any portion thereof, or the estate of the County or the Trustee in the Pledged Facilities, the Pledged Sites or any portion thereof, under the power of eminent domain, (c) a material defect in the construction of the Pledged Facilities becomes apparent, or (d) title to or the use of all or any portion of the Mortgaged Property is lost by reason of a defect in title.

Each notice must describe generally the nature and extent of the damage, destruction or taking. The County must provide any additional information concerning the matter as the Trustee may reasonably request.

The County must file its claims under insurance coverages and claims for awards or payments in the nature of condemnation awards resulting from any damage, destruction or taking. The County must prosecute all its claims for awards or payments in good faith and with due diligence. Any Net Proceeds received by the County because of those claims will be used as provided in Section 5.16.

Section 5.16. Deposit and Use of Net Proceeds.

(a) If the amount of Net Proceeds received by the County from any single event or any single series of related events is less than $1,000,000, then the County has no obligation to account to the Trustee or any other person or entity with respect to the use of such Net Proceeds. The County, however, acknowledges that its use of funds may be constrained by the requirements of the Code and the County's covenants and representations in Section 6.01(k).

(b) If the amount of Net Proceeds received by the County from any single event or any single series of related events is at least $1,000,000, the County must cause the Net Proceeds to be paid to the Trustee for deposit and application as provided in this Section.

(c) The County may elect to proceed under either part (i), (ii) or (iii) of this subsection with respect to Net Proceeds deposited with the Trustee pursuant to subsection (b). The County must notify the Trustee of its election within 60 days after the date of the deposit.

(i) The County may direct the Trustee to deposit the Net Proceeds into the Redemption Account in the Bond Fund and use the Net Proceeds, together with any other available funds the County may provide in its discretion, to redeem or defease the Bonds in whole (but not in part), pursuant to Section 2.01 and Article XI, as appropriate, and as directed in a County Certificate.

(ii) If the County determines that the Net Proceeds, together with any other available funds the County may provide in its discretion, will be sufficient to repair or restore that portion of the Pledged Facilities regarding which the Net Proceeds arose, then the County may direct the deposit of the Net Proceeds to the

Net Proceeds Fund and then may apply those proceeds to repair or restoration. The County must act with due diligence and in a commercially reasonable manner to provide for the repair and restoration.

The Trustee will disburse Net Proceeds for the payment of such costs upon receipt of requisitions provided by the County and substantially in the form of Exhibit E. The Trustee may rely conclusively on requisitions as authorization for payments, and the Trustee has no duty or responsibility to verify any matters in the requisitions. The Trustee must not honor any requisition if an Event of Default is continuing.

The County will not be entitled to any reimbursement of any funds paid pursuant to this subsection, nor will the County be entitled to any postponement or diminution of its obligation to make Bond Payments because of any contribution. Any repair or replacement paid for in whole or in part out of Net Proceeds will be the County's property and will be part of the Mortgaged Property.

(iii) If the County determines that the Net Proceeds and other funds will not be sufficient for the purposes described in (i) or (ii), then the County must direct the Trustee to deposit the Net Proceeds into the Redemption Account in the Bond Fund and use the Net Proceeds to prepay or defease the Bonds in whole or in part pursuant to Section 2.01 and Article XI and as directed by a County Representative.

(d) Nothing in this Section creates an option in the County or any other party to provide for the early payment of Bonds not provided for in Article II.

ARTICLE VI

COUNTY'S WARRANTIES, REPRESENTATIONS AND COVENANTS

Section 6.01. In General. The County makes the following statements of fact, with the intent and understanding that the Trustee and the Bondholders will rely on these statements in deciding to enter into this Agreement and to purchase and hold Bonds.

(a) The County is a duly organized and validly existing political subdivision of the State. The County has all powers necessary to enter into the transactions contemplated by this Agreement and the Deed of Trust and to carry out its obligations under this Agreement.

(b) The County has duly and validly authorized, issued, executed and delivered this Agreement, the 2021 Bonds and the Deed of Trust. Assuming due authorization, execution and delivery by the other parties, this Agreement, the 2021 Bonds and the Deed of Trust constitute valid, legal and binding obligations of the County, enforceable (in the case of the Deed of Trust, by the Deed of Trust Trustee and the Trustee) in accordance with their respective terms, subject to bankruptcy, insolvency and other similar laws affecting the enforcement of creditors' rights generally and applicable principles of equity.

(c) The County requires no further approval or consent from any governmental authority with respect to the County's entering into or performing under this Agreement or the Deed of Trust.

(d) There is no action, suit or proceeding at law or in equity before or by any court, public board or body pending or, to the best of the County's knowledge, threatened, against or affecting the County (or any official thereof in an official capacity) (i) challenging the validity or enforceability of the Trust Agreement or the 2021 Bonds, or seeking to restrain or enjoin the issuance or delivery of the Bonds, or (ii) challenging (A) the County's organization or existence, (B) the County's issuance of the Bonds, or (C) the title to office of any County Board member or other County officer, or (iii) that otherwise would be likely (if decided adversely to the County) to have a material adverse effect on the County's ability to provide for timely payment of the Bonds.

(e) The County's performance of its obligations under the Bonds, this Agreement and the Deed of Trust, and compliance with their respective provisions, under the contemplated circumstances, does not and will not in any material respect constitute on the County's part a breach of or default under, or result in the creation of any material lien or other encumbrance on any County property (except as contemplated in such instruments) pursuant to, any agreement or other instrument to which the County is a party, or any existing law, regulation, court order or consent decree to which the County is subject.

(f) No County representation, covenant or warranty in this Agreement is false or misleading in any material respect.

(g) The County is vested with fee simple title to the Pledged Sites. There are no liens or encumbrances on the Pledged Facilities or the Pledged Sites other than the existing encumbrances, as shown on Exhibit C to the Deed of Trust.

(h) The County Board resolutions relating to the County's execution and delivery of this Agreement, the 2021 Bonds, the Deed of Trust and the transactions contemplated by those instruments have been duly adopted, are in full force and effect, and have not been in any respect modified, revoked or rescinded.

(i) The County believes funds will be available to satisfy all its obligations under this Agreement.

(j) The Pledged Facilities have been designed and will be constructed to comply with all applicable subdivision, building and zoning ordinances and regulations, and all applicable federal and State standards and requirements relating to the Pledged Facilities.

(k) The County will not take or permit, or omit to take or cause to be taken, any action that would cause the Series A Bonds to be "arbitrage bonds" or "private activity bonds" within the meaning of the Code. If the County does take or permit, or take or cause to be taken, any such action, or omit to take or cause to be taken, the County must take (or cause to be taken) all lawful actions within its power reasonably necessary to rescind or correct such actions or omissions promptly upon having knowledge of the effect of such actions.

Section 6.02. County's Undertakings as to Environmental Matters. The County makes the following statements of fact, with the intent and understanding that the Trustee and the Bondholders will rely on these statements in deciding to enter into this Agreement and to purchase and own Bonds.

(a) The County has no knowledge (i) that any industrial use has been made of the Mortgaged Property, (ii) that the Mortgaged Property has been used for the storage, treatment or disposal of chemicals or any Hazardous Materials, (iii) that any manufacturing, landfilling or chemical production has occurred on the Mortgaged Property, or (iv) that there is any asbestos or other contaminant on, in or under the Mortgaged Property.

(b) To the County's knowledge, the Mortgaged Property complies with all federal, State and local environmental laws and regulations. The County will keep

the Mortgaged Property, and the activities at the Mortgaged Property, in compliance with all environmental laws, rules, and regulations. The County will, in a timely manner, take all lawful action necessary to maintain compliance or to remedy any lack of compliance.

(c) The County will use and maintain Hazardous Materials on the Mortgaged Property only for the routine maintenance and operation of the Mortgaged Property. The County will maintain these Hazardous Materials only in appropriate quantities for these purposes, and will use them only in substantial compliance with label instructions and all State and federal environmental laws, rules and regulations. The County will not use the Mortgaged Property (A) for the manufacture, transport, process, storage, treatment or disposal of any Hazardous Materials or (B) for any industrial, manufacturing or landfilling use or for any chemical production.

(d) The County will promptly send to the Trustee, upon the Trustee's request, copies of any citations, orders, notices or other material governmental or other communication received with respect to any Hazardous Materials.

For the purposes of this Section, "Hazardous Materials" means any chemicals, materials, substances, wastes or other substances that are classified and regulated by any by federal, State or local laws as hazardous or toxic substances that exist on or affect the Mortgaged Property.

Section 6.03. County's Undertaking for Continuing Disclosure. The County undertakes, for the benefit of the beneficial owners of the Bonds, to provide the following items and information to the MSRB:

(a) by not later than seven months from the end of each of the County's Fiscal Years, beginning with the Fiscal Year that ends June 30, 2021, audited County financial statements for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements are not available by seven months from the end of any fiscal year, unaudited County financial statements for such fiscal year, to be replaced subsequently by audited County financial statements to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each of the County's Fiscal Years, beginning with the Fiscal Year that ends June 30, 2021, the financial and statistical data as of a date not earlier than the end of the preceding fiscal year (which data will be prepared at least annually, will specify the date as to which such information was prepared and will be delivered with any subsequent material events notices specified in subparagraph (c) below) for the type of information included in Appendix A to the final Official Statement relating to the 2021 Bonds under the captions _____ (excluding any information on overlapping or underlying debt) to the extent such items are not included in the audited financial statements referred to in (a) above;

(c) in a timely manner, not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the 2021 Bonds:

(1) principal and interest payment delinquencies;

(2) non-payment related defaults, if material;

(3) unscheduled draws on debt service reserves reflecting financial difficulties;

(4) unscheduled draws on any credit enhancements reflecting financial difficulties;

(5) substitution of credit or liquidity providers, or their failure to perform;

(6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the 2021 Bonds, or other material events affecting the tax status of the 2021 Bonds;

(7) modifications to rights of the beneficial owners of the 2021 Bonds, if material;

(8) calls for redemption of 2021 Bonds (other than calls pursuant to sinking fund redemption), if material, and tender offers;

(9) defeasances;

(10) release, substitution or sale of any property securing repayment of the 2021 Bonds, if material;

(11) rating changes;

(12) bankruptcy, insolvency, receivership or similar proceedings related to the County, the Trustee or any other person or entity that may at any time become legally obligated to make Bond Payments (collectively, the "Obligated Persons");

(13) The consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

(15) Incurrence of a financial obligation (as defined below) of the County, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the County, any of which affect Bondholders, if material; and

(16) Default, event of acceleration, termination event, modification of terms or other similar events under the terms of a financial obligation of the County, any of which reflect financial difficulties; and

(d) in a timely manner, not in excess of ten Business Days after the occurrence of the failure, notice of a failure of the County to provide required annual financial information described in (a) or (b) above on or before the date specified.

"Financial obligation" means (a) a debt obligation, (b) a derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation, or (c) a guarantee of an obligation described in either clause (a) or (b). The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB

consistent with Rule 15c2-12 of the Securities and Exchange Commission promulgated under the Securities Exchange Act of 1934, as amended.

As used above, the "final Official Statement" means the Official Statement dated June _____, 2021, that the County has approved and authorized for use in connection with the offering and sale of the 2021 Bonds.

For the purposes of the events identified in subparagraph (c)(12) above, the event is considered to occur when any of the following occurs: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

If the County fails to comply with the undertaking described above, the Trustee may take action to protect and enforce the rights of all the beneficial owners of the 2021 Bonds with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking will not be an Event of Default and will not result in any acceleration of payment of the 2021 Bonds. All actions will be instituted, had and maintained in the manner provided in this paragraph for the benefit of all beneficial owners of the 2021 Bonds.

The County must provide the documents and other information referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The County may discharge its undertaking as set forth in this Section by providing such information in any manner that the United States Securities and Exchange Commission subsequently authorizes in lieu of the manner described above.

The County reserves the right to modify from time to time the information to be provided, or the presentation of the information to be provided, to the extent necessary or appropriate in the County's judgment, provided that:

(A) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the County;

(B) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 as of the date of the final Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(C) any such modification does not materially impair the interests of the beneficial owners, as determined by the Trustee, by Bond Counsel, or by the approving vote of the Majority Owners pursuant to the terms of this Agreement, as it may be amended from time to time, at the time of the amendment.

Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section will terminate upon payment, or provision having been made for payment, in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all the Bonds.

ARTICLE VII

INDEMNIFICATION

To the extent permitted by law, the County will indemnify, protect and save

(a) the LGC and its members and employees, and

(b) the Trustee and its officers, directors, agents and employees,

in all cases harmless from all liability and losses, including expenses and legal fees, expenses and costs, arising out of, connected with, or resulting directly or indirectly

(A) from the condition or use of the Mortgaged Property or the transactions contemplated by this Agreement; or

(B) as a result of any warranty or representation made by the County in Section 6.02 being false or untrue in any material respect, or any requirement under any law or regulation which requires the elimination or removal of any hazardous materials, substances, wastes or other environmentally regulated substances by the Trustee, the County or any transferee or assignee of the County or the Trustee.

The County has no obligation to indemnify any indemnified party for the gross negligence or intentional misconduct of the indemnified party or any of its employees or representatives. The County's obligation to provide indemnification under this Article continues even after the payment in full of all the County's obligations under this Agreement. The County's obligation extends to any Trustee even after the removal or resignation of that Trustee. The parties intend that the LGC is a third-party beneficiary of the County's obligations under this Article VII.

ARTICLE VIII

DISCLAIMER OF WARRANTIES

The County acknowledges that the Trustee has not designed the Pledged Facilities, that the Trustee has not supplied any plans or specifications with respect thereto and that the Trustee

(a) is not a manufacturer of, nor a dealer in, any of the component parts of the Financed Facilities or similar facilities,

(b) has not made any recommendation, given any advice nor taken any other action with respect to (i) the choice of any supplier, vendor or designer of, or any other contractor with respect to, the Financed Facilities or any component part thereof or any property or rights relating thereto, or (ii) any action taken or to be taken with respect to the Financed Facilities or any component part thereof or any property or rights relating thereto at any stage of the construction thereof,

(c) has not at any time had physical possession of the Financed Facilities, the sites on which those facilities are or will be established, or any component part

thereof or made any inspection thereof or any property or rights relating thereto, and

(d) has not made any warranty or other representation, express or implied, that the Financed Facilities or any component part thereof or any property or rights relating thereto (i) will not result in or cause injury or damage to persons or property, (ii) has been or will be properly designed or will accomplish the results which the County intends therefor, or (iii) is safe in any manner or respect.

THE TRUSTEE MAKES NO EXPRESS OR IMPLIED WARRANTY OR REPRESENTATION OF ANY KIND WHATSOEVER WITH RESPECT TO THE FINANCED FACILITIES OR ANY COMPONENT PART THEREOF, INCLUDING BUT NOT LIMITED TO ANY WARRANTY OR REPRESENTATION WITH RESPECT TO THE MERCHANTABILITY OR THE FITNESS OR SUITABILITY THEREOF FOR ANY PURPOSE, and further including the design or condition thereof; the safety, workmanship, quality or capacity thereof; compliance thereof with the requirements of any law, rule, specification or contract pertaining thereto; any latent defect; the ability of the Financed Facilities to perform any function; or any other characteristic of the Financed Facilities. The County bears all risks relating to the Financed Facilities or the transactions contemplated by this Agreement or by the Deed of Trust, and the County waives the benefits of all implied warranties and representations of the Trustee.

The provisions of this Article continue in effect even if the Contract Term has expired, and continue to apply with respect to any particular Trustee even after the removal or resignation of that Trustee.

ARTICLE IX

THE TRUSTEE

Section 9.01. Rights and Duties. (a) If an Event of Default is continuing, the Trustee must exercise its rights and powers and use the same degree of care and skill in their exercise as a prudent person would exercise or use under the circumstances in the conduct of that person's own affairs.

(b) Except during the continuation of an Event of Default:

(i) the Trustee need perform only those duties that are specifically set forth in this Agreement and no other, and no implied covenants or obligations shall be read into this Agreement against the Trustee;

(ii) in the absence of bad faith on its part, the Trustee may conclusively rely, as to the truth of the statements and the correctness of the opinions expressed, upon certificates, opinions or other writings furnished to the Trustee and conforming to the requirements of this Agreement which the Trustee actually and in good faith believes to be genuine and to have been signed or presented by the proper person.

(c) The Trustee is not relieved from liability for its own negligent action, its own grossly negligent failure to act or its own willful misconduct, except that:

(i) this paragraph does not limit the effect of subsection (a) above;

(ii) the Trustee will not be liable with respect to any action it takes or omits to take in good faith in accordance with a direction received by it pursuant to Section 10.05; and

(iii) the Trustee will not be liable with respect to any information contained in any offering documents (except to the extent of information about the Trustee provided by the Trustee specifically for inclusion in that offering document). The Trustee has no responsibility for compliance with any state or federal securities laws in connection with the Bonds.

(d) Every provision of this Agreement that in any way relates to the Trustee is subject to all the provisions of this Section 9.01.

(e) Not later than August 1 of each year, the Trustee will notify the LGC and the County of the principal amount of Bonds Outstanding as of the preceding June 30, with a breakdown of Bonds by series.

(f) No provision of this Agreement requires the Trustee to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties or in the exercise of any of its rights or powers, unless it receives indemnity satisfactory to it against any loss, liability or expense, except that the Trustee may not require indemnity as a condition to declaring the principal and

interest with respect to the Bonds to be due immediately under Section 10.02. No permissive right of the Trustee should be construed as a duty.

(g) The Trustee is not liable for interest on any cash held by it except as the Trustee may agree with the County in writing.

(h) If a Default is continuing and is known to the Trustee, then the Trustee must notify the Owners and the LGC within 15 days after the Default becomes known to the Trustee. The Trustee, however, will only be deemed to have knowledge of (i) defaults in payment as described in Sections 10.01(a) and (b) and (ii) defaults with respect to which the Trustee has received written notice, describing the default, from any interested party.

(i) The Trustee may consult with counsel and is not liable for any action it takes or omits to take in good faith in reliance on advice from counsel as to legal matters, including but not limited to interpretation of this Agreement.

(j) Notwithstanding anything in this Agreement to the contrary, the Trustee and its agents have the right to require additional evidence, certificates or opinions of counsel as to legal matters as the Trustee may deem appropriate to establish the County's right to the withdrawal of any funds held under this Agreement or to require the Trustee's taking of any other action under this Agreement.

(k) The Trustee must keep complete and accurate records of all moneys received and disbursed by it under this Agreement. These records must be available for inspection by the County and any Owner, or any of their agents, at any time during regular business hours upon reasonable prior notice to the Trustee.

(l) In any judicial proceeding to which the County is a party and which in the Trustee's opinion has a substantial bearing on the interests of Owners, the Trustee may intervene on the Owners' behalf, and must do so if requested in writing by the Majority Owners, provided that the Trustee has received the indemnity provided for in subsection (f) above.

(m) The Trustee may act through agents or co-trustees.

(n) The Trustee has no duty to inspect or oversee the construction or completion of any property to be acquired, constructed or improved using Bond proceeds.

(o) The Trustee shall not be responsible or liable for any failure or delay in the performance of its obligations under this Agreement arising out of or caused, directly or indirectly, by circumstances beyond its reasonable control, including, without limitation, acts of God; falling space debris; earthquakes; fire; flood; hurricanes or other storms; wars; terrorism; similar military disturbances; sabotage; epidemic; pandemic; riots; interruptions, loss or malfunctions of utilities, computer (hardware or software) or communications services, in all cases not specific to the Trustee; accidents; acts of civil or military authority or governmental action; it being understood that the Trustee shall in all cases use commercially reasonable efforts which are consistent with accepted practices in the banking industry to resume performance as soon as reasonably practicable under the circumstances.

(p) The Trustee may rely on, and need only rely on, notices and instructions provided by the County in the form of a County Certificate.

(q) The Trustee shall not be responsible or liable for the environmental condition or any contamination of any property which secures the Bonds or is owned or leased by the County or for any diminution in value of any such property as a result of any contamination of the property by any hazardous substance, hazardous material, pollutant or contaminant. The Trustee shall not be liable for any claims by or on behalf of the County or any other person or entity arising from contamination of the property by any hazardous substance, hazardous material, pollutant or contaminant, and shall have no duty or obligation to assess the environmental condition of any such property or with respect to compliance of any such property under state or federal laws pertaining to the transport, storage, treatment or disposal of, hazardous substances, hazardous materials, pollutants, or contaminants or regulations, permits or licenses issued under such laws.

Section 9.02. Communication with the Trustee. The Trustee may accept and act upon instructions, including funds transfer instructions ("Instructions") given pursuant to this Agreement and delivered using Electronic Means. If the County elects to give the Trustee Instructions using Electronic Means and the Trustee in its discretion elects to act upon those Instructions, the Trustee's understanding of the Instructions controls.

The County understands and agrees that the Trustee cannot determine the identity of the actual sender of Instructions and that the Trustee may conclusively presume that Instructions that purport to have been sent by a County Representative have in fact been sent by that County Representative. The County is responsible for ensuring that only County Representatives transmit Instructions to the Trustee, and the County is solely responsible to safeguard the use and confidentiality of applicable user and authorization codes, passwords and authentication keys. The Trustee is not liable for any losses, costs or expenses arising directly or indirectly from the Trustee's reliance upon and compliance with Instructions that purport to have been sent by a County Representative, notwithstanding that an Instruction may conflict with or be inconsistent with another Instruction received after the Trustee's action.

The County agrees: (a) to assume all risks arising out of the use of Electronic Means to submit Instructions to the Trustee, including without limitation the risk of the Trustee's acting on unauthorized Instructions that purport to be sent by an County Representative, and the risk of interception and misuse by third parties; (b) that it is fully informed of the protections and risks associated with the various methods of transmitting Instructions to the Trustee and that there may be more secure methods of transmitting Instructions than the method(s) selected by the County; (c) that the security procedures (if any) to be followed in connection with its transmission of Instructions provide to it a commercially reasonable degree of protection in light of its particular needs and circumstances; and (d) to notify the Trustee immediately upon learning of any compromise or unauthorized use of the security procedures.

In this Agreement, "Electronic Means" means electronic mail, facsimile transmission or similar methods. Voice communication and delivery of signed paper documents are not "Electronic Means."

Section 9.03. Trustee's Individual Rights. The Trustee in its individual or any other capacity may become the Owner or pledgee of Bonds and may otherwise deal with the County or its affiliates with the same rights it would have if it were not Trustee.

Section 9.04. Disclaimer. The Trustee makes no representation as to the validity or adequacy of this Agreement or the Bonds, and the Trustee is not accountable for the County's use of the proceeds of the Bonds.

Section 9.05. Eligibility. The County must maintain a trustee for this Agreement. No corporation may be appointed or serve as Trustee unless (a) it is approved by the LGC for service as Trustee under this Agreement, (b) it is a corporation organized and doing business under the laws of the United States or any state or the District of Columbia, is authorized under such laws and the laws of the State to exercise corporate trust powers, and is subject to supervision or examination by the United States, any state or the District of Columbia, and (c) it has a combined capital and surplus of at least $100,000,000 as set forth in its most recent published annual report of condition.

Section 9.06. Resignation; Removal; Replacement. The Trustee may resign at any time by delivering notice of its resignation to the County at least 30 days prior to the effective date of the resignation. The County may remove the Trustee at any time by delivering notice of the removal to the removed Trustee at least 30 days prior to the effective date of the removal, but the County may remove the Trustee only if no Event of Default is continuing at the time the County sends the notice. The Majority Owners may remove the Trustee at any time by delivering notice of the removal to the County and the removed Trustee at least 30 days prior to the effective date of the removal and may at the same time (or at any time during the 30-day notice period) appoint a new Trustee by notice to the County and the removed Trustee.

If the Trustee resigns or is removed or if a vacancy otherwise exists in the office of Trustee for any reason, the County must promptly appoint a successor Trustee (except when that right is exercised by the Majority Owners as described in the preceding paragraph).

A successor Trustee must deliver a written acceptance of its appointment to the retiring Trustee and to the County. Immediately upon receipt of the acceptance, the retiring Trustee must transfer all property held by it as trustee to the successor Trustee; only then will the resignation or removal of the retiring Trustee become effective. The successor Trustee has all the rights, powers and duties of the Trustee under this Agreement.

If the Trustee fails to meet the requirements of Section 9.05, any Owner may petition any court for the removal of the Trustee and the appointment of a successor Trustee.

If a successor Trustee does not take office within 60 days after the retiring Trustee resigns or is removed, then the retiring Trustee, the County or the Majority Owners may petition any court for the appointment of a successor Trustee.

Section 9.07. Successor Trustee by Merger. If the Trustee consolidates with, merges or converts into, or transfers all or substantially all its assets (or, in the case of a bank or trust company, its corporate trust assets) to another corporation, then the resulting, surviving or transferee corporation without any further act will be the successor Trustee.

Section 9.08. Consent to Jurisdiction and Venue. The Trustee consents to jurisdiction in the State of North Carolina and venue in Orange County for any lawsuit arising from the Trust Agreement or the Bonds, or from the related transactions contemplated by the Trust Agreement or the Bonds.

ARTICLE X

DEFAULTS; REMEDIES

Section 10.01. Events of Default. An "Event of Default" is any of the following:

(a) Default in the payment of the principal of any Bond when the same becomes due and payable, whether at the stated maturity of the Bond or upon proceedings for mandatory (but not optional) redemption.

(b) Default in the payment of any interest on any Bond when the same becomes due and payable.

(c) The occurrence of an Event of Nonappropriation.

(d) The County breaches or fails to perform or observe any term, condition or covenant of this Agreement, the Bonds or the Deed of Trust on its part to be observed or performed, other than as referred to in the preceding subsections, including payment of any Additional Payment, for a period of 90 days after written notice specifying the failure and requesting that it be remedied has been given to the County by any person or entity, unless the Trustee agrees in writing to an extension of the 90-day period prior to its expiration; provided, however, that if the failure stated in the notice cannot reasonably be corrected within the notice period and the

County institutes corrective action within the notice period, no Event of Default will be deemed to have occurred so long as the County diligently pursues remedial action.

(e) Any warranty, representation or statement made by the County in this Agreement, the Bonds or in the Deed of Trust is found to be incorrect or misleading in any material respect as of the Closing Date.

(f) Any lien, charge or encumbrance (other than Permitted Encumbrances) prior to or affecting the validity of the Deed of Trust is found to exist, or proceedings are instituted to enforce any lien, charge or encumbrance against the Mortgaged Property and such lien, charge or encumbrance would be prior to the lien of the Deed of Trust.

Section 10.02. Acceleration. If any Event of Default is continuing, then (a) the Trustee, by notice to the County, or (b) the Majority Owners, by notice to the County and the Trustee, may declare the principal of and accrued interest with respect to the Bonds to be due and payable immediately, and such principal and interest will thereupon become and be immediately due and payable. The Trustee must immediately give notice of any acceleration to all Owners. The Trustee may rescind an acceleration and its consequences if all existing Events of Default have been cured or waived, if the rescission would not conflict with any judgment or decree.

Section 10.03. Other Remedies. If an Event of Default is continuing, the Trustee may pursue any remedy at law or in equity to collect the principal or interest with respect to the Bonds or to enforce the performance of any provision of this Agreement, the Bonds, or the Deed of Trust, including by foreclosure on the Mortgaged Property.

The Trustee may maintain a proceeding even if it does not possess any of the Bonds or does not produce any of them in the proceeding. A delay or omission by the Trustee or any Owner in exercising any right or remedy accruing upon an Event of Default does not impair the right or remedy or constitute a waiver of or acquiescence in the Event of Default. No remedy is exclusive of any other remedy. All available remedies are cumulative.

Section 10.04. Waiver of Past Defaults. The Majority Owners, by notice to the Trustee, may waive an existing Event of Default and its consequences. When an

Event of Default is waived, it is cured and stops continuing, but no waiver extends to any subsequent or other Event of Default or impairs any right consequent to it.

Section 10.05. Majority's Control. The Majority Owners, upon satisfactory indemnification of the Trustee, may direct the time, method and place of conducting any proceeding for any remedy available to the Trustee or of exercising any trust or power conferred on it. The Trustee, however, may refuse to follow any direction that it reasonably believes conflicts with law or this Agreement or, subject to Section 9.01, that the Trustee determines is unduly prejudicial to the rights of other Owners or would involve the Trustee in personal liability.

Section 10.06. Limitation on Suits. An Owner may not pursue any remedy with respect to this Agreement or the Bonds (except as provided in Section 10.07) unless (a) the Owner gives the Trustee notice stating that an Event of Default is continuing, (b) the Majority Owners make a written request to the Trustee to pursue the remedy, (c) that Owner or Owners offer to the Trustee indemnity satisfactory to the Trustee against any loss, liability or expense, and (d) the Trustee does not comply with the request within 60 days after receipt of the request and the offer of indemnity.

An Owner may not use this Agreement to prejudice the rights of another Owner or to obtain a preference or priority over the other Owners.

Section 10.07. Rights To Receive Payment. This Agreement preserves the right of any Owner to receive payment of principal, premium, if any, and interest on a Bond, on or after the due dates expressed in the Bond, or to sue for the enforcement of any such payment on or after such dates. These rights of an Owner may not be impaired or affected without that Owner's consent.

Section 10.08. Collection Suit by Trustee. If an Event of Default occurs and is continuing, the Trustee may recover judgment in its own name and as trustee of an express trust against the County for the whole amount remaining unpaid.

Section 10.09. Trustee May File Proofs of Claim. (a) The Trustee may file proofs of claim and other papers or documents as may be necessary or advisable to have the claims of the Trustee and the Owners allowed in any judicial proceedings relative to the County, its creditors or its property. Unless prohibited by law or applicable regulations, may vote on behalf of the Owners in any election of a trustee in bankruptcy or other person performing similar functions.

(b) If the Trustee incurs expenses or renders services in any proceedings resulting from any Default or Event of Default, the parties intend that the expenses incurred and compensation for services rendered will constitute expenses of administration under the United States Bankruptcy Code or any similar state or federal law.

Section 10.10. Priorities. If the Trustee collects any money pursuant to this Article, it must deposit that money in a special account in the Payment Fund and pay out that money in the following order:

(a) If the principal of all Bonds has not become or will not be declared due and payable, all the moneys in the Payment Fund will be applied as follows and in the following order:

First, Costs and Expenses: to the payment of the costs and expenses of the Trustee and of the Owners in declaring the Event of Default and pursuing remedies under this Agreement, including reasonable compensation to its or their agents, attorneys and counsel.

Second, Interest: to the payment to the persons entitled thereto of all installments of interest then due in the order of the maturity of the installments, beginning with the earliest unpaid installment. If the amount available is not sufficient to pay in full any installment or installments coming due on the same date, then to the payment thereof ratably, according to the amounts due thereon, to the persons entitled thereto, without any discrimination or preference.

Third, Principal: to the payment to the persons entitled thereto of the unpaid principal on any Bonds which have become due, whether at maturity or by call for redemption, in the order of their due dates, beginning with the earliest unpaid installment, with interest on the overdue principal at a rate equal to the rate paid on the Bonds. If the amount available is not sufficient to pay in full all the amounts due on the Bonds on any date, together with the required interest, then to the payment thereof ratably, according to the amounts of principal due on that date to the persons entitled thereto, without any discrimination or preference.

(b) If the principal of all Bonds has become or has been declared due and payable, all the money will be applied (i) first to pay the fees and expenses as described in subsection (a), and then (ii) to pay the principal and interest then due

on the Bonds, without preference or priority of principal or interest, or of any installment of interest over any other installment of interest, or of any Bond over any other Bond, ratably according to the amounts due respectively for principal and interest, in each of these cases to the persons entitled thereto without any discrimination or privilege.

The Trustee may fix the date for any payment to Owners under this Section.

Section 10.11. Undertaking for Costs. In any suit for the enforcement of any right or remedy under this Agreement or in any suit against the Trustee for any action taken or omitted by it as Trustee, a court in its discretion may require the filing by any party of an undertaking to pay the costs of the suit, and the court in its discretion may assess reasonable costs, including reasonable legal fees, against any party, having due regard to the merits and good faith of the claims or defenses made by the party. This Section does not apply to a suit by the Trustee or any authorized suit by any Owner.

ARTICLE XI

DISCHARGE OF TRUST AGREEMENT

Section 11.01. Bonds Deemed Paid; Discharge of Trust Agreement. Any Bond will be deemed paid for all purposes of this Agreement when (a) payment of the principal, premium, if any, and interest on that Bond to the due date of those amounts (whether at maturity, upon redemption or otherwise) either (i) has been made in accordance with the terms of the Bonds or (ii) has been provided for by irrevocably depositing with the Trustee or other fiduciary in escrow (A) cash sufficient to make the payments or (B) Federal Securities maturing as to principal and interest in such amounts and at such times as will ensure, without reinvestment, the availability of sufficient moneys to make those payments and which are not subject to redemption or purchase prior to maturity at the option of anyone other than the holder, and (b) all compensation and expenses of the Trustee have been paid or provided for to the Trustee's satisfaction.

The sufficiency of the deposit referenced above must be evidenced or verified by a certificate or other writing, in form and substance satisfactory to the Trustee, of a person or entity experienced in making these calculations as the County may select.

When a Bond is deemed paid as a result of a deposit as provided under (ii) above, it is no longer secured by or entitled to the benefits of this Agreement, and all rights to payment of those Bonds are limited to payment from the moneys or Federal Securities that have been deposited. Those Bonds, however, may still be transferred, exchanged, registered or replaced as provided in Article XIV, and still represent installment contracts and obligations of the County payable from that special fund.

Notwithstanding the foregoing, the County may make no deposit under clause (a)(ii) above until the County has furnished the Trustee an Opinion of Bond Counsel to the effect that the deposit of cash or Federal Securities will not cause the Bonds to become "arbitrage bonds" within the meaning of the Code if the interest on those Bonds is intended to be not included in gross income for federal income tax purposes. Also, if a Bond is to be prepaid prior to maturity, notice of redemption of the Bond must be given in accordance with this Agreement or any supplement or amendment for the deposit to be deemed a payment of that Bond. If the Bond, however, is not to be paid or prepaid within the next 60 days following the deposit date, the County must give the Trustee, in form satisfactory to the Trustee, irrevocable written instructions as follows:

(A) to provide notice to the Bondholders, as soon as practicable, that the County has made the deposit required by (a)(ii) above and that the Bond is deemed to be paid under this Article, and further stating the maturity or redemption date upon which moneys are to be available for the payment of the principal with respect to the Bond, and

(B) to give notice of redemption not less than 30 nor more than 60 days prior to the redemption date for that Bond as provided in this Agreement or any supplement or amendment.

When all Outstanding Bonds are deemed paid under this Section, the Trustee must, upon the County’s request, acknowledge the discharge of the lien of this Agreement and repay any excess amounts remaining on deposit in the Funds established under this Agreement to the County.

The County agrees that no deposit must be made or accepted, and no use made of any deposit, that would cause any Bonds to be treated as "arbitrage bonds" within the meaning of the Code if the interest on that Bond is intended to be not included in gross income for federal income tax purposes.

Section 11.02. Application of Trust Money. The Trustee must hold in trust money or Federal Securities deposited with it pursuant to Section 11.01 and must apply the deposited money and the money paid with respect to the Federal Securities in accordance with this Agreement only to the payment of principal, interest and any applicable redemption premium with respect to the affected Bonds.

ARTICLE XII

INVESTMENT OF MONEYS IN FUNDS

Section 12.01. Investments Authorized.

(a) Subject to the further provisions of this Article XII, the Trustee must invest and reinvest moneys held by it under this Agreement upon the County's written direction in Investment Obligations that are Legal Investments. All investments, if registrable, must be registered in the name of the Trustee or its assignee for the benefit of the Owners and held by the Trustee. If the County does not provide the Trustee with written direction as to any investment or reinvestment of moneys held under this Agreement, the Trustee will invest or reinvest those moneys in the North Carolina Capital Management Trust (or its successor).

(b) The Trustee may purchase or sell, to itself or to any affiliate, as principal or agent, any investments of funds held under this Agreement. The Trustee may act as purchaser or agent in the making or disposing of any investment, may make any investment through its bond or investment department or those of its affiliates, and may charge its ordinary and customary fees for those transactions.

(c) The Trustee is not responsible or liable for any loss suffered in connection with any investment of funds made in accordance with this Section. The Trustee may conclusively rely on the County's investment directions as to both the suitability and legality of any investment made at the County's direction, and therefore the Trustee has no obligation or responsibility with respect to whether any particular investment is a Legal Investment or an Investment Obligation within the meaning of this Agreement.

(d) The County must direct the investment and reinvestment of all moneys in Investment Obligations having maturities not extending beyond the date on

which the County estimates those moneys are to be needed for their intended purposes. Investments will be considered as maturing on the date on which they are redeemable without penalty at the holder's option or the date on which the Trustee may require their repurchase without penalty pursuant to a repurchase agreement.

Section 12.02. Held in Trust. The moneys and investments held by the Trustee under this Agreement are irrevocably held in trust for the benefit of the Owners, and those moneys, and any income or interest earned thereon, must be expended only as provided in this Agreement. To the extent permitted by law, those moneys and investments will not be subject to levy or attachment or lien by or for the benefit of any creditor of the Trustee or the County, other than the Owners.

Section 12.03. Investments Part of Fund. Any income, profit or loss on the investment of moneys held by the Trustee under this Agreement must be credited to the respective fund to which those moneys are credited, except as otherwise provided in this Agreement.

Section 12.04. Accounting. The Trustee must furnish to the County, not less frequently than monthly, an accounting of all investments made by the Trustee in all funds and accounts held by the Trustee. These accountings may be supplied in the form of the Trustee's customary statements. The Trustee must keep accurate records of all funds administered by it and of all Bonds paid and discharged. Although the County recognizes that it may obtain a broker confirmation or written statement containing comparable information at no additional cost, the County agrees that the Trustee is not required to issue broker confirmations of investments for any month for which the Trustee delivers a monthly statement.

Section 12.05. Valuation. To determine the amount on deposit in any Fund or Account held under this Agreement, the Trustee must value any investment credited to a Fund or Account at its market value. The Trustee must make these valuations annually as of each June 30, beginning June 30, 2021, and at such additional times as this Agreement may require or as the County may request. The County may not make more than one request in a calendar month.

Section 12.06. Disposition. The Trustee must sell, or present for redemption, and reduce to cash any investment in a Fund or Account whenever the cash balance in the Fund or Account is insufficient for its purposes.

Section 12.07. Commingling of Moneys in Funds. The Trustee must separately account for all Funds and Accounts held by it under this Agreement. With the County's approval, however, the Trustee may commingle for investment purposes any funds held under this Agreement with any other funds.

Section 12.08. Information Concerning Investments. The Trustee must establish and maintain written records regarding investments made under this Article XII and must supply the information to the County at its request. The Trustee's records must show for each investment obligation information as to: (a) purchase date; (b) purchase price; (c) any accrued interest paid; (d) face amount; (e) coupon rate; (f) periodicity of interest payments; (g) disposition price; (h) any accrued interest received; and (i) disposition date.

Section 12.09. Restricted Yield Investments. The County may direct the investment of any funds held under this Agreement without regard to yield, despite any provision in this Agreement directing investment with regard to the Restricted Yield, but only if the County provides the Trustee with an Opinion of Bond Counsel, in form and substance reasonably acceptable to the Trustee, to the effect that such an investment would not adversely affect any exclusion from gross income that would otherwise be applicable to interest payments on the Bonds.

ARTICLE XIII

AMENDMENTS OF AND SUPPLEMENTS TO TRUST AGREEMENT, BONDS OR DEED OF TRUST

Section 13.01. Without Owners' Consent. The County and the Trustee may amend or supplement this Agreement, any Bonds or the Deed of Trust without notice to or consent of any Owner for any of the following purposes, or for any combination of the following purposes:

(a) to cure any ambiguity, inconsistency or formal defect or omission

(b) to grant to the Trustee for the benefit of the Owners additional rights, remedies, powers or authority

(c) to subject to this Agreement additional collateral or to add other agreements of the County, including the addition of real estate or other collateral to be subject to the lien of this Agreement or the Deed of Trust

(d) to permit the qualification of this Agreement under any federal or state statute, whenever enacted, and, in that connection, to add to this Agreement or any other supplemental trust agreement any other terms, conditions and provisions as may be permitted or required by the federal or state statute

(e) to provide for the issuance of Additional Bonds as otherwise permitted by this Agreement

(f) to provide for Bonds to be issued or exchanged for Bonds in any other form or format at that time permitted by law

(g) to evidence the succession of a new Trustee, or to provide for the appointment and operation of a Bond registrar separate from the Trustee

(h) to make any other change that does not materially adversely affect the rights of any Owner

The Trustee may conclusively rely on a County Certificate to the effect that a proffered amendment or supplement is within the scope of this Section 13.01.

At least five Business Days prior to its execution and delivery of any supplemental agreement or instrument for any of the purposes described in this Section, the Trustee shall provide for a notice of the proposed agreement or instrument to be mailed first-class, postage prepaid, to the LGC and to all Owners of Bonds at the addresses shown in the register maintained pursuant to Section 14.05. The notice must briefly set forth the nature of the proposed agreement or instrument, or include a copy, and state that copies of the proposed agreement or instrument are available to all Owners of Bonds upon written request to the County or the Trustee at addresses stated in the notice.

The County must pay the expenses of any mailing and copies required under this Section. A failure on the Trustee's part to mail the notice required by this Section will not affect the validity of any supplemental agreement or instrument.

Section 13.02. With Owners' Consent. (a) If Section 13.01 does not permit an amendment of or supplement to this Agreement, any Bonds or the Deed of Trust without any consent of Owners, the County and the Trustee may enter into that amendment or supplement only with the consent of the Majority Owners.

(b) Without the consent of each Owner affected, however, no amendment or supplement to this Agreement, the Deed of Trust or any Bonds may (i) extend the maturity of the principal or interest on any Bond; (ii) reduce the principal amount of, or rate of interest on, any Bond; (iii) effect a privilege or priority of any Bond or Bonds over any other Bond or Bonds; (iv) reduce the percentage of the principal amount of the Bonds required for consent to any amendment or supplement, (v) intentionally impair any exclusion of interest on the Bonds from the federal gross income of the Owner of any Bond to which that interest was intended to be entitled; (vi) change any redemption terms of those Bonds; (vii) create a lien ranking prior to or on a parity with the lien of this Agreement on the property pledged under this Agreement (except with respect to a parity pledge for the benefit of the Owners of Additional Bonds); or (viii) deprive any Owner of the lien created by this Agreement on any property.

In addition, if moneys or Federal Securities have been deposited or set aside with the Trustee pursuant to Article XI for the payment of Bonds and those Bonds have not in fact been paid in full, the parties may make no amendment to the provisions of that Article without the consent of each Owner affected.

Section 13.03. Procedure for Amendment with Owners' Consent.

(a) If a proposed amendment requires the consent of Owners, the Trustee must establish a record date, and Owners as of that record date will be the Owners with the right to consent to the proposed amendment or supplement. This record date must be a date not less than five nor more than 45 Business Days after the date the Trustee receives notice or direction from the County to solicit consents.

(b) The Trustee shall provide for there to be mailed to the LGC and to all Owners of Bonds a copy of the proposed supplement or amendment, together with a request to the Owners for their consent. The Trustee shall send this notice by first-class mail, postage prepaid, to the Owners of Bonds at the addresses shown in the register maintained pursuant to Section 14.05, but failure to send or receive copies of the supplement or amendment and request does not affect the validity of the supplement or amendment when assented to as provided in this Section. The

request mailed by the Trustee must also designate a date not more than 180 nor less than 30 days following the mailing date, as designated by the County, by which consent must be returned to be effective. The County must pay the expenses of any mailing and copies required under this Section.

(c) The proposed supplement or amendment will not become effective unless and until there are filed with the Trustee the written consent of the Owners (as of the record date) of not less than a majority in aggregate principal amount of the Bonds Outstanding as of the established record date (exclusive of Bonds disregarded from the calculation as provided in Section 13.04) and the Trustee has mailed the notices required by Section 13.09. Each consent will be effective only if accompanied by proof of ownership of the Bonds for which the consent is given as provided in Section 13.05 and given within the time designated as provided in subsection (b) above.

Section 13.04. Bonds Excluded from Calculation. Bonds owned or held by or for the account of the County or by any person directly or indirectly controlling or controlled by, or under direct or indirect common control with, the County (except any Bonds held in any pension or retirement fund), are not deemed Outstanding for any action or any calculation of Outstanding Bonds provided for in this Agreement. Similarly, Owners of those Bonds are not entitled to take any action provided for in this Agreement. If, however, all Outstanding Bonds are owned by the County or other Owners described in this paragraph, then none of the Outstanding Bonds are excluded from calculation under this paragraph.

For purposes of this Section, the Trustee may assume that no Bonds are excluded from any calculation of Outstanding Bonds provided for in this Agreement except for Bonds (i) that are registered in the County's name or (ii) for which the Trustee has received written notice that the Bonds are owned or held by or for the account of the County or by any person directly or indirectly controlling or controlled by or under direct or indirect common control with the County.

The County and the Trustee intend, however, that the County's ownership or holding of Bonds will not, by itself, give rise to an extinguishment of the Bonds or of any obligation arising under this Agreement.

The Trustee may (but is not required to) provide for each Owner, before an Owner's consent is deemed effective, to certify or otherwise provide evidence to

establish whether the Bonds as to which the consent is given are excluded as provided in this Section.

Section 13.05. Owners' Consents. Any consent or other instrument required to be signed by Owners may be in any number of concurrent documents and may be signed by an Owner or by the Owner's agent appointed in writing. Proof of the execution of the instrument, or of the instrument appointing an agent, and of the ownership of Bonds, if made in the following manner, will be conclusive for any purposes of this Agreement regarding any action taken by the Trustee.

(a) The fact and date of a person's signing an instrument may be proved by the certificate of any officer in any jurisdiction who by law has power to take acknowledgments within that jurisdiction that the person signing the writing acknowledged before the officer the execution of the writing, or by an affidavit of any witness to the signing.

(b) The fact of ownership of Bonds, the amount or amounts, numbers and other identification of such Bonds and the date of holding will be proved by the registration books kept pursuant to this Agreement.

Section 13.06. Effect of Consents. After an amendment or supplement becomes effective, it binds every Owner. Any consent is binding upon and irrevocable by the Owner of the Bond giving the consent and on any subsequent Owner (whether or not any subsequent Owner has notice of the consent), unless the consent is revoked in writing by the Owner giving the consent, or a subsequent Owner of the same Bonds, by filing a revocation with the Trustee prior to the time when the Trustee has mailed the notice provided for in Section 13.09.

Section 13.07. Trustee's Execution of Amendments and Supplements. The Trustee must execute and deliver any amendment or supplement to the Trust Agreement or the Bonds authorized by this Article if the amendment or supplement does not adversely affect the rights, duties, liabilities or immunities of the Trustee, as the Trustee may determine in its reasonable discretion. If the amendment or supplement has such an adverse effect, the Trustee may, but need not, execute and deliver it. In determining to execute and deliver an amendment or supplement, the Trustee is entitled to receive and may conclusively rely on an Opinion of Counsel to the effect (a) that the amendment or supplement is authorized by this Agreement and (b) that upon execution it will be valid and binding upon the party or parties executing it in accordance with its terms.

Section 13.08. LGC's Consent Required. No amendment or supplement to this Agreement, the Deed of Trust or the Bonds will become effective unless the LGC delivers to the County and the Trustee its prior written consent to the amendment or supplement.

Section 13.09. Notice of Amendments and Supplements. The Trustee must cause notice of the execution of any supplement or amendment to this Agreement or the Bonds to be mailed to the Owners. The notice will, at the Trustee's option, either (a) briefly state the nature of the amendment or supplement and that copies of it are on file with the Trustee for inspection by Owners, or (b) enclose a copy of the amendment or supplement. The County must pay the expenses of any mailing and copies required under this Section. Any failure on the Trustee's part to mail the notice required by this Section will not affect the validity of any supplemental agreement.

Section 13.10. Notation on or Exchange of Bonds. If an amendment or supplement changes the terms of a Bond, the Trustee may require the Owner of that Bond to deliver it to the Trustee. The Trustee may place an appropriate notation on the Bond about the changed terms and return it to the Owner. Alternatively, if the Trustee and the County agree, in exchange for the Bond the County will execute, and the Trustee will authenticate and deliver, a new Bond that reflects the changed terms.

ARTICLE XIV

PROVISIONS FOR THE FORM, REGISTRATION AND EXCHANGE OF BONDS

Section 14.01. Form and Details of Bonds. Each Series of Bonds will be dated the date of the initial delivery of those Bonds to their initial purchaser. The Bonds will be issuable only as fully registered Bonds in a minimum denomination of $5,000 and integral multiples of $5,000 above the minimum. Each Bond will be payable as to interest (a) from its date, if that Bond is authenticated prior to the Record Date preceding its first Payment Date, (b) from the succeeding Payment Date, if that Bond is authenticated between a Record Date and the succeeding Payment Date, or (c) otherwise from the Payment Date that is, or immediately precedes, the date on which that Bond is authenticated; provided, however, that if at the time of authentication of a Bond any payment of interest on that Bond is in

default, then that Bond is payable as to interest from the date to which interest has been paid. Principal, interest and any redemption premium for all Bonds are payable in lawful money of the United States of America.

Section 14.02. Book-Entry-Only Form. (a) All Bonds will be issued by means of a book-entry system, with one certificate for each maturity of each series of Bonds immobilized at DTC and not available for distribution to the public. Bonds registered in the name of DTC or its nominee may be held in custody by the Trustee in lieu of immobilization at DTC if permitted under DTC's rules and procedures.

The parties agree that transfer of beneficial ownership interests in the Bonds in the principal amounts of $5,000 and integral multiples of $5,000 above the minimum will be effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Principal, interest and any redemption premium on the Bonds are payable to DTC or its nominee as registered owner of the Bonds. The parties agree that transfer of principal, interest and any redemption premium to DTC participants will be DTC's responsibility, and that transfer of principal, interest and any redemption premium on the Bonds to beneficial owners of the Bonds by DTC participants will be the responsibility of those participants and other nominees of beneficial owners. Neither the Trustee nor the County will be responsible or liable for transfer of payments beyond DTC or for maintaining, supervising or reviewing the records maintained by DTC, its participants, or persons acting through those participants.

(b) If (i) DTC determines not to continue to act as securities depository for the Bonds or (ii) the County directs, the County and the Trustee will arrange to discontinue the book-entry system with DTC. If the County designates an alternate qualified securities depository to replace DTC, that depository will replace DTC and all references to DTC in this Agreement will be deemed references to the alternate depository. If the County does not designate another depository to replace DTC, the County must deliver fully registered Bonds as replacements for Bonds in book-entry form for the Trustee's authentication and delivery.

(c) In connection with any delivery of certificated Bonds, the County or the Owner shall provide, or cause to be provided, to the Trustee all information necessary to allow the Trustee to comply with any applicate tax reporting obligations, including without limitation any cost basis reporting obligations under Section 6045 of the Internal Revenue Code. The Trustee may rely on the information

provided to it, and the Trustee has no responsibility to verify or ensure the accuracy of the information provided.

Section 14.03. Execution. The Bonds must be signed on the County's behalf by the manual or facsimile signature of the presiding officer of the County Board or the County Manager, and the County's seal must be impressed or imprinted on the Bonds by facsimile or otherwise and attested by the manual or facsimile signature of the County Clerk or any Deputy or Assistant Clerk. If any County officer whose signature is on a Bond no longer holds that office at the time the Trustee authenticates the Bond, that Bond is nevertheless valid. If a person signing a Bond is the proper officer on the actual date of execution, the Bond is valid even if that person is not the proper officer on the nominal date of action.

Section 14.04. Authentication. Each Bond must bear a certificate of authentication from the Trustee. No Bond will be valid until the Trustee has duly executed the certificate of authentication and inserted the authentication date on that Bond. The Trustee must authenticate each Bond with the signature of an authorized representative or employee, but it is not necessary for the same person to authenticate all the Bonds. Only Bonds authenticated as provided in this Section are entitled to any right or benefit under this Agreement.

Section 14.05. Registration and Exchange of Bonds; Persons Treated as Owners. The Trustee will establish and maintain a register as to the ownership of Bonds. An Owner may exchange and transfer Bonds only through the register. Upon surrender for transfer to the Trustee of any Bond, duly endorsed for transfer or accompanied by an assignment duly executed by the Owner or the Owner's duly authorized attorney, the Trustee will authenticate a new Bond or Bonds in an equal total principal amount and registered in the name of the transferee.

Bonds may be exchanged for an equal total principal amount of Bonds of different but authorized denominations. The Trustee must authenticate and deliver Bonds that the Owner making the exchange is entitled to receive, bearing numbers not then Outstanding.

The Trustee is not required to exchange or register the transfer of any Bond after the giving of notice calling such Bond for redemption. If it does, the Trustee must deliver to the transferee any applicable redemption notice when it effects a transfer or exchange of any Bond after the mailing of notice calling the Bond or any portion of the Bond for redemption.

The Owner is the absolute owner of the Bond for all purposes, and payment of principal and interest will be made only to or upon the written order of the Owner or the Owner's legal representative, except that payments will be made to the persons shown as the owners as of the applicable Record Date.

The Trustee must require the payment by an Owner requesting exchange or transfer of any tax or other governmental charge required to be paid in respect of the exchange or transfer but must not impose any other charge.

Section 14.06. Mutilated, Lost, Stolen or Destroyed Bonds.

(a) If any Outstanding Bond is damaged, mutilated, lost, stolen or destroyed, the County must execute, and the Trustee must authenticate and deliver, a replacement Bond, of the same tenor as the damaged, mutilated, lost, stolen or destroyed Bond, in the manner provided below.

(b) (i) The Owner must apply to the Trustee for exchange and substitution of damaged, mutilated, lost, stolen or destroyed Bonds. In every case, the applicant for a replacement Bond must furnish to the County and the Trustee such security or indemnity as each may reasonably require. In every case of loss, theft or destruction of a Bond, the applicant must also furnish to the County and the Trustee evidence to their reasonable satisfaction of the loss, theft or destruction. In the case of damage or mutilation of a Bond, the applicant must surrender the damaged or mutilated Bond.

(ii) Notwithstanding the foregoing, if any such Bond has matured, and no default is then continuing in the payment of the principal or interest on that Bond, the County may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a substitute Bond, provided security or indemnity is furnished as provided above in the case of a lost, stolen or destroyed Bond.

(d) The requirements for indemnity in this Section are in addition to any requirements imposed by law, including any requirements of General Statutes Section 159-137.

(d) The Trustee shall charge the Owner of such Bond with all expenses in connection with the issuance of any substitute Bond. Every substitute Bond issued

pursuant to the provisions of this Section because any Bond is lost, stolen or destroyed, whether or not the lost, stolen or destroyed Bond may be found at any time, or may be enforceable by anyone, is entitled to all the benefits of this Agreement equally and proportionally with all other Bonds duly issued under this Agreement.

Section 14.07. Cancellation. Whenever a Bond is delivered to the Trustee for cancellation (upon payment, redemption or otherwise) or for transfer, exchange or replacement, the Trustee must promptly destroy the Bond and deliver a written certificate of that destruction to the County.

Section 14.08. Temporary Bonds. Prior to the preparation of Bonds in definitive form the County may execute, and the Trustee must then authenticate and deliver, temporary Bonds in any denominations as the County may determine, but otherwise in substantially the form set out in this Agreement. The County must promptly prepare, execute and deliver to the Trustee, before the first Payment Date for those Bonds, permanent Bonds in definitive form, and thereupon, upon surrender of Bonds in temporary form, the Trustee will authenticate and deliver in exchange therefor Bonds in definitive form of the same maturity and having an equal aggregate principal amount. Until exchanged for Bonds in definitive form, Bonds in temporary form are entitled to the lien and benefit of this Agreement.

Section 14.09. Non-Presentment of Bonds. (a) If any Bond is not presented for payment when the principal of that Bond becomes due (whether at maturity, upon acceleration or call for redemption or otherwise), all liability to the Owner for the payment of that Bond will be completely discharged if funds sufficient to pay the Bond and the premium, if any, and interest due on that Bond are held by the Trustee for that Owner's benefit. It is then the Trustee's duty to hold these funds subject to subsection (b) below, without liability for interest, for the benefit of the Owner. The Owner will thereafter be restricted exclusively to those funds for any claim of whatever nature under this Agreement with respect to that Bond.

(b) Notwithstanding any provision of this Agreement to the contrary, the Trustee must dispose of moneys held by it for the payment of principal, premium, or interest on Bonds left unclaimed for five years after the date the principal on those Bonds becomes due in accordance with N.C. Gen. Stat. Sec. 116B-51 or any successor provision. After the disposition, the Owners of those Bonds are thereafter entitled to look only to their remedies under N.C. Gen. Stat. Chapter 116B or any successor

provision. The Trustee and the County have no further responsibility with respect to that money or for that payment.

Section 14.10. Supplemental Agreements May Vary Terms. Any supplement or amendment to this Agreement may, by its express terms only, vary any of the terms and provisions of this Article with respect to any Series of Bonds.

ARTICLE XV

ADDITIONAL PROVISIONS

Section 15.01. Notices.

(a) Any communication provided for in this Agreement must be in English and must be in writing, and "writing" includes facsimile transmission and electronic mail.

(b) For the purposes of this Agreement, any communication sent by facsimile transmission or electronic mail will be deemed to have been given on the date the communication is similarly acknowledged by a County Representative (in the case of the County) or other authorized representative (in the case of any other party). No such communication will be deemed given or effective without such an acknowledgment. Any such electronic communication to the Trustee is subject to the provisions of Section 9.02.

(c) Any other communication under this Deed of Trust will be deemed given on the delivery date shown on a United States Postal Service certified mail receipt, or a delivery receipt (or similar evidence) from a national commercial package delivery service, if addressed as follows:

(i) if to the County, to Orange County Manager, Re: Notice under 2021 LOBs Deed of Trust, Post Office Box 8181, Hillsborough, NC 27278

(ii) if to the Trustee, to The Bank of New York Mellon Trust Company, N.A., Re: Notice for 2021 Financing for Orange County (NC), 4655 Salisbury Rd., STE 300, Jacksonville, FL 32256

(iii) if to the LGC, to North Carolina Local Government Commission, Attention: Secretary, Re: Re: Notice for 2021 Orange County LOBs Financing, 3200 Atlantic Avenue, Longleaf Building, Raleigh NC 27604

(e) Any addressee may designate additional or different addresses for communications by notice given under this Section to each of the others.

(f) Whenever this Agreement requires the giving of a notice, the person entitled to receive the notice may waive the notice, in writing. The giving or receipt of the notice will then not be a condition to the validity of any action taken in reliance upon the waiver.

Section 15.02. Limitation of Rights. Nothing expressed or implied in this Agreement or the Bonds gives any person other than the Trustee, the County and the Owners any right, remedy or claim under or with respect to this Agreement.

Section 15.03. Severability. If any provision of this Agreement is determined to be unenforceable, that does not affect any other provision of this Agreement.

Section 15.04. Non-Business Days. If a Payment Date is not a Business Day, then payment may be made on the next Business Day, and no interest will accrue for the intervening period. When any other action is provided in this Agreement to be done on a day or within a time period named, and the day or the last day of the period is not a Business Day, the action may be done on the next ensuing Business Day.

Section 15.05. Governing Law; Forum. The parties intend that North Carolina law will govern this Agreement, the Bonds, and all matters of their interpretation. To the extent permitted by law, the parties agree that any action brought with respect to this Agreement must be brought in the North Carolina General Court of Justice in Orange County, North Carolina.

Section 15.06. Limitation on Liability of Officers and Agents. No officer, agent or employee of the County, the Trustee or the LGC is subject to any personal liability or accountability by reason of that officer's execution of this Agreement, the Bonds or any other documents related to the transactions contemplated by this Agreement. These officers or agents are deemed to execute such documents in their official capacities only, and not in their individual capacities. This Section does not

relieve any person from the performance of any official duty provided by law or by this Agreement.

Section 15.07. Binding Effect. This Agreement is binding upon, inures to the benefit of and is enforceable by the parties and their respective successors and assigns.

Section 15.08. Waiver of Notice. Whenever in this Agreement the giving of notice is required, the giving of such notice may be waived in writing by the person entitled to receive such notice, and the giving or receipt of such notice will not be a condition precedent to the validity of any action taken in reliance upon such waiver.

Section 15.09. Counterparts. This Agreement may be signed in several counterparts, including separate counterparts. Each will be an original, but all of them together constitute the same instrument.

Section 15.10. Definitions; Rules of Interpretation. Unless the context clearly requires otherwise, capitalized terms used in this Agreement and not otherwise defined have the meanings set forth in Exhibit B, and this Agreement will be interpreted in accordance with the rules set forth in Exhibit B.

[The remainder of this page has been left blank intentionally.]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed, sealed and delivered in their corporate names by their duly authorized representatives, all as of December 1, 2021.

ATTEST:

ORANGE COUNTY, NORTH CAROLINA

_____
Laura Jensen
Clerk, Board of Commissioners

By: _____
Bonnie B. Hammersley
County Manager

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., as Trustee

By: _____

Printed name: _____

Title: _____

Exhibits:

A Project description
B Definitions; Rules of Interpretation
C Form of the Bonds
D Schedule of principal and interest payments
E Form of requisition

[Trust Agreement dated as of December 1, 2021]

Exhibit A – Project Description

Component	Expected amount ($)
New money projects *(see detail below)*	
Loan refinancings *(see detail below)*	
Financing Costs	
TOTAL	

New money projects with estimated amounts

Component	Estimated Cost
Court Street Annex Renovations	$ 188,600
Criminal Justice Resource Department Expansion/Renovation	$ 205,779
Accessibility & Security Improvements	$ 194,643
Government Services Annex Stormwater & Renovations	$ 375,000
HVAC Projects	$ 714,203
Major Plumbing Repairs	$ 195,343
Justice Facility Improvements	$ 43,221
Parking Lot Improvements	$ 57,280
Roofing & Building Façade Improvements	$ 1,130,353
Whitted Building Stormwater & Renovations	$ 942,372
Link Center Remediation	$ 282,377
IT Fiber Connectivity	$ 302,532
ITGC Initiatives & IT Infrastructure	$ 372,097
Solid Waste – Improvements & Vehicle Replacement	$ 319,952

Emergency Services Vehicle Replacements	$ 801,802
Sheriff vehicle replacements	$ 107,104
Communication System Improvements	$ 150,000
Blackwood Farm Park Construction	$ 2,935,000
Parks – Renovations & Easements	$ 420,486
Sportsplex – Maintenance & Repairs	$ 698,304
Land Banking – Affordable Housing	$ 628,313
Orange County Schools – Recurring Capital Projects	$ 1,200,300
Orange County Schools – Maintenance & Improvements	$ 651,586
Chapel Hill-Carrboro Schools – Recurring Capital Projects	$ 1,799,700
Chapel Hill-Carrboro Schools – IT Infrastructure	$ 1,519,261
Chapel Hill-Carrboro Schools – Supplemental Deferred Maintenance	$ 631,740
Chapel Hill-Carrboro Schools – Various Maintenance & Improvements	$ 1,808,454
Total Project Costs	**$ 18,675,802**

Loan refinancings – County obligations that may be refinanced

Component	Estimated Cost
2014 IPC Bank of America	$ 3,600,000
2014 NC DEQ Loan	$ 760,000
Series 2012 Limited Obligation Bonds	$ 3,805,000
2017 IFC (Sterling)	$ 9,895,000
Total Loan Amounts Refinanced	**$ 18,060,000**

The amounts stated above are estimates only. The County may use any portion of the Amount Advanced for any of the Financed Facilities or any of the Project Costs, subject to the County's obligation to undertake and complete those components of the project related to the Pledged Facilities and the limitation on the use of funds only for Project Costs.

Components of the Project related to the Mortgaged Property include the following projects shown in the table above:

- Whitted Center improvements
- Blackwood Farm Park improvements

Exhibit B -- Definitions; Rules of Interpretation

Definitions. For all purposes of this Agreement, unless the context requires otherwise, the following terms have the following meanings.

"2021 Bonds" means the [$45,000,000] original aggregate principal amount Limited Obligation Bonds, Series 2021, issued pursuant to this Agreement. The Series A Bonds and the Series B Bonds together constitute all the 2021 Bonds.

"Additional Bonds" means any Bonds delivered pursuant to Section 1.06.

"Additional Payments" means the Trustee's reasonable and customary fees and expenses, any of the Trustee's expenses (including legal fees, costs and expenses) in prosecuting or defending any action or proceeding in connection with this Agreement, or any other amounts payable by the County as a result of its covenants under this Agreement, the Bonds or the Deed of Trust (together with interest that may accrue on any of the above if the County fails to pay the same, as set forth in this Agreement or in the Deed of Trust).

"Amount Advanced" has the meaning assigned in Section 1.01.

"Bond Counsel" means any attorney or firm of attorneys nationally recognized on the subject of municipal obligations as the County may select from time to time.

"Bond Payments" means all the amounts due for payment of principal, interest and redemption premium (as applicable) on Bonds.

"Bondholder," means the person in whose name a Bond is registered on the registration books maintained by the Trustee.

"Bonds" means, together, the 2021 Bonds and all Additional Bonds.

"Business Day" means any day (a) other than a day on which banks in New York, New York, or the city to which notices to the Trustee under this Agreement are to be sent, are required or authorized to close, and (b) on which the New York Stock Exchange is not closed.

"Closing Date" means the date on which this Agreement is first executed and delivered by the parties and the 2021 Bonds are delivered to their initial purchaser, which the parties expect to be on or about June _____, 2021.

"Code" means the Internal Revenue Code of 1986, as amended, including regulations, rulings and revenue procedures promulgated thereunder or under the Internal Revenue Code of 1954, as amended, as applicable to the Bonds.

“Construction Contract” means any agreement between the County and any other person or entity related to any part of the construction of the Pledged Facilities, including contracts for site preparation and related work.

“Contract Payments” means all Bond Payments and Additional Payments.

“Contract Term” means the time beginning with the Closing Date and continuing until no Bonds are Outstanding under this Agreement.

“County” means Orange County, North Carolina, or its successors.

"County Board" means the County's governing board as from time to time constituted.

“County Certificate” means any written document (in whatever form, however designated) executed and delivered by a County Representative.

"County Representative" means the County Manager, the County’s statutory finance officer, or any other person or persons at the time designated, by a written certificate furnished to the Trustee that (a) is signed on the County's behalf by the County Manager or the presiding officer of the County Board to act on the County's behalf (or to perform any specified act) under this Agreement, and (b) contains the specimen signature of the designated person.

"Deed of Trust" means the Deed of Trust and Security Agreement dated as of June 1, 2021, from the County to a deed of trust trustee for the Trustee’s benefit, as it may be duly amended or supplemented.

“Deed of Trust Trustee” means the person or entity serving in that capacity from time to time under the Deed of Trust.

“Default” means an event or condition that, with notice or the passage of time or both, would become an Event of Default.

"DTC" means The Depository Trust Company, New York, New York, or its successors as the securities depository maintaining a book-entry system for recording beneficial ownership interests in the Bonds

“EMMA System” means the “EMMA” continuing disclosure system maintained by the MSRB, or any successor to its functions.

"Event of Default" has the meaning set forth in Section 10.01.

"Event of Nonappropriation" means a failure or refusal by the County Board to include funds for Contract Payments in the County’s budget for any Fiscal Year, or any reduction or elimination of an appropriation for Contract Payments, all as further described in Section 4.02.

"Federal Securities" means, to the extent the same are Legal Investments, (a) direct obligations of the United States of America for which its full faith and credit are pledged, or (b) securities or obligations evidencing direct ownership interests in specified portions (principal or interest) of obligations described in (a), and expressly includes obligations stripped by the United States Treasury itself.

“Financed Facilities” means any facilities, equipment or other assets or undertakings paid for or refinanced in whole or in part from the proceeds of Bonds, including the Pledged Facilities but also including those assets and undertakings paid for from the proceeds of loans refinanced through the issuance of the existing County obligations referenced in Exhibit A.

“Financing Costs” means all professional and administrative costs related to the authorization, execution and delivery of Bonds, including printing and publication costs and legal, accounting, advisory and other fees and expenses. Financing Costs are a subset of Project Costs.

"Fiscal Year" means the County's fiscal year beginning July 1, or such other fiscal year as the County may later lawfully establish, and also includes the period between the Closing Date and June 30, 2021.

"Independent Counsel" means an attorney duly admitted to the practice of law in the State as the County may select from time to time.

"Interest Account" means the account of that name in the Payment Fund established in Section 3.04.

"Legal Investments" means all investments as are legal investments for the County's funds, as determined at the time of investment, and "Investment Obligations" means the securities purchased as Legal Investments and held under this Agreement.

"LGC" means the North Carolina Local Government Commission, or any successor to its functions.

"Majority Owners" means, as of any date, the Owners of at least a majority in principal amount of the Bonds then Outstanding.

"Mortgaged Property" has the meaning assigned to that term in the Deed of Trust, and generally includes the Pledged Facilities and the Pledged Sites.

"MSRB" means the Municipal Securities Rulemaking Board, or any successor to its functions.

"Net Proceeds" means all payments and proceeds derived from (a) claims made on account of insurance coverages required under this Agreement, (b) any exercise of condemnation or eminent domain authority related to all or any portion of the Mortgaged Property, (c) proceeds of title insurance related to the Mortgaged Property, or (d) any sale of the Pledged Facilities, as well as all judgments, settlements or other payments in lieu of any of the foregoing, but in any case reduced by the sum of all amounts (including legal fees, costs and expenses) expended by the County or the Trustee (i) to collect those gross proceeds or (ii) to remedy the event giving rise to the proceeds, all of which amounts will be paid or reimbursed from the gross proceeds.

"Net Proceeds Fund" means the Orange County 2021 Net Proceeds Fund established in Section 3.04.

"Opinion of Counsel" or "Opinion of Bond Counsel" means a written opinion of Independent Counsel or Bond Counsel, as appropriate.

"Outstanding," when used with reference to Bonds, or "Bonds Outstanding," means all Bonds which have been authenticated and delivered by the Trustee under this Agreement and not yet paid, except the following:

(a) Bonds canceled or purchased by or delivered to the Trustee for cancellation;

(b) Bonds that have become due (at maturity or on redemption, acceleration or otherwise) and for the payment, including interest accrued to the due date, of which the Trustee holds sufficient moneys;

(c) Bonds deemed paid in accordance with Article XI; and

(d) Bonds in lieu of which others have been authenticated under Section 14.05 (relating to registration and exchange of Bonds) or Section 14.06 (relating to mutilated, lost, stolen, destroyed or undelivered Bonds).

"Owner," when used with reference to a Bond, means the person in whose name that Bond is registered on the registration books maintained by the Trustee.

"Payment Date" means, with respect to the 2021 Bonds, each June 1 and December 1 beginning December 1, 2021, and with respect to any Additional Bonds means the dates specified for principal and interest payments with respect to those Additional Bonds.

"Payment Fund" means the Orange County 2021 Bond Payment Fund established in Section 3.04.

"Permitted Encumbrances" means, as of any particular time, (a) the encumbrances shown on Exhibit C to the Deed of Trust, (b) liens for taxes and assessments not then delinquent, or liens which may remain unpaid pursuant to Section 5.14, (c) the Deed of Trust, (d) any lien or encumbrance made by its terms expressly subordinate to the lien of the Deed of Trust, and (e) easements and rights-of-way granted by the County pursuant to Section 1-6 of the Deed of Trust.

“Pledged Facilities” has the meaning ascribed to that term in the Deed of Trust, and generally includes the County’s Whitted Building, its Blackwood Farm Park, _____.

“Pledged Sites” has the meaning ascribed to that term in the Deed of Trust, and generally includes the real property upon which the Pledged Facilities are located (or are to be constructed) and associated property.

"Redemption Account" means the account of that name in the Payment Fund established in Section 3.04.

"Principal Account" means the account of that name in the Payment Fund established in Section 3.04.

“Project” has the meaning ascribed to that term in the recitals to this Agreement.

“Project Costs” means all costs of carrying-out of the Project, including the costs of the design, planning, constructing, acquiring, installing, equipping of improvements to the Pledged Facilities, all as determine d in accordance with generally accepted accounting principles and that will not adversely affect the exclusion from gross income for federal income tax purposes of interest on Bonds to which it is intended that interest will be entitled. “Project Costs” include (a) sums required to reimburse the County or its agents for advances made for any costs otherwise described in this definition, (b) interest during the period of acquisition and construction of improvements and for up to six months thereafter, and (c) all Financing Costs and Refinancing Costs.

"Project Fund" means the Orange County 2021 Project Fund established in Section 3.01.

"Record Date" means the end of the calendar day on the 15th day of the month (whether or not a Business Day) preceding a Payment Date.

“Refinancing Costs” means all costs related to the payment in full of the County obligations to pay principal and interest under the County obligations described in Exhibit A. Refinancing Costs are a subset of Project Costs.

"Restricted Yield" means an annual "yield," within the meaning of Treas. Regs. Secs. 1.103-13(c), -13(d), 1.148-9T(a), not in excess of an annual "yield" equal to _____%.

“Rule 15c2-12” means Rule 15c2-12 promulgated by the United States Securities Exchange Commission under the Securities Act of 1934.

Section 160A-20” means Section 160A-20 of the North Carolina General Statutes.

"State" means the State of North Carolina.

“Term Bonds” means the 2021 Bonds maturing in the years _____, which are subject to sinking fund redemption as provided in Section 2.01(b) and 2.05.

"Trust Agreement" or “Agreement” means this Agreement, as it may be duly amended or supplemented.

“Trustee” means the bank or trust company from time to time serving as trustee under this Agreement, whether the original or a successor Trustee.

Rules of Interpretation. Unless the context otherwise requires,

(a) An accounting term not otherwise defined has the meaning assigned to it in accordance with generally accepted accounting principles, and any accounting term should be understood to include any successor term or other new term with a substantially equivalent function.

(b) Unless otherwise indicated, references to Articles, Sections and Exhibits are to the Articles, Sections and Exhibits of this Agreement.

(c) Words importing the singular will include the plural and vice versa, and words importing the masculine gender will include the feminine and neuter genders as well, and vice versa.

(d) The headings on sections and articles are solely for convenience of reference. They do not constitute a part of this Agreement nor should they affect its meanings, construction or effect.

(e) Words importing the redemption or calling for redemption of Bonds should not be deemed to refer to or connote the payment of Bonds at their stated maturity.

(f) Reference to any statute or regulation should be understood to include any successor provision.

(g) All references to the payment of Bonds are references to payment of principal of and premium, if any, and interest with respect to the Bonds.

(h) The use of the term "including" should in all cases be understood to mean "including, without limitation."

(i) For any interest rate for which a basis of calculation is not specified, that interest should be calculated on the basis of a 360-day year consisting of twelve 30-day months.

Exhibit C – Form of Series A Bond

REGISTERED **Number R-X** **REGISTERED**

ORANGE COUNTY, NORTH CAROLINA

Limited Obligation Bond, Series 2021

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
_____ %	December 1, ____	June _____, 2021	684566 XXX

REGISTERED OWNER: *****CEDE & CO.***

PRINCIPAL AMOUNT: ** _____ THOUSAND DOLLARS****
****($_____,000)***

ORANGE COUNTY, NORTH CAROLINA (the "County"), for value received, promises to pay, but solely from the sources and in the manner provided, to the registered owner hereof, or registered assigns or legal representative, the principal amount stated above on the maturity date stated above, and to pay interest on this Bond semiannually on each June 1 and December 1, beginning December 1, 2021, at the annual rate stated above.

Interest is payable (a) from the Dated Date stated above, if this Bond is authenticated prior to December 1, 2021, or (b) otherwise from the June 1 or December 1 that is, or immediately precedes, the date on which this Bond is authenticated (unless payment of interest on this Bond is in default, in which case this Bond will bear interest from the date to which interest has been paid). Principal and interest are payable in lawful money of the United States of America.

This Bond is one of an issue of [$23,000,000] Limited Obligation Bonds, Series 2021A (the "Bonds"), of like date and tenor, except as to number, denomination, rate of interest, privilege of redemption and maturity. The Bonds are issued under, and are equally and ratably secured by, a Trust Agreement dated as of June 1, 2021 (the "Trust Agreement"), between the County and The Bank of New York Mellon Trust Company, N.A., as trustee (the “Trustee”).

This Bond constitutes an installment contract within the meaning of Section 160A-20 of the North Carolina General Statutes, as the same may be in effect from time to time (“Section 160A-20”), between the County and the owner (from time to time) of this Bond. The Bonds are payable solely from funds appropriated on an annual basis by the County’s governing Board of Commissioners, and other funds available for the purpose of payment pursuant to the Trust Agreement, such as certain net insurance and condemnation awards and the proceeds of remedial action, which revenues and other moneys have been pledged as described in the Trust Agreement to secure payment of the Bonds. Neither the County’s faith and credit nor its taxing power is pledged to the payment of any amounts due under the Bonds. As provided for under Section 160A-20, no deficiency judgment may be rendered against the County in any action for breach of a contractual obligation under the Bonds or the Trust Agreement.

To further secure its obligations under the Trust Agreement, the County has granted, for the benefit of the Trustee on behalf of the owners of the Bonds, a security interest in certain public facilities, including the underlying real property, and certain other property pursuant to the Trust Agreement and a Deed of Trust and Security Agreement dated as of June 1, 2021.

Reference is made to the Trust Agreement, the Deed of Trust referenced above and all amendments and supplements for the provisions, among others, with respect to the nature and extent of the security, the rights, duties and obligations of the County and the Trustee, the rights of the Owners of the Bonds and the terms upon which the Bonds are executed, delivered and secured, to all of which provisions the owner of this Bond, by the acceptance of this Bond, agrees.

The County’s $_____ Taxable Limited Obligation Refunding Bonds, Series 2021B, are secured by a parity interest in the property securing the Bonds. Additional Bonds secured by a parity interest in the property securing the Bonds may be issued under the terms and conditions set forth in the Trust Agreement.

The Bonds are issued by means of a book-entry system, with one certificate for each maturity immobilized at The Depository Trust Company, New York, New York ("DTC"), and not available for distribution to the public. Transfer of beneficial ownership interests in the Bonds in the principal amount of $5,000 or any integral multiple thereof will be effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Principal and interest on the Bonds are payable to DTC or its nominee as registered owner of the Bonds. Neither the Trustee nor the County is responsible or liable for the transfer of ownership or payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

If (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the County so elects, the County and the Trustee will discontinue the book-entry system with DTC. If the County does not identify another qualified securities depository to replace DTC, the County will prepare and execute, and the Trustee will authenticate and deliver in exchange, replacement Bonds in the form of fully registered Bonds.

The Bonds may not be redeemed prior to maturity except as provided in this Bond and in the Trust Agreement.

The Bonds maturing on or December 1, 2032, are subject to redemption at the County's option in whole or in part on any date on or after December 1, 2031, upon payment of the principal amount to be prepaid plus interest accrued to the redemption date, without premium. If less than all the Bonds are to be redeemed pursuant to this provision, they will be redeemed among maturities in any manner the County chooses.

The Trustee will redeem Bonds maturing on December 1, 20____, upon payment of 100% of the principal amount thereof plus interest accrued to the redemption date, on December 1 in years and amounts as follows:

Year	**Amount ($)**
[To come.]	

_____

*Final maturity

In addition, [second term bond, to come.]

The amount of Bonds to be redeemed on any sinking fund payment date may be reduced in accordance with the provisions of the Trust Agreement.

If less than all the Bonds of any maturity are called for redemption, the Trustee will select the Bonds to be redeemed by lot; provided, however, that so long as a book-entry system with DTC is used for recording beneficial ownership of Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC and its participants will determine which of the Bonds within any such maturity are to be redeemed.

In any case, (1) the portion of any Bond to be prepaid will be in the principal amount of $5,000 or some integral multiple thereof, and (2) in selecting Bonds for redemption, each Bond will be considered as representing that number of Bonds which is obtained by dividing the principal amount of that Bond by $5,000. If a portion of a Bond is called for redemption, a new Bond in principal amount equal to the unpaid portion will be issued to the registered owner upon the surrender of the Bond.

The Trustee will send notice of redemption to DTC or its nominee as the Owner of the Bonds as provided in the Trust Agreement. The Trustee will send the notice not more than 60 days nor less than 30 days prior to the date fixed for redemption. Neither the Trustee nor the County is responsible for sending notices of redemption to anyone other than DTC or its nominee, so long as all the Bonds to be redeemed are held in a book-entry-only form with DTC.

If on or before the date fixed for redemption funds have been deposited with the Trustee to pay the principal and interest accrued to the redemption date with respect to the Bonds called for redemption, the Bonds or portions thereof thus called for redemption will cease to accrue interest from and after the redemption date, will no longer be entitled to the benefits provided by the Trust Agreement, and will not be deemed to be Outstanding under the Trust Agreement.

The Owner of this Bond has no right to enforce the provisions of the Trust Agreement or to institute action to enforce the covenants therein, or to take any action with respect to any event of default thereunder, or to institute, appear in or

defend any suit or other proceeding with respect thereto, except as provided in the Trust Agreement. Changes to or supplements of the Trust Agreement may be made to the extent and in the circumstances permitted by the Trust Agreement.

Ownership of this Bond will be registered on the Bond register (as provided for in the Trust Agreement) to be kept for that purpose by the Trustee, which will act as Bond registrar for the Bonds. This Bond may be exchanged, and its transfer may be effected, only by the Owner hereof in person or by attorney duly authorized in writing at the designated office of the Trustee, but only in the manner, subject to the limitations and upon payment of the charges provided in the Trust Agreement, and upon surrender and cancellation of this Bond. Upon exchange or registration of such transfer a new registered Bond or Bonds of the same maturity and interest rate and of authorized denomination or denominations for the same aggregate principal amount will be issued in exchange therefor.

The County and the Trustee may deem and treat the person in whose name this Bond will be registered on the Bond register as the absolute owner of this Bond for the purpose of receiving payment of or on account of principal of and interest due on this Bond and for all other purposes, and neither the County nor the Trustee will be affected by any notice to the contrary, except that interest payments will be made to the persons shown as Owners on the Trustee's registration books on the **Record Date**, which is the end of the calendar day on the 15th day of the month (whether or not a business day) preceding each Payment Date.

All acts, conditions and things required by the Constitution and laws of the State of North Carolina to happen, exist or be performed precedent to and in the execution and delivery of this Bond have happened, exist and have been performed.

This Bond and the issue of which it is a part are issued with the intent that North Carolina law will govern this Bond and all matters of its interpretation.

This Bond will not be entitled to any benefit under the Trust Agreement or be valid or obligatory for any purpose until the Trustee has executed the Certificate of Authentication appearing on this Bond.

[The remainder of this page has been left blank intentionally.]

IN WITNESS WHEREOF, the County has caused this instrument to be signed, sealed and delivered by duly County Representatives, as of the day and year first above written.

(SEAL)

ATTEST:

ORANGE COUNTY,
NORTH CAROLINA

_____
Laura Jensen
Clerk, Board of Commissioners

By: _____
Bonnie B. Hammersley
County Manager

[Orange County, North Carolina
$_____ Limited Obligation Bonds, Series 2021A]

This Bond has been approved under the provisions of Section 160A-20 and Article 8, Chapter 159 of the General Statutes of North Carolina.

Sharon G. Edmundson
Secretary, North Carolina
Local Government Commission

By _____
[Sharon G. Edmundson
or Designated Assistant]

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds referred to in the Trust Agreement dated as of December 1, 2021 (the "Trust Agreement"), between Orange County, North Carolina, and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee").

Date of Authentication: _____

The Bank of New York Mellon Trust Company, N.A., as Trustee

By: _____
Authorized Representative

[Orange County, North Carolina
$_____ Limited Obligation Bonds, Series 2021A]

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sell(s), assign(s) and transfer(s) unto

_____

(Please print or type transferee's name and address, including zip code)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF TRANSFEREE:

the within bond and all rights thereunder, hereby irrevocably constituting and appointing _____, Attorney, to transfer said certificate on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

_____

NOTICE: Signature(s) must be guaranteed by a participant in the Securities Transfer Agent Medallion Program ("STAMP") or similar program

_____

(Signature of Owner)

NOTICE: The signature above must correspond with the name the Owner as it appears on the front of this certificate in every particular without alteration or enlargement or any change whatsoever.

EXHIBIT D – Schedule of Payments on 2021 Bonds

Principal is payable in the amounts and on the dates as shown below, subject to redemption of Bonds as provided in this Agreement. Interest is payable on the dates shown below.

Each portion of the Amount Advanced will bear interest from the Closing Date until paid. Interest is calculated at the rates shown in Section 1.03. The schedule below shows the expected interest payment amounts. The County's obligation on each Payment Date is the amount shown above as the "total payment" for that date, subject to adjustment as provided in Section 3.05(c).

Payment Date	2021A Principal	2021 Interest	2021B Principal	2021B Interest	Total Payment ($)
[To come.]					

Exhibit E – Form of Requisition

[Date] _____

The Bank of New York Mellon Trust Company, N.A., as Trustee
Attention: Corporate Trust
Regarding: Requisition under 2021
Trust Agreement for Orange County, North Carolina

To the Trustee:

Pursuant to the terms and conditions of the above-referenced Trust Agreement, the County authorizes and requests the disbursement of funds from the "Orange County 2021 Project Fund" (the "Project Fund") established under that Trust Agreement for the costs described below. Capitalized terms used in this requisition and not otherwise defined have the meanings ascribed in the Trust Agreement.

This is requisition number ____ from the Project Fund.

Total Amount for Disbursement	
Payee	
Payee's address or wiring instructions	

The County makes this requisition pursuant to the following representations:

1. The County has appropriated in its current fiscal year funds sufficient to pay the Bond Payments and estimated Additional Payments due in the current fiscal year.

2. The purpose of this disbursement is for payment of Project Costs as provided for in the Trust Agreement.

3. The requested disbursement has not been subject to any previous requisition.

4. No notice of any lien, right to lien or attachment upon, or claim affecting the right to receive payment of, any of the moneys payable herein to any of the persons, firms or corporations named herein has been received, or if any notice of any such lien, attachment or claim has been received, such lien, attachment or claim has been released or discharged or will be released or discharged upon payment of this requisition.

5. This requisition contains no items representing payment on account of any percentage entitled to be retained on the date of this requisition.

6. No Event of Default is continuing, and no event or condition is existing which, with notice or lapse of time or both, would become an Event of Default.

7. The County has insurance in place that complies with the insurance requirements of the Trust Agreement.

8. No portion of the amounts set forth in this requisition represents amounts paid or payable as North Carolina state sales taxes.

ORANGE COUNTY,
NORTH CAROLINA

By: ***[Exhibit Form Only – Do Not Sign]***

Title: _____
County Representative

S☆H draft of May 4

ESCROW AGREEMENT

This Escrow Agreement (the "Agreement") is dated as of June 1, 2021, and is between Orange County, North Carolina (the "County"), and The Bank of New York Mellon Trust Company, N.A. (the "Escrow Agent").

RECITALS:

The County has contracted the obligations listed in Exhibit A (the "Prior Obligations). The County is now providing for the redemption and refunding of some of the outstanding Prior Obligations. Exhibit A specifies the portions of the Prior Obligations that are being refunded (the "Refunded Obligations").

The County will provide for a portion of the proceeds of its $_____ (aggregate principal amount) Limited Obligation Bonds, Series 2021A and 2021B (together, the "2021 Bonds"), to be used for this defeasance and refunding. The Escrow Agent will hold funds for the refunding pursuant to this Agreement and the provisions of a resolution adopted by the County's governing Board of Commissioners on May 17, 2021 (the "2021 Resolution").

Now, therefore, in consideration of the foregoing and of the mutual covenants in this Agreement, the County and the Escrow Agent agree as follows:

SECTION 1. There is established with the Escrow Agent a special and irrevocable trust fund designated as the "Orange County 2021 Refunding Escrow Fund" (the "Escrow Fund"). The Escrow Agent will hold the Escrow Fund as a trust fund separate and apart from all other funds of the County or of the Escrow Agent. The Escrow Agent must use the funds on deposit in the Escrow Fund solely for the payment and redemption of the Refunded Obligations and for the other purposes provided for in this Agreement.

SECTION 2. To secure the payment of the principal of and interest on the Refunded Obligations, the County pledges and sets over to the Escrow Agent the amounts specified in Section 3 for deposit in the Escrow Fund, in trust for the

benefit and security of the owners of the Refunded Obligations, subject to the terms and conditions of this Agreement.

SECTION 3. (a) The Escrow Agent acknowledges receipt of $_____ from the County, representing a portion of the proceeds of the 2021 Bonds. The County directs the Escrow Agent to apply those proceeds as shown in the following table, and the Escrow Agent agrees to make this application:

To purchase the securities shown on Exhibit B (the "Escrow Investments")	$_____
Held in cash uninvested	_____
For a total of	**$_____**

The Escrow Agent will hold the Escrow Investments and other funds described above in the Escrow Fund. Exhibit C shows the schedule of expected receipts from the Escrow Investments and required disbursements from the Escrow Fund.

SECTION 4. The County represents and warrants that the Escrow Investments will earn interest and mature in such amounts and at such times as will be sufficient, together with other funds held in the Escrow Fund, to pay the remaining debt service on the Refunded Obligations through the redemption dates specified in Exhibit A.

If the moneys in the Escrow Fund are insufficient for the purposes of this Agreement, the County is responsible for the timely deposit to the credit of the Escrow Fund of such additional amounts as may be required to cure the deficiency. The Escrow Agent will notify the County of any insufficiency as soon as it knows of the deficiency, but the Escrow Agent is not responsible for the County's failure to make any deposits. The Escrow Agent will make neither investments nor distributions unless and until the Escrow Agent has collected funds.

SECTION 5. No substitution of the Escrow Investments is permitted.

SECTION 6. The Escrow Agent will collect payments of the principal of and interest on the Escrow Investments on the respective due dates. On each payment date for the Refunded Obligations, the Escrow Agent will transfer sufficient moneys from the amounts available in the Escrow Fund for the payment of the principal and interest due on the Refunded Obligations on that date.

The amounts due on the Refunded Obligations on each remaining payment date are set forth in Exhibit C. The County consents to the Escrow Agent's reliance on the dates and amounts set forth in Exhibit C.

The Escrow Agent will make the payments on the DTC Obligations (as defined in Exhibit A) to The Depository Trust Company, unless the County notifies the Escrow Agent in writing that the DTC Obligations are no longer in book-entry-only form. If the DTC Obligations are converted to certificated form, the County agrees that not later than thirty days prior to the next ensuing interest payment date for the DTC Obligations, it will appoint a paying agent for the DTC Obligations and give the Escrow Agent written notice of this appointment. In that case, the Escrow Agent will make payments to the paying agent appointed by the County with respect to the DTC Obligations.

The Escrow Agent will make the payment on the BOA Obligations (as defined in Exhibit A) due on August 1, 2021, in accordance with the payment instructions show on Exhibit G.

The Escrow Agent will make these payments without regard to whether the owners have presented any of the Refunded Obligations to the County or otherwise.

If any amounts remain in the Escrow Fund on October 15, 2022, the Escrow Agent will promptly disburse these amounts as the County may at that time direct.

SECTION 7. The Escrow Investments, moneys representing principal of and interest earned on Escrow Investments and any other funds on deposit in the Escrow Fund from time to time are hereby made subject to an express lien and trust

for the benefit of the owners of the Refunded Obligations until used and applied in accordance with this Agreement.

SECTION 8. The Escrow Agent acknowledges receipt of a certified copy of the 2021 Resolution calling the Refunded Obligations for redemption, and of a copy of the Finance Officer's certificate contemplated by the 2021 Resolution related to the final call for redemption. The County confirms that it has specifically and irrevocably elected to redeem all of the Refunded Obligations as described on Exhibit A.

The County irrevocably directs the Escrow Agent to, and the Escrow Agent agrees that it will, promptly after the original execution and delivery of this Escrow Agreement, provide for a notice of refunding in substantially the form of Exhibit D to be posted with the EMMA continuing disclosure system of the Municipal Securities Rulemaking Board (the "MSRB") with respect to the DTC Obligations.

The County irrevocably directs the Escrow Agent to, and the Escrow Agent agrees that it will, at least thirty days but not more than sixty days before October 1, 2022, cause a redemption notice substantially in the form of Exhibit E (a) to be sent to The Depository Trust Company both (i) by registered or certified mail, postage prepaid, to Supervisor, Call Notification Department, The Depository Trust Company, 55 Water St., 50th Floor, New York NY 10041-0004, and (ii) by electronic mail to redemptionnotification@dtcc.com, and (b) to be posted with the MSRB's EMMA continuing disclosure system with respect to the DTC Obligations.

The County irrevocably directs the Escrow Agent to, and the Escrow Agent agrees that it will, promptly after the original execution and delivery of this Escrow Agreement, provide for a notice of refunding in substantially the form of Exhibit F to be sent to the address shown on Exhibit F.

SECTION 9. The Escrow Agent's liability to make the payments required by this Agreement with respect to the Refunded Obligations is limited to the principal of and interest received on the Escrow Investments and the other funds on deposit in the Escrow Fund. The Escrow Agent is not liable for any loss resulting from any investment made pursuant to this Agreement in compliance with the provisions of this Agreement.

This Agreement is between the County and the Escrow Agent only. The Escrow Agent's duties under this Agreement are only to the County and the owners of the Refunded Obligations.

The Escrow Agent has no responsibility to the County or any other person in connection with this Agreement except for those responsibilities specifically provided in this Agreement. The Escrow Agent is not responsible for anything done or omitted to be done by it except with regard to its own negligence, willful misconduct or default in the performance of any obligation imposed on it under this Agreement. The Escrow Agent, except as specifically provided for in this Agreement, is not a party to, nor is it bound by or need it consider the terms or provisions of, any other agreement or undertaking between the County and any other person. The Escrow Agent assents to and is to give consideration only to the terms and provisions of this Agreement. Unless specifically provided in this Agreement, the Escrow Agent has no duty to determine or inquire into the happening or occurrence of any event or contingency or the County's performance or failure of performance with respect to agreements with others. The Escrow Agent's sole duty under this Agreement is to safeguard the Escrow Fund and to dispose of and deliver the same in accordance with this Agreement, as this Agreement constitutes the complete agreement and understanding by all parties to this Escrow Agreement.

If, however, the Escrow Agent is called upon by the terms of this Agreement to determine the occurrence of any event or contingency, the Escrow Agent is obligated to exercise reasonable care and diligence in making the determination. In the event of error in making such a determination, the Escrow Agent will be liable for its own negligence or willful misconduct. In determining the occurrence of any event or contingency, the Escrow Agent may request from the County or any other person reasonable additional evidence as the Escrow Agent in its reasonable discretion may deem appropriate to determine any fact relating to the event or contingency, and in this connection may inquire and consult with the County, among others, at any time. The Escrow Agent may consult with legal counsel (including in-house counsel), and the opinion of counsel as to any legal matters will be full and complete authority and protection to the Escrow Agent as to any action taken or omitted by it in good faith and in accordance with that opinion.

The Escrow Agent has the right to petition any court of competent jurisdiction to resolve any dispute arising under this Agreement.

If the Escrow Agent fails to account for any of the investments or funds held under this Agreement, those investments or funds will be and remain the property of the Escrow Fund in trust for the owners of the Refunded Obligations as provided in this Agreement.

The funds and securities received by the Escrow Agent under this Agreement are not a banking deposit by the County. The County has no right or title with respect to these funds and securities. The funds and securities received by the Escrow Agent under this Agreement are not subject to checks or drafts drawn by the County or claims against the County by any creditor of the County, other than the owners of the Refunded Obligations.

SECTION 10. The trust created under this Agreement is irrevocable. This Agreement will terminate when the Escrow Agent has made all payments as contemplated by Section 6 and the Escrow Agent has made the final report contemplated by Section 13. The Escrow Agent will thereupon be released and discharged from this Agreement, and the owners of the Refunded Obligations may then look only to the County for the payment of the Refunded Obligations.

SECTION 11. The County will pay all necessary and proper fees, compensation and expenses of the Escrow Agent under this Agreement. The County agrees, to the extent permitted by law, to indemnify the Escrow Agent and hold it harmless against any liability it may incur while acting in good faith in its capacity as Escrow Agent under this Agreement, including, but not limited to, payment of any court costs and reasonable legal fees, costs and expenses. The County will pay, or provide for the payment of, these costs, from sources other than the Escrow Fund. In no event will any of those costs, charges, expenses, and indemnification give rise to any claim against the Escrow Fund. The Escrow Agent agrees that it will assert no lien against the Escrow Fund in connection with any payment owed to it.

SECTION 12. The Escrow Agent agrees to perform all the duties and obligations imposed upon it by this Agreement.

The Escrow Agent may resign and thereby become discharged from the duties and obligations created by this Agreement by giving written notice to the County. This resignation will take effect only upon the County's appointment of a new escrow agent.

If the County fails to appoint a successor Escrow Agent within 45 days of notice from the departing Escrow Agent, the departing Escrow Agent may apply to any court of competent jurisdiction to appoint a successor Escrow Agent. The court may thereupon appoint a successor Escrow Agent after such notice, if any, as the court may deem proper.

The Escrow Agent may be removed at any time by an instrument, or concurrent instruments, in writing, executed by the owners of not less than 51% in aggregate principal amount of the unpaid Refunded Obligations, such instruments to be filed with the County, and notice in writing given by such owners to the County and (unless all of the owners of the unpaid Refunded Obligations have consented to the removal) sent not less than 60 days before the removal is to take effect.

The Escrow Agent may also be removed at any time for any material breach of trust or for acting or proceeding in material violation of, or for failing to act or proceed in accordance with, any provisions of this Agreement, by any court of competent jurisdiction upon the application of the County or the owners of not less than 10% in aggregate principal amount of the unpaid Refunded Obligations.

Upon the appointment of any successor escrow agent, the departing Escrow Agent will execute any agreements, assignments and other documents as may be necessary to vest in the successor escrow agent all the title, rights, duties and obligations of the Escrow Agent under this Agreement and in the Escrow Investments and other funds deposited or to be deposited or received by the Escrow Agent under this Agreement, as the County may reasonably request. Upon acceptance by the successor escrow agent of the responsibilities under this Agreement, all further title, rights, duties and obligations of the departing Escrow Agent under this Agreement cease and are discharged, except for rights or liabilities accrued to or by the County or the Escrow Agent.

Any company or national banking association into which the Escrow Agent may be merged or converted, or with which it may be consolidated or any company resulting from any merger, conversion or consolidation to which the Escrow Agent may be a party, or any company to which the Escrow Agent may sell or transfer all or substantially all of its municipal corporate trust business, will be the successor to the Escrow Agent without the execution or filing of any paper or further act by the successor Escrow Agent.

Upon the taking of office of any successor Escrow Agent, the new Escrow Agent must promptly cause notice of its appointment and contact information (identifying this Agreement) to be posted with the MSRB's EMMA continuing disclosure system with respect to the DTC Obligations.

SECTION 13. (a) On or before August 1 in each of the years 2021 and 2022, the Escrow Agent must deliver to the County (i) a report of each transaction relating to the Escrow Fund for the prior fiscal year ended June 30, and (ii) a schedule of the assets of the Escrow Fund as of the preceding July 1.

(b) Then, or before November 1, 2022, the Escrow Agent must send to the County a complete statement of all transactions concerning the Escrow Fund through the final disbursement of funds from the Escrow Fund as provided for in Section 6.

(c) The County will promptly send a copy of each report received under this Section to the North Carolina Local Government Commission.

SECTION 14. This Agreement may be amended to (a) correct language or to cure any ambiguity or defective provisions, omission, mistake or manifest error contained in this Agreement, or (b) to provide for the deposit of additional cash or securities in the Escrow Fund. All amendments must be in writing signed by all parties to this Agreement, but no consent of any owners of Refunded Obligations is required.

SECTION 15. (a) The parties intend that North Carolina law will govern this Agreement and all matters of its interpretation.

(b) This Agreement may be executed in several counterparts, all or any of such may be regarded for all purposes as one original and which will constitute and be but one and the same instrument.

(c) All of the County's representations, covenants and indemnifications in this Agreement will survive this Agreement's termination.

(d) This Agreement will inure to the benefit of and be binding upon the parties and their respective successors and assigns.

(e) The Escrow Agent may act upon any written notice, request, waiver, consent, certificate, receipt, authorization, power of attorney, or other instrument or document which the Escrow Agent in good faith believes to be genuine and to be what it purports to be.

(f) Any notice, authorization, request, or demand required or permitted to be given to the County or the Escrow Agent under this Agreement must be in writing and will be deemed on the date shown on a certified mail receipt, or a delivery receipt (or similar evidence) from a national commercial package delivery service, if addressed as follows:

to the County, to

Orange County, North Carolina
Attention: Finance Officer
Re: Notice under 2021 refunding bond escrow agreement
Post Office Box 8181
Hillsborough, NC 27278

to the Escrow Agent, to

The Bank of New York Mellon Trust Company
Attn: Corporate Trust Division – Carolinas Unit
Regarding: Notice under 2021 Escrow
Agreement for Orange County, North Carolina
4655 Salisbury Road, STE 300

Jacksonville, FL 32256

Either party may change its addresses for notices by written notice of the change given under this Agreement.

(g) Whenever under the terms of this Agreement the performance date of any act to be done under this Agreement falls on a day which is not a legal banking day in the State of North Carolina, and upon which the Escrow Agent is not open for business, the performance of that act on the next succeeding business day of the Escrow Agent will be in full compliance with this Agreement. Whenever time is referred to in this Agreement it will be the time recognized by the Escrow Agent (at the office specified in subsection (f) above) in the ordinary conduct of its normal business transactions.

[The remainder of this page has been left blank intentionally.]

IN WITNESS WHEREOF, the parties have each caused this Agreement to be executed by duly authorized officers as of the date first above written.

Orange County,
North Carolina

By: _____
Gary Donaldson
Finance Officer

The Bank of New York Mellon Trust Company, N.A., as Escrow Agent

By: _____

Name: _____

Title: _____

[Escrow Agreement dated as of June 1, 2021

EXHIBIT A
OBLIGATIONS BEING REDEEMED AND REFUNDED

County obligations under an Installment financing contract dated as of January 1, 2014, between the County and Banc of America Public Capital Corp (the "BOA Obligations") – redeeming and refunding all outstanding principal that is payable on or after February 1, 2022. This prepayment will be made on August 1, 2021.

County obligations related to the Limited Obligation Bonds, Series 2012 (the "DTC Obligations") – redeeming and refunding _____

EXHIBIT B
INITIAL ESCROW SECURITIES

Security Description*	Par Amount ($)	Interest Rate (%)	Maturity Date	Receipts at Maturity ($)

* All are United States Treasury Securities – State and Local Series.

EXHIBIT C
OPERATION OF THE ESCROW FUND

Date	**Available Cash**	**Receipts from Escrow Investment**	**Total Funds Available**	**Escrow Requirement**	**Balance after Payment**
xxxx*	xxx**				xxx**
8/1/2021	xxx			xxxx***	
10/1/2021					
4/1/2022					
10/1/2022				xxxxx****	

* Closing date

**Initial cash deposit at closing

*** Includes $_____ in redeemed principal

**** Includes $_____ in redeemed principal

EXHIBIT D

REFUNDING NOTICE

Orange County, North Carolina
Orange County Public Facilities Company

Limited Obligation Bonds, Series 2012

TAKE NOTICE that Orange County, North Carolina (the "County"), has elected to redeem and will redeem on October 1, 2022, all of the outstanding Bonds of the above-referenced issue that mature on and after _____. These Bonds will be redeemed at a redemption price equal to the principal amount thereof.

The Bonds maturing October 1 in the years 2021 and 2022 are not being refunded or defeased and will be paid in the ordinary course.

The CUSIP numbers and other details of the Bonds to be redeemed are as follows:

CUSIP	Maturity Date	Principal Amount ($)	Redemption Price*	Interest Rate (%)
			100.000	
			100.000	
			100.000	

_____

*As a percentage of par.

The CUSIP numbers listed above are included solely for the convenience of the Bondowners. Neither the County nor the Escrow Agent (as identified below) is

responsible for the use of the CUSIP numbers, and no representation is made as to their correctness on the securities or as indicated on any redemption notice.

Interest on the Bonds will cease to accrue from and after October 1, 2022.

Payment of the redemption price for the Bonds will be made on presentation and surrender of the Bonds through The Depository Trust Company.

The County has deposited with the Escrow Agent United States Treasury Obligations sufficient to pay the redemption price in a timely manner.

Additional notice of redemption will be provided to registered owners of the Bonds to be redeemed not less than 30 days prior to the redemption date.

Persons seeking additional information may contact the undersigned Escrow Agent at [telephone number].

The Bank of New York Mellon Trust Company, N.A.,
as Escrow Agent
Jacksonville, Florida

EXHIBIT E

REDEMPTION NOTICE

Orange County, North Carolina
Orange County Public Facilities Company

Limited Obligation Bonds, Series 2012

TAKE NOTICE that Orange County, North Carolina (the "County"), has elected to redeem and will redeem on October 1, 2022, all of the outstanding Bonds of the above-referenced issue that mature on and after _____. These Bonds will be redeemed at a redemption price equal to the principal amount thereof.

The CUSIP numbers and other details of the Bonds to be redeemed are as follows:

CUSIP	Maturity Date	Principal Amount ($)	Redemption Price*	Interest Rate (%)
			100.000	
			100.000	
			100.000	

_____

*As a percentage of par.

The CUSIP numbers listed above are included solely for the convenience of the Bondowners. Neither the County nor the Escrow Agent (as identified below) is responsible for the use of the CUSIP numbers, and no representation is made as to their correctness on the securities or as indicated on any redemption notice.

Interest on the Bonds will cease to accrue from and after October 1, 2022.

The Bonds maturing October 1, 2022, have not been refunded or defeased and will be paid in the ordinary course.

Payment of the redemption price for the Bonds will be made on presentation and surrender of the Bonds through The Depository Trust Company.

The County has deposited with the Escrow Agent United States Treasury Obligations sufficient to pay the redemption price in a timely manner.

All owners submitting their Bonds must also submit Internal Revenue Service Form W-9. Failure to provide a completed Form W-9 will result in 31% backup withholding to bondowners pursuant to the Interest and Dividend Tax Compliance Act of 1983. Form W-9 may be obtained from the Internal Revenue Service.

Persons seeking additional information may contact the undersigned Escrow Agent at [telephone number].

The Bank of New York Mellon Trust Company, N.A.,
as Escrow Agent
Jacksonville, Florida

Exhibit F

Refunding and redemption notice

Banc of America Public Capital Corp.
Attention: Contract Administration
555 California Street
San Francisco, CA 94104

TAKE NOTICE that Orange County, North Carolina, will prepay on August 1, 2022, all of its outstanding obligations under the following contract:

> Installment financing contract dated as of January 1, 2014, between Orange County, North Carolina, and Banc of America Public Capital Corp

For additional information please contact the undersigned.

s/Gary Donaldson
Gary Donaldson
Chief Financial Officer
Orange County, North Carolina
gdonaldson@orangecountync.gov

Exhibit G

BOA payment instructions

[To come]

S☆H draft of April 21

Prepared by and return after recording to:

Robert M. Jessup Jr.
Sam Smotherman
Sanford Holshouser LLP
209 Lloyd St., Suite 350
Carrboro, NC 27510

STATE OF	**)**	
NORTH CAROLINA	**)**	**LEASE MODIFICATION**
	)	
ORANGE COUNTY	**)**	

Orange County PIN 9777-99-9032

THIS LEASE MODIFICATION is dated as of June 1, 2021, and is entered into by and between **ORANGE COUNTY, NORTH CAROLINA,** as lessor (the "County"), and **THE BOARD OF EDUCATION FOR THE CHAPEL HILL – CARRBORO CITY SCHOOLS,** as lessee (the "School Board").

This Modification modifies and amends the Lease dated as of January 1, 2014, and recorded at Book RB 5743, Page 518, Orange County Registry (the "Original Lease"). The County is the record owner of the property subject to the Original Lease and this Modification, and that property is more particularly described in Exhibit A.

W I T N E S S E T H:

The County and the School Board have previously agreed to cooperate in a plan to finance, construct and equip improvements to Culbreth Middle School ("Culbreth"). The County has asked the School Board to modify the Original Lease to extend its term, to facilitate a refinancing transaction contemplated by the County.

In connection with its refinancing, the County is entering into a Trust Agreement dated as of June 1, 2021 (the "2021 Trust Agreement"). The County is similarly entering into a Deed of Trust and Security Agreement, also dated as of June 1, 2021 (the "Deed of Trust"), to secure the County's repayment obligations under the 2021 Trust Agreement.

The School Board has agreed to subordinate its leasehold interest to the 2021 Deed of Trust.

NOW THEREFORE, for and in consideration of the mutual promises contained in this Lease, the parties agree as follows:

1. Definition. The term "Modified Lease" means the Original Lease as modified by this Modification. All other capitalized terms used in this Modification and not otherwise defined have the meanings ascribed in the Original Lease.

2. Change to Lease Term. Section 4.2(c) of the Original Lease is hereby amended to read as follows, in order to extend the expected Lease Term. The expected end of the lease term under the Original Lease was 30 days after February 1, 2029.

> **4.2. Termination.** The Lease Term terminates upon the earliest of the following:
>
> (a) Judicial sale of or foreclosure on the Leased Property under the 2021 Deed of Trust;
>
> (b) The occurrence of an Event of Default under the 2021 Trust Agreement or the Modified Lease and subsequent termination by the County pursuant to Section 11.1 of the Original Lease; or
>
> (c) The date that is 30 days after December 1, 2041, which is the scheduled date for the County's final payment on the 2021 Trust Agreement, except that the Lease Term ends immediately upon the termination of the 2021 Trust Agreement if the 2021 Trust Agreement is terminated following an event of default by the County under the 2021 Trust Agreement.
>
> Termination of the Lease Term terminates all the County's obligations under the Modified Lease, and terminates the School Board's rights of possession under the Modified Lease; but all other provisions of this Lease, including the receipt and disbursement of funds, shall continue until the Trust Agreement is discharged as provided therein.

3. Priority of 2021 Deed of Trust. Notwithstanding anything in the Modified Lease to the contrary, the School Board's rights to possession of the Leased Property and all its other rights under the Modified Lease are subordinate to the rights of the beneficiary under the 2021 Deed of Trust. Any judicial sale of, or foreclosure on, the Leased Property pursuant to the 2021 Deed of Trust terminates all the School Board's rights under the Modified Lease.

4. School Board's Assumption of Obligations; County's Transfer of Rights. Sections 7.1 and 7.2 of the Original Lease are hereby amended to read as follows. The purpose of these amendments is to conform the cross references to the proper references in the 2021 Trust Agreement.

> **7.1 Assumption of Obligations.** (a) The School Board assumes the County's obligations under Trust Agreement Sections 5.04 (care and use), 5.05 (utilities), 5.08 (compliance with requirements), 5.09 (regarding use and operation), 5.11 (property damage insurance), 5.14 (payment of taxes and other governmental charges & prevention of liens), 5.16 (regarding notice of damage, repair or replacement from Net Proceeds), and 6.02 (compliance with environmental laws). The parties agree that the School Board may fulfill its requirements to maintain insurance through pooled risk and similar programs sponsored by or affiliated with the North Carolina School Boards Association, such as the North Carolina School Boards Association Insurance Trust.
>
> (b) Notwithstanding the foregoing, the County retains its rights under Article V of the Trust Agreement to direct the use of Net Proceeds. All payments of Net Proceeds are to be made to the County.
>
> **7.2. Transfer of Rights.** In order to allow the School Board to carry out its obligations under Section 7.1, the County transfers its rights under Section 5.10 of the Trust Agreement (regarding maintenance, repairs and modifications of and to the Leased Property). Nothing in this Section, however, may be construed as in any way assigning or delegating to the School Board any of the County's rights or responsibilities to make decisions regarding the School Board's capital and operating budgets.

5. Confirmation of Remaining Lease Terms. Except as provided by this Agreement, the parties ratify, approve and confirm the terms of the Original Lease.

[The remainder of this page has been left intentionally blank.]

IN WITNESS WHEREOF, the parties hereto have caused this Lease Modification to be executed in their corporate names by their duly authorized officers, all as of the date first above written.

[SEAL]
ATTEST:

ORANGE COUNTY, NORTH CAROLINA

_____
Laura Jensen
Clerk, Board of Commissioners

By: _____
Bonnie B. Hammersley
County Manager

[SEAL]
ATTEST:

THE BOARD OF EDUCATION FOR THE CHAPEL HILL – CARRBORO CITY SCHOOLS

_____
Dr. Nyah Hamlett
Secretary

By: _____
Jillian La Serna
Chair

[Lease Modification dated as of June 1, 2021]

STATE OF NORTH CAROLINA; ORANGE COUNTY

I, _____, a Notary Public of said State and County, do hereby certify that Bonnie B. Hammersley and Laura Jensen personally came before me this day and acknowledged that they are the County Manager and the Clerk to the Board of Commissioners, respectively, of Orange County, North Carolina, and that by authority duly given and as the act of such County, the foregoing instrument was signed in the County's name by such Manager, sealed with its corporate seal and attested by such Clerk.

Witness my hand and official seal this _____ day of June, 2021.

_____
Notary Public

My commission expires: _____

STATE OF NORTH CAROLINA; ORANGE COUNTY

I, _____, a Notary Public of said State and County, do hereby certify that Jillian La Serna and Dr. Nyah Hamlett personally came before me this day and acknowledged that they are the Chair and the Secretary, respectively, of The Board of Education for the Chapel Hill – Carrboro City Schools, and that by authority duly given and as the act of such Board, the foregoing instrument was signed in the Board's name by such Chair, sealed with its corporate seal and attested by such Secretary.

Witness my hand and official seal this _____ day of June, 2021.

_____
Notary Public

My commission expires: _____

EXHIBIT A – Site Description

Tract 1:
All that certain tract or parcel of land located in Chapel Hill, Orange County, North Carolina, which parcel of land is identified in the Orange County land records as PIN #9777-99-9032, and is more particularly described as being all of tract 1, containing 13.336 acres, more or less, and being the tract designated as "Bennett Heirs" on the plat recorded in plat book 214, page 741, of the Orange County Registry, to which plat reference is hereby made for a more particular description of the same.

Tract 2:
All that certain tract or parcel of land located in Chapel Hill, Orange County, North Carolina, which parcel of land is identified in the Orange County land records as PIN #9777-99-9032, and is more particularly described as being all of tract 2, containing 0.033 acres, more or less, a small triangular shaped parcel of land, and being the tract designated as "(H,D. Bennett Land)" on the plat recorded in plat book 214, page 743, of the Orange County Registry, to which plat reference is hereby made for a more particular description of the same.

Tract 3:
All that certain tract or parcel of land located in Chapel Hill, Orange County, North Carolina, which parcel of land is identified in the Orange County land records as PIN #9777-99-9032, and is more particularly described as being all of tract 3, containing 13.024 acres, more or less, and being the tract designated as "E.G. Merritt and Mrs. Alfred Brandon" on the plat recorded in plat book 215, page 128, of the Orange County Registry, to which plat reference is hereby made for a more particular description of the same.

Tract 4:
All that certain tract or parcel of land located in Chapel Hill, Orange County, North Carolina, which parcel of land is identified in the Orange County land records as PIN #9777-99-9032, and is more particularly described as being all of tract 4, containing 8.970 acres, more or less, and being the tract designated as "Cleveland Atwater" on the plat recorded in plat book 215, page 180, of the Orange County Registry, to which plat reference is hereby made for a more particular description of the same.

Attachment 7

PRELIMINARY OFFICIAL STATEMENT DATED MAY __, 2021

NEW ISSUE BOOK-ENTRY ONLY

Ratings: Moody's: [___]
S&P: [___]
Fitch: [___]

[bond counsel to review/update] In the opinion of Bond Counsel, under existing law and subject to conditions described under "TAX TREATMENT" herein, (1) interest on the 2021A Bonds paid by the County (a) is not includable in the recipient's gross income for federal income tax purposes and (b) is not an item of tax preference for purposes of the federal alternative minimum income tax, (2) interest on the 2021B Bonds paid by the County will not be excluded from gross income for federal income tax purposes, and (3) interest on the 2021 Bonds is exempt from current State of North Carolina income taxes. See "TAX TREATMENT" herein for additional information regarding other federal, State and local tax consequences arising from ownership or receipt of interest on the 2021 Bonds.

ORANGE COUNTY, NORTH CAROLINA
$[_____]* LIMITED OBLIGATION BONDS, SERIES 2021A
$[_____]* TAXABLE LIMITED OBLIGATION REFUNDING BONDS, SERIES 2021A

Dated: Date of Delivery **Due:** October 1, as shown on the inside front cover

This Official Statement has been prepared by Orange County, North Carolina (the "County") to provide information on the 2021 Bond described herein. Selected information is presented on this cover page for the convenience of the user. Investors must read the entire Official Statement to obtain information essential to the making of an informed investment decision.

Security:	The payment by the County of the principal of and interest on the 2021 Bonds is limited to funds appropriated for that purpose by the Board of Commissioners for the County in its sole discretion, except to the extent payable from Bond proceeds, investment earnings, Net Proceeds related to casualty or condemnation proceeds, or amounts derived from the enforcement of remedies on default. As security for the 2021 Bonds and all other Bonds issued under the Trust Agreement (as such terms are defined herein), the County will execute and deliver a deed of trust granting, among other things, a lien of record on the Mortgaged Property subject to Permitted Encumbrances (as such terms are defined herein). **THE OBLIGATION TO MAKE PAYMENTS WITH RESPECT TO THE 2021 BONDS IS NOT A GENERAL OBLIGATION OF THE COUNTY, AND THE TAXING POWER OF THE COUNTY IS NOT PLEDGED DIRECTLY OR INDIRECTLY TO SECURE ANY MONIES DUE TO THE OWNERS OF THE 2021 BONDS.** See the caption **"SECURITY AND SOURCES OF PAYMENT OF 2021 BONDS"** herein.
Redemption:	The 2021 Bonds are subject to redemption as described herein.
Purpose:	Proceeds of the 2021 Bonds will be used to (1) finance the acquisition, construction, equipping and improvement of certain County facilities as further described herein, (2) refund the Refunded Obligations (as defined herein), and (3) pay certain costs incurred in connection with the issuance of the 2021 Bonds.
Interest Payment Dates:	April 1 and October 1 of each year, commencing October 1, 2021.
Denomination:	$5,000 or integral multiples thereof.
Delivery:	On or about June 24, 2021.
Bond Counsel:	Sanford Holshouser LLP
County Attorney:	John L. Roberts, Esq.
Financial Advisor:	Davenport & Company LLC
Underwriters' Counsel:	McGuireWoods LLP
Trustee:	The Bank of New York Mellon Trust Company, N.A.

FHN Financial Capital Markets **BAIRD**

The date of this Official Statement is June __, 2021.

*Preliminary, subject to change.

THIS PRELIMINARY OFFICIAL STATEMENT AND THE INFORMATION CONTAINED HEREIN ARE SUBJECT TO COMPLETION OR AMENDMENT IN A FINAL OFFICIAL STATEMENT. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy, and there shall not be any sale of the 2021 Bonds offered hereby in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the securities laws of that jurisdiction.

MATURITY SCHEDULE FOR 2021 BONDS*

Series 2021A Bonds

Due October 1	Principal Amount	Interest Rate	Yield	CUSIP**

Series 2021B Bonds

Due October 1	Principal Amount	Interest Rate	Yield	CUSIP**

* Preliminary, subject to change.

** CUSIP® is a registered trademark of the American Bankers Association. CUSIP Global Services is managed on behalf of the American Bankers Association by S&P Capital IQ. Copyright © 2021 CUSIP Global Services. All rights reserved. CUSIP data herein is provided by S&P Capital IQ, a division of McGraw-Hill Financial, Inc. The CUSIP data herein is provided solely for the convenience of reference only. Neither the County nor the Underwriters are responsible for selection or use of these CUSIP numbers, and no representation is made as to their correctness on the 2021 Bonds or as indicated above. The CUSIP number for a specific maturity is subject to being changed after the issuance of the 2021 Bonds as a result of various subsequent actions including, but not limited to, a refunding in whole or in part of the 2021 Bonds.

IN CONNECTION WITH THIS OFFERING, FHN FINANCIAL CAPITAL MARKETS AND ROBERT W. BAIRD & CO. INCORPORATED (THE "UNDERWRITERS") MAY OVERALLOT OR EFFECT TRANSACTIONS THAT STABILIZE OR MAINTAIN THE MARKET PRICE OF THE 2021 BONDS AT A LEVEL ABOVE THAT WHICH MIGHT OTHERWISE PREVAIL IN THE OPEN MARKET. SUCH STABILIZING, IF COMMENCED, MAY BE DISCONTINUED AT ANY TIME.

No dealer, broker, salesman or other person has been authorized to give any information or to make any representation other than as contained in this Official Statement, and if given or made, such other information or representation must not be relied upon. This Official Statement does not constitute an offer to sell or the solicitation of any offer to buy, nor shall there be any sale of the 2021 Bonds by any person in any jurisdiction in which it is not lawful for such person to make such offer, solicitation or sale. The information set forth herein has been obtained from the County and other sources that are deemed to be reliable.

NEITHER THE 2021 BONDS NOR THE TRUST AGREEMENT (AS SUCH TERMS ARE DEFINED HEREIN) HAVE BEEN REGISTERED OR QUALIFIED WITH THE SECURITIES AND EXCHANGE COMMISSION BY REASON OF THE PROVISIONS OF SECTION 3(a)(2) OF THE SECURITIES ACT OF 1933, AS AMENDED AND SECTION 304(a)(4) OF THE TRUST INDENTURE ACT OF 1939, AS AMENDED. THE REGISTRATION OR QUALIFICATION OF THE 2021 BONDS OR THE TRUST AGREEMENT IN ACCORDANCE WITH APPLICABLE PROVISIONS OF SECURITIES LAW OF THE STATES IN WHICH THE 2021 BONDS HAVE BEEN REGISTERED OR QUALIFIED, IF ANY, AND THE EXEMPTION FROM REGISTRATION OR QUALIFICATION IN OTHER STATES, SHALL NOT BE REGARDED AS A RECOMMENDATION THEREOF.

IN MAKING AN INVESTMENT DECISION INVESTORS MUST RELY ON THEIR OWN EXAMINATION OF THE TERMS OF THE OFFERING, INCLUDING THE MERITS AND RISKS INVOLVED. THESE SECURITIES HAVE NOT BEEN RECOMMENDED BY ANY FEDERAL OR STATE SECURITIES COMMISSION OR REGULATORY AUTHORITY. FURTHERMORE, THE FOREGOING AUTHORITIES HAVE NOT CONFIRMED THE ACCURACY OR DETERMINED THE ADEQUACY OF THIS DOCUMENT. ANY REPRESENTATION TO THE CONTRARY IS A CRIMINAL OFFENSE.

All quotations from and summaries and explanations of laws and documents herein do not purport to be complete, and reference is made to such laws and documents for full and complete statements of their provisions. Any statements made in this Official Statement involving estimates or matters of opinion, whether or not expressly so stated, are intended merely as estimates or opinions and not as representations of fact. THE INFORMATION AND EXPRESSIONS OF OPINION HEREIN ARE SUBJECT TO CHANGE WITHOUT NOTICE, AND NEITHER THE DELIVERY OF THIS OFFICIAL STATEMENT NOR ANY SALE OF THE 2021 BONDS SHALL UNDER ANY CIRCUMSTANCES CREATE ANY IMPLICATION THAT THERE HAS BEEN NO CHANGE IN THE AFFAIRS OF THE COUNTY SINCE THE DATE HEREOF.

References to web site addresses presented herein (including the appendices hereto) are for informational purposes only and may be in the form of hyperlinks solely for the reader's convenience. Unless specified otherwise, such web sites and the information or links contained therein are not intended to be active hyperlinks or incorporated into, and are not part of, this Official Statement for purposes of, and as that term is defined in, Rule 15c2-12 under the Securities Exchange Act of 1934, as amended.

The information set forth herein has been obtained from sources which are believed to be reliable and is in a form deemed final by the County for the purpose of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (except for certain information permitted to be omitted under Rule 15c2-12(b)(1)). The information contained herein is subject to change after the date of this Official Statement, and this Official Statement speaks only as of its date.

The Underwriters have provided the following sentence for inclusion in this Official Statement. The Underwriters have reviewed the information in this Official Statement in accordance with, and as part of, their responsibilities to investors under the federal securities laws as applied to the facts and circumstances of this transaction, but the Underwriters do not guarantee the accuracy or completeness of such information.

ORANGE COUNTY, NORTH CAROLINA

BOARD OF COMMISSIONERS

Renee Price, Chair
Jamezetta Bedford, Vice-Chair
Mark Dorosin
Amy Fowler
Sally Greene
Jean Hamilton
Earl McKee

COUNTY STAFF

Bonnie B. Hammersley ..... County Manager

Travis Myren..... Deputy County Manager

Gary Donaldson ..... Chief Financial Officer

Paul Laughton ..... Deputy Director, Finance and Administrative Services

John L. Roberts, Esq. ..... County Attorney

BOND COUNSEL

Sanford Holshouser LLP

FINANCIAL ADVISOR

Davenport & Company LLC

TABLE OF CONTENTS

Page

INTRODUCTION 1
The County 1
Purpose 1
Security 1
The 2021 Bonds 2
Additional Bonds 2
Book-Entry Only 2
Tax Status 3
Professionals 3
Potential Impact of COVID-19 3
Additional Information 3
THE 2021 BONDS 4
Authorization 4
General 4
Redemption Provisions 4
SECURITY AND SOURCES OF PAYMENT OF 2021 BONDS 6
General 6
Payment of Bonds; Limited Obligation; Budget and Appropriations 6
Trust Agreement 7
Deed of Trust 7
Enforceability 8
Additional Bonds 8
Use of Net Proceeds 9
AVAILABLE SOURCES FOR PAYMENT 9
General 9
General Fund Revenues 9
THE PLAN OF FINANCE 9
The Projects 9
The Refunded Obligations 10
The Mortgaged Property 11
ESTIMATED SOURCES AND USES OF FUNDS 12
TOTAL ANNUAL DEBT SERVICE REQUIREMENTS 13
CERTAIN RISKS OF 2021 BOND OWNERS 13
Insufficiency of Payments 13
Risk of Nonappropriation 14
Value of Collateral 14
Uninsured Casualty 14
Outstanding General Obligation Debt of the County 15
Environmental Risks 15
Additional Bonds 15
Bankruptcy 15
Cybersecurity 16
Climate Change 16
Potential Impact of COVID-19 16
THE COUNTY 17
General 17
Financial Information 17

TABLE OF CONTENTS
(continued)

Page

LEGAL MATTERS 17
Litigation 17
Opinions of Counsel 17
TAX TREATMENT 18
Opinion of Bond Counsel 18
Discount Bonds 18
Premium Bonds 19
Other Tax Consequences 19
CONTINUING DISCLOSURE OBLIGATION 20
The County's Continuing Disclosure Compliance 23
UNDERWRITING 23
RATINGS 24
MISCELLANEOUS 24

Appendix A	The County
Appendix B	Management's Discussion and Analysis and the Basic Financial Statements of Orange County, North Carolina
Appendix C	Summary of Principal Legal Documents
Appendix D	Form of Opinion of Bond Counsel
Appendix E	Book-Entry Only System

Orange County, North Carolina
Limited Obligation Bonds, Series 2021A*
Taxable Limited Obligation Refunding Bonds, Series 2021B*

INTRODUCTION

The purpose of this Official Statement, which includes the Appendices hereto, is to provide certain information in connection with the Orange County, North Carolina Limited Obligation Bonds, Series 2021A in the aggregate principal amount of $_____* (the "2021A Bonds") and Taxable Limited Obligation Bonds, Series 2021B in the aggregate principal amount of $_____* (the "2021B Bonds" and, together with the 2021A Bonds, the "2021 Bonds").

The 2021 Bonds will be issued pursuant to a Trust Agreement dated as of June 1, 2021 (the "Trust Agreement"), between Orange County, North Carolina (the "County") and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee").

Capitalized terms used in this Official Statement, unless otherwise defined herein, have the meanings set out in Appendix C hereto under the caption "**DEFINITIONS**."

This Introduction provides only certain limited information with respect to the contents of this Official Statement and is expressly qualified by the Official Statement as a whole. Prospective investors should review the full Official Statement and each of the documents summarized or described herein. This Official Statement speaks only as of its date, and the information contained herein is subject to change.

THE COUNTY

The County is a political subdivision of the State of North Carolina (the "State"). See Appendix A, "**THE COUNTY**," hereto for certain information regarding the County. The County's most recent audited financial statements are contained in Appendix B hereto.

PURPOSE

The 2021 Bonds are being issued in order to (1) finance the acquisition, construction, equipping and improvement of certain County facilities as further described herein, (2) refinance an installment financing contract entered into between Bank of America, N.A. and the County in 2014 (the "Refunded 2014 Installment Financing Contract"), (3) refund a state revolving loan issued to the County in 2014 (the "Refunded SRL"), (4) refund the outstanding Orange County Public Facilities Company Limited Obligation Bonds, Series 2012 (the "Refunded 2012 Bonds" and, together with the Refunded 2014 Installment Financing Contract and Refunded SRL, the "Refunded Obligations"), and (5) finance certain costs incurred in connection with the execution and delivery of the 2021 Bonds. See "**THE PLAN OF FINANCE**" and "**ESTIMATED SOURCES AND USES OF FUNDS**" herein.

SECURITY

The payment by the County of the principal of and interest on the 2021 Bonds is limited to funds appropriated for that purpose by the Board of Commissioners for the County in its sole discretion, except to the extent payable from Bond proceeds, investment earnings, Net Proceeds related to casualty or condemnation proceeds, or amounts derived from the enforcement of remedies on default.

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* Preliminary, subject to change.

As security for the 2021 Bonds and any additional bonds issued under the Trust Agreement on a parity therewith (the "Additional Bonds" and, together with the 2021 Bonds, the "Bonds"), the County will execute and deliver to a deed of trust trustee (the "Deed of Trust Trustee"), for the benefit of the Trustee, a Deed of Trust dated as of June 1, 2021 (the "Deed of Trust"), granting a lien of record on the sites of the County's Whitted Building located in Hillsborough, North Carolina (the "Whitted Building"), the County's Blackwood Farm Park located in Hillsborough, North Carolina (the "Blackwood Farm Park"), Culbreth Middle School located in Chapel Hill, North Carolina ("Culbreth Middle School"), the Orange County Main Library located in Hillsborough, North Carolina (the "Orange County Library"), and the real estate improvements thereon and appurtenances thereto, all as more particularly described in the Deed of Trust (collectively, the "Mortgaged Property"), subject only to Permitted Encumbrances (as defined in **Appendix C** hereto).

The Deed of Trust authorizes future obligations evidenced by Additional Bonds as described below, to be secured by the Modified Deed of Trust, provided that the total amount of present and future obligations secured by the Modified Deed of Trust at any one time does not exceed $_____ and such future obligations are incurred not later than 30 years from June 1, 2021.

In addition, the County will grant to the Trustee a lien on and security interest in all moneys held by the Trustee in the funds and accounts created under the Trust Agreement.

If a default occurs under the Trust Agreement, the Trustee is authorized to direct the Deed of Trust Trustee to foreclose on the Mortgaged Property and apply the proceeds received as a result of any such foreclosure to the payment of the amounts due to the owners of the 2021 Bonds, subject to the rights of the owners of any other Bonds. No assurance can be given that any such proceeds will be sufficient to pay the principal of and the interest on the Bonds. In addition, no deficiency judgment can be rendered against the County if the proceeds from any such foreclosure sale (together with other funds that may be held by the Trustee under the Trust Agreement) are insufficient to pay the Bonds in full. The 2021 Bonds do not constitute a pledge of the County's faith and credit within the meaning of any constitutional provision. See the caption "**SECURITY AND SOURCES OF PAYMENT OF 2021 BONDS**" herein.

THE 2021 BONDS

The 2021 Bonds will be dated as of their date of delivery. Interest is payable on April 1 and October 1 of each year, beginning October 1, 2021, at the rates set forth on the inside front cover page of this Official Statement. Principal is payable, subject to redemption as described herein, on October 1 in the years and in the amounts set forth on the inside front cover page of this Official Statement.

ADDITIONAL BONDS

Under the conditions described in the Trust Agreement, without the approval or consent of the Owners of the then-outstanding Bonds and without notice to such Owners, Additional Bonds may be delivered and secured on parity with the 2021 Bonds to provide funds (a) to expand or improve the Pledged Facilities, (b) to construct further improvements to the Pledged Sites, (c) to refund any Outstanding Bonds, (d) to pay financing costs or establish reserves in connection with the issuance of Additional Bonds, (e) for any other purpose that may be allowed by law from time to time, including the acquisition and construction of additional public facilities, whether or not those facilities are related to the Pledged Facilities or the Pledged Sites, or (f) for any combination of such purposes.

BOOK-ENTRY ONLY

The 2021 Bonds will be delivered in book-entry form only without physical delivery of certificates to beneficial owners of the 2021 Bonds. Payments to beneficial owners of the 2021 Bonds will be made by The Depository Trust Company ("DTC"), New York, New York, and its participants. See Appendix E, "**BOOK-ENTRY ONLY SYSTEM**" hereto. So long as Cede & Co. is the registered owner of the 2021 Bonds, references herein to registered owner or Owners of the 2021 Bonds means Cede & Co. and not the beneficial owners of the 2021 Bonds.

TAX STATUS

[In the opinion of Bond Counsel, under existing law and subject to conditions described under "**TAX TREATMENT**" herein, (1) interest on the 2021A Bonds paid by the County (a) is not includable in the recipient's gross income for federal income tax purposes and (b) is not an item of tax preference for purposes of the federal alternative minimum income tax, (2) interest on the 2021B Bonds paid by the County will not be excluded from gross income for federal income tax purposes, and (3) interest on the 2021 Bonds is exempt from current State of North Carolina income taxes.] See "**TAX TREATMENT**."

PROFESSIONALS

FHN Financial Capital Markets and Robert W. Baird & Co. Incorporated (the "Underwriters") are underwriting the 2021 Bonds. The Bank of New York Mellon Trust Company, N.A. is serving as Trustee with respect to the 2021 Bonds. Davenport & Company LLC is serving as financial advisor. Sanford Holshouser LLP is serving as Bond Counsel. John L. Roberts, Esq. is the County Attorney. McGuireWoods LLP is serving as counsel to the Underwriters.

POTENTIAL IMPACT OF COVID-19

The continued spread of COVID-19 has impacted and will continue to impact global financial markets, national, State, and local economies, and areas of transportation. Management of the County is closely monitoring the situation. The County cannot predict the ultimate effects of COVID-19 on (i) the financial and operating condition of the County or (ii) the investment in the 2021 Bonds. See Appendix A, "**THE COUNTY – RECENT DEVELOPMENTS RELATED TO COVID-19**."

ADDITIONAL INFORMATION

Summaries of the Trust Agreement and the Deed of Trust, including a list of definitions of certain terms, are included as Appendix C. All quotations from and summaries and explanations of the Trust Agreement and the Deed of Trust contained in this Official Statement, including in Appendix C, do not purport to be complete. Reference is made to such documents for full and complete statements of their respective provisions.

Additional information and copies in reasonable quantity of the principal financing documents may be obtained from the County at 200 South Cameron Street, Hillsborough, North Carolina 27278, Attention: Chief Financial Officer. Copies of such documents can also be obtained during the offering period from FHN Financial Capital Markets at 845 Crossover Lane, Memphis, Tennessee 38117 or Robert W. Baird & Co. Incorporated at 380 Knollwood Street, Suite 440, Winston-Salem, North Carolina 27103. After the offering period, copies of such documents may be obtained from the Trustee at 10161 Centurion Parkway, Jacksonville, Florida 32256.

THE 2021 BONDS

AUTHORIZATION

The County is issuing the 2021 Bonds pursuant to the provisions of Section 20 of Chapter 160A of the North Carolina General Statutes and Article 8 of Chapter 159 of the North Carolina General Statutes, each as amended (collectively, the "Act"), and a resolution of the Board of Commissioners of the County adopted on May 18, 2021. Each 2021 Bond will be deemed an "installment contract" under the Act.

In addition, the County's issuance of the 2021 Bonds received the approval of the North Carolina Local Government Commission (the "LGC") on June 1, 2021. The LGC is a division of the State Treasurer's office charged with general oversight of local government finance in the State of North Carolina (the "State"). LGC approval is required for substantially all bond issues and other local government financing arrangements in the State. Before approving an installment financing (which includes the financing arrangement for the 2021 Bonds), the LGC must determine, among other things, that (1) the proposed financing is necessary and expedient, (2) the financing, under the circumstances, is preferable to a general obligation or revenue bond issue for the same purpose, and (3) the sums to fall due under the proposed financing are not excessive for the local government.

GENERAL

Payment Terms. The 2021 Bonds will be dated their date of delivery. Interest on the 2021 Bonds is payable on each April 1 and October 1 (the "Payment Dates"), beginning October 1, 2021, at the rates set forth on the inside front cover page of this Official Statement (calculated on the basis of a 360-day year consisting of twelve 30-day months). Interest payments will be made to the person shown as the owner of the 2021 Bond as of the applicable Record Date. "Record Date" means the end of the calendar day on the 15th day of the month (whether or not a Business Day) preceding a Payment Date. Principal on the 2021 Bonds is payable on October 1 in the years and amounts set forth on the inside front cover page of this Official Statement. Payments will be effected through DTC. See Appendix E, **"BOOK-ENTRY ONLY SYSTEM"** hereto.

Registration and Exchange. So long as DTC or its nominee is the registered owner of the 2021 Bonds, transfers and exchanges of beneficial ownership interests in the 2021 Bonds will be available only through DTC Participants and DTC Indirect Participants. See Appendix E, **"BOOK-ENTRY ONLY SYSTEM"** hereto. The Trust Agreement describes provisions for transfer and exchange applicable if a book-entry system is no longer in effect. These provisions generally provide that the transfer of the 2021 Bonds is registrable by the Owners thereof, and the 2021 Bonds may be exchanged for an equal aggregate, unredeemed principal amount of 2021 Bonds of the authorized denomination and of the same maturity and interest rate, only upon presentation and surrender of the 2021 Bonds to the Trustee at the principal corporate trust office of the Trustee together with an executed instrument of transfer in a form approved by the Trustee in connection with any transfer. The Trustee may require the person requesting any transfer or exchange to reimburse it for any shipping and tax or other governmental charge payable in connection therewith.

REDEMPTION PROVISIONS

Optional Redemption. The 2021A Bonds maturing on or after October 1, 20__ are subject to redemption at the County's option, in whole or in part on any date on or after October 1, 20__, upon payment of the principal amount to be redeemed plus interest accrued to the redemption date, without premium.

[2021B Bonds – par call or make whole redemption?]

[*Mandatory Sinking Fund Redemption.* The 2021A Bonds maturing on October 1, 20__, are subject to mandatory sinking fund redemption, at a redemption price equal to the principal amount to be redeemed plus accrued interest, if any, to the redemption date, without premium, on October 1, in the years and amounts as follows:

Year	Amount
*	

*Maturity.]

Selection. If less than all of the 2021 Bonds are to be optionally redeemed as described above, the County in its discretion may elect which maturities of 2021 Bonds are to be redeemed. If less than all the 2021 Bonds of any maturity are to be redeemed, the Trustee shall select the 2021 Bonds to be redeemed by lot; provided, however, that so long as a book-entry system with DTC is used for determining beneficial ownership of 2021 Bonds, if less than all the 2021 Bonds within a maturity are to be redeemed, the parties agree that DTC may determine which of the 2021 Bonds within the maturity are to be redeemed in accordance with DTC's then-current rules and procedures.

In any case, (1) the portion of any 2021 Bond to be redeemed must be in the principal amount of $5,000 or some multiple thereof, and (2) in selecting 2021 Bonds for redemption, each 2021 Bond will be considered as representing that number of 2021 Bonds which is obtained by dividing the principal amount of that 2021 Bond by $5,000. If a portion of a 2021 Bond is called for redemption, a new 2021 Bond of the same maturity in principal amount equal to the unpaid portion will be delivered to the registered owner upon the surrender of the 2021 Bond.

Effect of Call for Redemption. If on or before the date fixed for redemption funds are deposited with the Trustee to pay the principal and interest accrued to the redemption date with respect to the 2021 Bonds called for redemption, the 2021 Bonds or portions of the 2021 Bonds called for redemption cease to accrue interest from and after the redemption date, and thereafter those 2021 Bonds (1) are no longer entitled to the benefits provided by the Trust Agreement and (2) are not deemed to be Outstanding under the Trust Agreement.

Notice of Redemption. The Trustee, at the County's direction, upon being satisfactorily indemnified with respect to expenses and with at least two Business Days' notice, will send notice of redemption no less than 30 nor more than 60 days prior to the redemption date, as follows: (1) with respect to any 2021 Bonds being called for redemption for which DTC or its nominee is the registered owner, to DTC, in whatever manner may be provided for under DTC's standard operating rules as then in effect (and if the Trustee is unable to determine those rules, by registered or certified mail, return receipt requested); (2) with respect to any 2021 Bonds for which no book-entry only system of registration is in effect, to each of the registered owners of those 2021 Bonds at their addresses as shown on the Trustee's registration books, by registered or certified mail; and (3) in any case, both (A) to the Municipal Securities Rulemaking Board for posting on its "EMMA" continuing disclosure system, or any successor system, and (B) to the LGC.

Failure to give any notice specified in (1) or (2), as applicable, or any defect in that notice, will not affect the validity of any proceedings for the redemption of any 2021 Bonds with respect to which no failure has occurred. Failure to give any notice specified in (3), or any defect in that notice, will not affect the validity of any proceedings for the redemption of any 2021 Bonds with respect to which the notice specified

in (1) or (2) is correctly given. Any notice mailed as provided in the Trust Agreement will conclusively be presumed to have been given regardless of whether received by any Owner.

Notwithstanding anything in the Trust Agreement to the contrary, the only remedy for the Trustee's failure to post any notice with the EMMA system will be an action by the holders of the 2021 Bonds, as applicable, in mandamus for specific performance or similar remedy to compel performance.

Any redemption notice, except a redemption notice in respect of a sinking fund payment date, may state that the redemption to be effected is conditioned upon (1) the Trustee's receipt on or prior to the redemption date of moneys sufficient to pay the principal of and premium, if any, and interest on the 2021 Bonds to be redeemed; or (2) any other condition not unacceptable to the Trustee. If a notice contains a condition and the Trustee either (i) does not receive moneys sufficient to pay the principal of and premium, if any, and interest on the 2021 Bonds on or prior to the redemption date, or (ii) the stated condition is not fulfilled, in either case on or prior to the redemption date, then redemption will not be made and the Trustee must, within a reasonable time, give notice in a manner in which the redemption notice was given that the moneys were not so received (or condition was not fulfilled) and the redemption was not made.

SECURITY AND SOURCES OF PAYMENT OF 2021 BONDS

GENERAL

The 2021 Bonds are payable from payments to be made by the County pursuant to the Trust Agreement and from certain other moneys, including certain Net Proceeds, if any, and certain amounts realized from any sale or lease of the Mortgaged Property, which payments and other moneys have been pledged to such payment as provided in the Trust Agreement.

PAYMENT OF BONDS; LIMITED OBLIGATION; BUDGET AND APPROPRIATIONS

The County shall cause to be paid, when due, the principal of (whether at maturity, by acceleration, or otherwise) and the premium, if any, and interest on the Bonds at the places, on the dates and in the manner described in the Trust Agreement. The County is obligated to pay Additional Payments in amounts sufficient to pay the fees and expenses of the Trustee, taxes or other expenses required to be paid pursuant to the Trust Agreement. Additional Payments are to be paid by the County directly to the person or entity to which such Additional Payments are owed.

In the Trust Agreement, the County agrees to include in the initial proposal for each of the County's annual budgets for review and consideration by the Board of Commissioners for the County, in any Fiscal Year, items for all Bond Payments and the reasonably estimated Additional Payments coming due in such Fiscal Year. Notwithstanding that the initial proposed budget includes an appropriation for Bond Payments and Additional Payments, the Board of Commissioners may determine not to include such an appropriation in the final County budget for such Fiscal Year; further, the Board of Commissioners may amend an adopted budget to reduce or delete an approved appropriation. An Event of Nonappropriation constitutes an Event of Default under the Trust Agreement, which entitles the Trustee to exercise its remedies under the Trust Agreement, including its rights to foreclose on the Mortgaged Property under the Deed of Trust.

IN CONNECTION WITH THE BOND PAYMENTS AND THE ADDITIONAL PAYMENTS, THE APPROPRIATION OF FUNDS THEREFOR IS WITHIN THE SOLE DISCRETION OF THE BOARD OF COMMISSIONERS OF THE COUNTY.

TRUST AGREEMENT

Under the Trust Agreement, the County will grant to the Trustee for the benefit of the Owners of the Bonds a lien on and security interest in all moneys and securities from time to time held by the Trustee under the Trust Agreement.

DEED OF TRUST

General. In connection with the execution and delivery of the 2021 Bonds, the County will execute and deliver the Deed of Trust as security for its obligations under the Trust Agreement granting a lien of record on the Mortgaged Property. The Deed of Trust secures the 2021 Bonds and any Additional Bonds issued under the Trust Agreement.

ONLY THE SITES ON WHICH (1) THE WHITTED BUILDING, (2) BLACKWOOD FARM PARK, (3) CULBRETH MIDDLE SCHOOL, AND (4) THE ORANGE COUNTY LIBRARY ARE LOCATED WILL BE INCLUDED IN THE DEFINITION OF "MORTGAGED PROPERTY" AND, CONSEQUENTLY, SUCH REAL PROPERTY AND ANY IMPROVEMENTS THEREON WILL BE SUBJECT TO THE LIEN CREATED BY THE DEED OF TRUST. See "**THE PLAN OF FINANCE**" herein.

The Deed of Trust authorizes future obligations evidenced by Additional Bonds executed and delivered under the Trust Agreement to be secured by the Deed of Trust, provided that the total amount of present and future obligations secured thereby at any one time does not exceed $_____ and such future obligations are incurred not later than 30 years from June 1, 2021.

The Deed of Trust will be recorded in the office of the Register of Deeds of Orange County, North Carolina, and the liens created thereby will be insured by a title insurance policy. The title insurance policy is subject to certain exceptions described therein[, including a survey exception with respect to certain portions of the Mortgaged Property].

Release of Security. The Trustee is required, upon the County's direction and at any time, to execute and deliver all documents necessary to effect the release of all or a portion of the Mortgaged Property from the lien of the Deed of Trust upon the County's compliance with the following requirements:

(a) The County must file with the Trustee a certificate executed by a County Representative, (i) stating that (A) no Event of Default is continuing, (B) that the grant or release will not materially impair the intended use of the property remaining subject to the Deed of Trust and (C) the release complies with the requirements of the Deed of Trust, (ii) providing a copy of the proposed instrument of grant or release, including a complete legal description of the property to be released, (iii) providing a written application signed by a County Representative requesting such instrument be executed and delivered, and (iv) providing evidence of compliance with (b) or (c) below, and.

(b) In the case of a proposed release of all the Mortgaged Property, the County must pay to the Trustee (or other fiduciary) an amount (i) which is sufficient to provide for the payment in full of all Outstanding Bonds in accordance with the Trust Agreement and (ii) which is required to be used for such payment.

(c) In connection with the release of a portion (but less than all) of the Mortgaged Property, the County must provide evidence to the Trustee that the appraised, tax or insured value of that portion of the Mortgaged Property that is proposed to remain

subject to the lien of the Deed of Trust is not less than 50% of the aggregate principal component of the Bonds Outstanding at the time the release is effected.

In addition to the provisions for release described above, the County may from time to time grant easements, licenses, rights-of-way and other similar rights with respect to any part of the Mortgaged Property, and the County may release such interests, with or without consideration, and the County may dispose of any undesirable or unnecessary Fixture, so long as such grant or disposition does not materially impair the intended use of the Mortgaged Property.

See "**THE DEED OF TRUST— Restriction on Transfers; Releases; Grants of Easements**" in Appendix C hereto.

ENFORCEABILITY

The enforceability of the parties' obligations under the Trust Agreement and the Deed of Trust are subject to bankruptcy, insolvency, reorganization and other laws related to or affecting the enforcement of creditors' rights generally and, to the extent that certain remedies under such instruments require or may require enforcement by a court, to such principles of equity as the court having jurisdiction may impose.

NOTWITHSTANDING ANYTHING THEREIN TO THE CONTRARY, THE DELIVERY OF THE 2021 BONDS SHALL NOT BE CONSTRUED OR INTERPRETED AS CREATING A PLEDGE OF THE FAITH AND CREDIT OF THE COUNTY WITHIN THE MEANING OF ANY CONSTITUTIONAL DEBT LIMITATION. IN ADDITION, NEITHER THE 2021 BONDS NOR THE TRUST AGREEMENT DIRECTLY OR INDIRECTLY OR CONTINGENTLY OBLIGATES THE COUNTY TO MAKE ANY PAYMENTS BEYOND THOSE APPROPRIATED IN THE SOLE DISCRETION OF THE BOARD OF COMMISSIONERS FOR ANY FISCAL YEAR IN WHICH THE 2021 BONDS ARE OUTSTANDING. IF THE COUNTY FAILS TO MAKE PAYMENTS OF PRINCIPAL OF OR INTEREST ON THE BONDS, THE TRUSTEE MAY DECLARE THE ENTIRE UNPAID PRINCIPAL OF THE BONDS TO BE IMMEDIATELY DUE AND PAYABLE AND DIRECT THE DEED OF TRUST TRUSTEE TO INSTITUTE FORECLOSURE PROCEEDINGS UNDER THE DEED OF TRUST AND PROCEED IN ACCORDANCE WITH LAW TO ATTEMPT TO DISPOSE OF THE MORTGAGED PROPERTY AND APPLY THE PROCEEDS OF SUCH DISPOSITION TOWARD ANY BALANCE, OWING BY THE COUNTY ON THE BONDS. NO ASSURANCE CAN BE GIVEN THAT SUCH PROCEEDS WILL BE SUFFICIENT TO PAY ALL PRINCIPAL OF AND INTEREST ON THE BONDS. IN ADDITION, SECTION 160A-20(f) OF THE NORTH CAROLINA GENERAL STATUTES PROVIDES THAT NO DEFICIENCY JUDGMENT MAY BE RENDERED AGAINST THE COUNTY FOR BREACH OF ANY CONTRACTUAL OBLIGATION AUTHORIZED UNDER SECTION 160A-20 AND THAT THE TAXING POWER OF THE COUNTY IS NOT AND MAY NOT BE PLEDGED DIRECTLY OR INDIRECTLY TO SECURE ANY MONEYS DUE FROM THE COUNTY. See "**THE TRUST AGREEMENT—Defaults and Remedies under the Trust Agreement - Acceleration**" and "– **Other Remedies**" and "**THE DEED OF TRUST— Defaults and Remedies; Foreclosure**" in Appendix C hereto and the caption "**CERTAIN RISKS OF 2021 BOND OWNERS**" herein.

ADDITIONAL BONDS

Under the conditions described in the Trust Agreement, without the approval or consent of the Owners of the then Outstanding 2021 Bonds, Additional Bonds may be delivered and secured on parity with the 2021 Bonds to provide funds (a) to expand or improve the Pledged Facilities, (b) to construct further improvements to the Pledged Sites, (c) to refund any Outstanding Bonds, (d) to pay financing costs or establish reserves in connection with the issuance of Additional Bonds, (e) for any other purpose that may be allowed by law from time to time, including the acquisition and construction of additional public facilities, whether or not those facilities are related to the Pledged Facilities or the Pledged Sites, or (f) for any combination of such purposes. See "**THE TRUST AGREEMENT—Additional Bonds**" in Appendix C hereto.

USE OF NET PROCEEDS

The County must elect to use Net Proceeds and other funds available therefor, subject to provisions of the Trust Agreement, to repair and restore the Mortgaged Property or to redeem or defease the Bonds in whole (but not in part) pursuant to the optional redemption provisions described above or the defeasance provisions of the Trust Agreement, as appropriate. The County has no option to redeem the 2021 Bonds from Net Proceeds other than in accordance with the optional redemption provisions described above (which provide for no optional redemption prior to October 1, 20__).

AVAILABLE SOURCES FOR PAYMENT

GENERAL

The County may pay its obligations under the Trust Agreement from any source of funds, including revenues generated by the projects financed under the Trust Agreement and other facilities in the County, available to it in each year and appropriated therefor until maturity of the 2021 Bonds.

GENERAL FUND REVENUES

The County's general fund revenues for the fiscal year ended June 30, 2020 were approximately $___ million and for the fiscal year ending June 30, 2021 are budgeted to be $___ million. General fund revenues are derived from various sources, including property taxes (which account for approximately 72% of the general fund revenues), sales taxes, fees and charges, as well as intergovernmental revenues. For the fiscal year ended June 30, 2020, the County imposed a property tax of $0.8679 per $100 of assessed value, all of which was appropriated to the General Fund by the County's Board of Commissioners. For the fiscal year ending June 30, 2021, the County will impose a property tax of $____ per $100 of assessed value. A rate of $0.8679 per $100 of assessed value in the fiscal year ended June 30, 2020 generated approximately $___ million. A rate of $___ per $100 of assessed value in the fiscal year ending June 30, 2021 is estimated to generate approximately $___ million. The General Statutes of North Carolina permit counties to impose property taxes of up to $1.50 per $100 of assessed value for certain purposes without the requirement of a voter referendum. See Appendix B hereto for a description of the uses of the County's general fund revenues for the fiscal year ended June 30, 2020.

THE PLAN OF FINANCE

The 2021 Bonds are being issued to provide funds to (1) finance the acquisition, construction, equipping and improvement of certain County facilities as further described below, (2) refund the Refunded Obligations as further described below, and (3) finance certain costs incurred in connection with the execution and delivery of the 2021 Bonds.

THE PROJECTS

A portion of the proceeds of the 2021A Bonds will be used to finance a variety of County projects. The County has adopted a practice of completing an annual financing to finance a broad range of acquisitions and improvements, so as to reduce its frequency of transactions and to handle projects that do not lend themselves conveniently to separate financings. The projects included in the current financing can be summarized, and the current estimates of the costs thereof, as follows:

Project	Estimated Cost
Court Street Annex Renovations	$188,600
Criminal Justice Resource Department Expansion/Renovation	205,779
Accessibility & Security Improvements	194,643
Government Services Annex Stormwater & Renovations	375,000
HVAC Projects	714,203
Major Plumbing Repairs	195,343
Justice Facility Improvements	43,221
Parking Lot Improvements	57,280
Roofing & Building Façade Improvements	1,130,353
Whitted Building Stormwater & Renovations	942,372
Link Center Remediation	282,377
IT Fiber Connectivity	302,532
ITGC Initiatives & IT Infrastructure	372,097
Solid Waste – Improvements & Vehicle Replacement	319,952
Emergency Services Vehicle Replacements	801,802
Sheriff vehicle replacements	107,104
Communication System Improvements	150,000
Blackwood Farm Park Construction	2,935,000
Parks – Renovations & Easements	420,486
Sportsplex – Maintenance & Repairs	698,304
Land Banking – Affordable Housing	628,313
Orange County Schools – Recurring Capital Projects	1,200,300
Orange County Schools – Maintenance & Improvements	651,586
Chapel Hill-Carrboro Schools – Recurring Capital Projects	1,799,700
Chapel Hill-Carrboro Schools – IT Infrastructure	1,519,261
Chapel Hill-Carrboro Schools – Supplemental Deferred Maintenance	631,740
Chapel Hill-Carrboro Schools – Various Maintenance & Improvements	1,808,454
Total Project Costs	$18,675,802

THE REFUNDED OBLIGATIONS

Refunded 2014 Installment Financing Agreement. A portion of the proceeds from the sale of the 2021A Bonds will be used to prepay amounts outstanding under the Refunded 2014 Installment Financing. [The Refunded 2014 Installment Financing Agreement is to be prepaid on the date the 2021 Bonds are issued.]

The Refunded SRL. A portion of the proceeds from the sale of the 2021A Bonds will be used to prepay the Refunded SRL. The Refunded SRL is to be prepaid on the date the 2021 Bonds are issued.

The Refunded 2012 Bonds. A portion of the proceeds from the sale of the 2021B Bonds will be used to refund the Refunded 2012 Bonds in accordance with the provisions of the Refunded 2012 Bonds. To accomplish the refunding of the Refunded 2012 Bonds, a portion of the proceeds from the sale of the 2021B Bonds will be deposited into an escrow fund (the "Escrow Fund") to be established pursuant to an Escrow Agreement dated as of June 1, 2021, between the County and The Bank of New York Mellon Trust Company, N.A., as escrow agent (the "Escrow Agent"). Amounts deposited into the Escrow Fund will be invested in defeasance obligations (the "Escrow Securities"), the maturing principal and interest of which

will provide funds sufficient to pay, when and as due, respectively, the interest on the Refunded 2012 Bonds until October 1, 2022, and the maturing principal and redemption price of 100% of the Refunded 2012 Bonds on October 1, 2022. See "VERIFICATION" herein. The Escrow Agent will be given irrevocable instructions to call the Refunded 2012 Bonds for prepayment on October 1, 2022. *The beneficial owners of the 2021 Bonds will have no rights, security or interest in and to the Escrow Fund whatsoever.*

The accuracy of the mathematical computations of the adequacy of the maturing principal of and interest on the Escrow Securities to pay interest on the Refunded 2012 Bonds through October 1, 2022, and the principal amount of the Refunded 2012 Bonds on October 1, 2022, will be verified by Bingham Arbitrage Rebate Services, Inc. Such verification will be based, among other things, on mathematical computations supplied by the Underwriters.

THE MORTGAGED PROPERTY

The 2021 Bonds and any Additional Bonds will be secured by the Mortgaged Property. The Mortgaged Property includes the County's Whitted Building, Blackwood Farm Park, Culbreth Middle School and Orange County Library (all as described below), and the associated real estate. The "Mortgaged Property" is defined in the Deed of Trust to include these facilities and real estate, and any additional improvements to the facilities and real estate, but generally does not include any equipment or furnishings associated with the property.

Whitted Building. The Whitted Building is a three-story building consisting of approximately ____ square feet on an approximately ___-acre site located at 300 West Tryon Street in Hillsborough, North Carolina. The Whitted Building houses certain of the County's administrative offices, Board of Commissioners' meeting space and event space. A portion of the proceeds of the 2021A Bonds will be used to make certain improvements to the Whitted Building, including _____. The County estimates the insured value of this building (not including the equipment associated with the building, which is generally not part of the Mortgaged Property) to be approximately $___ million.

Blackwood Farm Park. Blackwood Farm Park consists of approximately 152 acres of land located at 4215 N.C. Highway 86 South in Hillsborough, North Carolina. The park includes a historic farmhouse, barn, smokehouse, corncrib and other outbuildings, a picnic shelter, restrooms, 4 miles of hiking trails, and fishing pond. A portion of the proceeds of the 2021A Bonds will be used to construct certain improvements at Blackwood Farm Park, including _____. The County estimates the insured value of this property (not including the equipment associated with the property, which is generally not part of the Mortgaged Property) to be approximately $___ million.

Culbreth Middle School. Culbreth Middle School is a one-story building consisting of approximately ____ square feet on an approximately ___-acre site located at 225 Culbreth Road in Chapel Hill, North Carolina. The County estimates the insured value of this building (not including the equipment associated with the building, which is generally not part of the Mortgaged Property) to be approximately $___ million.

Orange County Library. The Orange County Library Main Branch is a two-story building consisting of approximately ____ square feet on an approximately ___-acre site located at 137 W. Margaret Lane in Hillsborough, North Carolina. The County estimates the insured value of this building (not including the equipment associated with the building, which is generally not part of the Mortgaged Property) to be approximately $___ million.

NO OTHER FACILITY OR IMPROVEMENT FINANCED OR REFINANCED WITH THE 2021 BONDS WILL BE INCLUDED AS PART OF THE MORTGAGED PROPERTY.

The Trust Agreement and the Deed of Trust generally allow the County to direct the release of any portion of the Mortgaged Property, in the County's discretion, so long as the taxable, appraised or insured value of the property remaining subject to the lien of the Deed of Trust following such release is at least equal to 50% of the principal amount of the Outstanding Bonds. See "**THE DEED OF TRUST—No Transfers; Releases; Grants of Easements**" in Appendix C hereto.

ESTIMATED SOURCES AND USES OF FUNDS

The County estimates the sources and uses of funds for the plan of finance to be as follows:

SOURCES:	
Par Amount of the 2021 Bonds	
Net Original Issue Premium/Discount	
TOTAL SOURCES OF FUNDS	
USES:	
Deposit to Project Fund	
Refunding of 2012 Bonds	
Prepayment of 2014 Contract	
Prepayment of State Revolving Loan	
Costs of Issuance[1]	
TOTAL USES OF FUNDS	

[1] Includes legal fees, underwriters' compensation, financial advisor fees, rating agency fees, fees and expenses of the Trustee and miscellaneous fees and expenses.

TOTAL ANNUAL DEBT SERVICE REQUIREMENTS

The following table sets forth for each Fiscal Year of the County, the debt service required to be paid by the County under the Trust Agreement with respect to the 2021 Bonds.

Fiscal Year (Ended June 30)	2021A Bonds Total Principal and Interest	2021B Bonds Total Principal and Interest	Total
2021			
2022			
2023			
2024			
2025			
2026			
2027			
2028			
2029			
2030			
2031			
2032			
2033			
2034			
2035			
2036			
2037			
2038			
2039			
2040			
2041			
TOTAL[1]			

Note: Totals may not foot due to rounding.

CERTAIN RISKS OF 2021 BOND OWNERS

INSUFFICIENCY OF PAYMENTS

If the County fails to pay any payments on the Bonds as the same become due or if another event of default occurs under the Trust Agreement, the Trustee may accelerate the principal with respect to the Bonds, direct the Deed of Trust Trustee to foreclose on the Mortgaged Property under the Deed of Trust, take possession of the Mortgaged Property and attempt to dispose of the Mortgaged Property. See "**THE DEED OF TRUST**" in Appendix C hereto. Zoning restrictions and other land use factors relating to the Mortgaged Property may limit the use of the Mortgaged Property and may affect the proceeds obtained on any disposition by the Deed of Trust Trustee. THERE CAN BE NO ASSURANCE THAT THE MONEYS AVAILABLE IN THE FUNDS AND ACCOUNTS HELD BY THE TRUSTEE AND THE PROCEEDS OF ANY SUCH DISPOSITION OF THE MORTGAGED PROPERTY WILL BE SUFFICIENT TO PROVIDE FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST WITH RESPECT TO THE BONDS. SECTION 160A-20(f) OF THE GENERAL STATUTES OF NORTH CAROLINA PROVIDES THAT NO DEFICIENCY JUDGMENT MAY BE RENDERED AGAINST THE COUNTY FOR ANY AMOUNTS THAT MAY BE OWED BY THE COUNTY UNDER THE TRUST AGREEMENT, AND THE TAXING POWER OF THE COUNTY IS NOT AND MAY NOT BE PLEDGED DIRECTLY OR INDIRECTLY OR CONTINGENTLY TO SECURE ANY MONEYS OWING BY THE COUNTY UNDER THE TRUST AGREEMENT. THE

REMEDIES AFFORDED TO THE TRUSTEE AND THE OWNERS OF THE BONDS ON A DEFAULT BY THE COUNTY UNDER THE TRUST AGREEMENT ARE LIMITED TO THOSE OF A SECURED PARTY UNDER THE LAWS OF THE STATE OF NORTH CAROLINA, INCLUDING FORECLOSING ON THE DEED OF TRUST.

RISK OF NONAPPROPRIATION

The appropriation of moneys to make payments pursuant to the Trust Agreement is within the sole discretion of the Board of Commissioners of the County. If the Board of Commissioners fails to appropriate such moneys, the only sources of payment for the Bonds will be the moneys, if any, available in certain funds and accounts held by the Trustee under the Trust Agreement and the proceeds of any attempted foreclosure on the County's interest in the Mortgaged Property under the Deed of Trust.

VALUE OF COLLATERAL

The County's estimated value of the Mortgaged Property (as further described under the caption above "**THE PLAN OF FINANCE – The Mortgaged Property**") is at least $___ million, which is approximately [__]* of the aggregate principal amount of the 2021 Bonds. This value is based in part on the County's own estimates, and the County has not commissioned or obtained any appraisals for the purpose of this valuation. The amount of proceeds received through foreclosure of the County's interest in the Mortgaged Property may be affected by a number of factors, including (1) the costs and expenses in enforcing the lien and security, (2) the condition of the Mortgaged Property, (3) the occurrence of any damage, destruction, loss or theft of the Mortgaged Property which is not repaired or replaced and for which there are not received from insurance policies or appropriated moneys from any risk management program, (4) problems relating to the paucity of alternative uses of the facilities arising from their design, zoning restrictions, use restrictions, easements and encumbrances on the Mortgaged Property and (5) environmental problems and risks with respect to the Mortgaged Property.

The Trust Agreement permits the issuance of Additional Bonds without regard to the value of the Mortgaged Property, and the Deed of Trust allows for up to $___ million in principal amount of Bonds to be secured thereby. To the extent that Additional Bonds are issued and no additional property is subject to the Modified Deed of Trust, the value of the collateral as a percentage of the outstanding principal amount of Bonds should be expected to decrease, which decrease may be material.

NO REPRESENTATION IS MADE AS TO THE VALUE OF, OR THE AMOUNT OF PROCEEDS THAT MAY BE REALIZED FROM, THE COUNTY'S INTEREST IN THE MORTGAGED PROPERTY IN THE EVENT OF A FORECLOSURE.

UNINSURED CASUALTY

If all or any part of the Mortgaged Property is damaged or destroyed by any casualty or taken by any governmental authority, the County is obligated under the Trust Agreement to apply any Net Proceeds from insurance or condemnation (1) to repair, restore or rebuild the Mortgaged Property or (2) to provide for the redemption or defeasance of all, but not less than all, of the Bonds. If the County applies any Net Proceeds to repair, restore or rebuild the Mortgaged Property and such Net Proceeds are not sufficient to repair, restore or rebuild the Mortgaged Property to its condition prior to such damage, destruction or taking, then the value of the Mortgaged Property would be reduced. The Trust Agreement requires that certain insurance be maintained with respect to the Mortgaged Property. Such insurance may not, however, cover all perils to which the Mortgaged Property is subject.

* Preliminary, subject to change.

OUTSTANDING GENERAL OBLIGATION DEBT OF THE COUNTY

The County has issued general obligation bonds and may issue general obligation bonds and notes in the future. The County will pledge its faith and credit and taxing power to the payment of its general obligation bonds and notes to be issued. See Appendix A, "**THE COUNTY—DEBT INFORMATION**" attached hereto. FUNDS WHICH MAY OTHERWISE BE AVAILABLE TO PAY BOND PAYMENTS OR ADDITIONAL PAYMENTS OR TO MAKE OTHER PAYMENTS TO BE MADE BY THE COUNTY UNDER THE TRUST AGREEMENT MAY BE SUBJECT TO SUCH FAITH AND CREDIT PLEDGE BY THE COUNTY AND THEREFORE MAY BE REQUIRED TO BE APPLIED TO THE PAYMENT OF ITS GENERAL OBLIGATION INDEBTEDNESS.

ENVIRONMENTAL RISKS

[A Phase I environmental site assessment was performed on the site of the Whitted Building in ____, which revealed no recognized environmental conditions.][The site of the Whitted Building has been owned by the County since ____.]

[A Phase I environmental site assessment was performed on the site of the Blackwood Farm Park in ____, which revealed no recognized environmental conditions.][The site of the Blackwood Farm Park has been owned by the County since ____.]

[A Phase I environmental site assessment was performed on the site of Culbreth Middle School in ____, which revealed no recognized environmental conditions.][The site of Culbreth Middle School has been owned by the County since ____.]

[A Phase I environmental site assessment was performed on the site of the Orange County Library in ____, which revealed no recognized environmental conditions.][The site of the Orange County Library has been owned by the County since ____.]

[The County is not aware of any material environmental contamination on such sites.]

Undiscovered or future environmental contamination could have a material adverse effect on the value of the Mortgaged Property; however, the County is required under the Trust Agreement to undertake whatever environmental remediation may be required by law.

ADDITIONAL BONDS

The County may execute and deliver Additional Bonds under the Trust Agreement that are secured by the Mortgaged Property, thereby diluting the relative value of the collateral with respect to the 2021 Bonds. In addition, remedies under the Trust Agreement and the Deed of Trust are controlled by the Majority Owners. Upon issuance of the 2021 Bonds, the Owners of the 2021 Bonds will be Majority Owners, but may not continue to be the Majority Owners if Additional Bonds are issued.

BANKRUPTCY

Under current North Carolina law, a local governmental unit such as the County may not file for bankruptcy protection without (1) the consent of the LGC and (2) the satisfaction of the requirements of § 109(c) of the United States Bankruptcy Code. If the County were to initiate bankruptcy proceedings with the consent of the LGC and satisfy the requirements of 11 U.S.C. § 109(c), the bankruptcy proceedings could have material and adverse effects on holders of the 2021 Bonds, including (a) delay in enforcement of their remedies, (b) subordination of their claims to claims of those supplying goods and services to the County after the initiation of bankruptcy proceedings and to the administrative expenses of bankruptcy

proceedings and (c) imposition without their consent of a plan of reorganization reducing or delaying payment of the 2021 Bonds. The effect of the other provisions of the United States Bankruptcy Code on the rights and remedies of the holders of the 2021 Bonds cannot be predicted and may be affected significantly by judicial interpretation, general principles of equity (regardless of whether considered in a proceeding in equity or at law) and considerations of public policy.

CYBERSECURITY

The County, like many other large public and private entities, relies on a large and complex technology environment to conduct its operations, and faces multiple cybersecurity threats including, but not limited to, hacking, phishing, viruses, malware and other attacks on its computing and other digital networks and systems (collectively, "Systems Technology"). As a recipient and provider of personal, private, or sensitive information, the County may be the target of cybersecurity incidents that could result in adverse consequences to the County and its Systems Technology, requiring a response action to mitigate the consequences.

Cybersecurity incidents could result from unintentional events, or from deliberate attacks by unauthorized entities or individuals attempting to gain access to the County's System Technology for the purposes of misappropriating assets or information or causing operational disruption and damage. To mitigate the risk of business operations impact and/or damage from cybersecurity incidents or cyber-attacks, the County invests in multiple forms of cybersecurity and operational safeguards.

While the County's cybersecurity and operational safeguards are periodically tested, no assurances can be given by the County that such measures will ensure against other cybersecurity threats and attacks. Cybersecurity breaches could cause material disruption to the County's finances or operations. The costs of remedying any such damage or protecting against future attacks could be substantial. Further, cybersecurity breaches could expose the County to material litigation and other legal risks, which could cause the County to incur material costs related to such legal claims or proceedings.

CLIMATE CHANGE

The County is susceptible to the effects of extreme weather events and natural disasters, including floods, droughts and hurricanes, and has experienced severe weather events in the past. These effects may be amplified by a prolonged global temperature increase over the next several decades (commonly referred to as "climate change"). No assurances can be given that a future extreme weather event driven by climate change will not adversely affect the operations of the County.

POTENTIAL IMPACT OF COVID-19

The continued spread of COVID-19 has impacted and will continue to impact global financial markets, national, State, and local economies, and areas of transportation. Management of the County is closely monitoring the situation. The County cannot predict the ultimate effects of COVID-19 on (i) the financial and operating condition of the County or (ii) the investment in the 2021 Bonds. See Appendix A, "**THE COUNTY – RECENT DEVELOPMENTS RELATED TO COVID-19**."

THE COUNTY

GENERAL

The County is located in the north-central portion of the State. The Town of Chapel Hill is the largest municipality in the County and is the home of The University of North Carolina at Chapel Hill. See Appendix A for a description of the County.

FINANCIAL INFORMATION

The financial statements of the County have been audited by certified public accountants for the fiscal year ended June 30, 2020. Excerpts from the financial statements of the County for the fiscal year ended June 30, 2020 are available in Appendix B hereto. Copies of the complete financial statements containing the unqualified report of the independent certified public accountants are available in the office of Gary Donaldson, Chief Financial Officer, 200 South Cameron St., Hillsborough, North Carolina 27278.

LEGAL MATTERS

LITIGATION

To the best of the knowledge of the County, no litigation is now pending or threatened against or affecting the County which seeks to restrain or enjoin the authorization, execution or delivery of the 2021 Bonds, the Trust Agreement or the Deed of Trust, or which contests the County's creation, organization or corporate existence, or the title of any of the present officers thereof to their respective offices or the authority or proceedings for the County's authorization, execution and delivery of the 2021 Bonds, the Trust Agreement or the Deed of Trust, or the County's authority to carry out its obligations thereunder or which would have a material adverse impact on the County's condition, financial or otherwise.

OPINIONS OF COUNSEL

Legal matters related to the execution, sale and delivery of the 2021 Bonds are subject to the approval of Sanford Holshouser LLP. Certain legal matters will be passed upon for the County by its counsel, John L. Roberts, Esq., and for the Underwriters by their counsel, McGuireWoods LLP. The opinion of Sanford Holshouser LLP, as Bond Counsel, substantially in the form set forth in Appendix D hereto, will be delivered at the time of the delivery of the 2021 Bonds.

Bond Counsel's approving legal opinion expresses Bond Counsel's professional judgment as to the legal issues explicitly addressed in the opinion. By rendering a legal opinion, an opinion giver does not become an insurer or guarantor of that expression of professional judgment, of the transaction opined upon, or of the future performance of parties to the transaction. Additionally, the rendering of an opinion does not guarantee the outcome of any legal dispute that may arise out of the transaction, and a bond opinion is not a statement (either expressly or by implication) concerning the marketability, value or likelihood of payment of the bonds.

Bond Counsel has not been engaged to investigate the County's operations or condition or the County's ability to provide for payments on the 2021 Bonds. Bond Counsel will express no opinion (1) as to the County's financial condition or its ability to provide for payments on the 2021 Bonds, or (2) as to the accuracy, completeness or fairness of any information that may have been relied on by anyone in making a decision to purchase 2021 Bonds, including this Official Statement. Bond Counsel has, however, provided the sample legal opinion form that appears as Appendix D, prepared the document summaries that appear as Appendix C, and approved the descriptions in this Official Statement of (1) the terms of the 2021 Bonds

and the financing documents and (2) its legal opinion. In this transaction, Bond Counsel serves only as bond counsel to the County.

[Bond Counsel to Update] TAX TREATMENT

OPINION OF BOND COUNSEL

In the opinion of Sanford Holshouser LLP, Carrboro, North Carolina, Bond Counsel for the County ("Bond Counsel"), under existing law, interest on the 2021 Bonds paid by the County (1) will not be included in gross income for federal income tax purposes, (2) will not be a specific item of tax preference for purposes of the federal alternative minimum income tax, and (3) will be exempt from existing State of North Carolina income taxes.

The proposed form of Bond Counsel's opinion is attached as Appendix D.

Bond Counsel's opinion does not address the tax-exempt status of payments on the 2021 Bonds derived from parties other than the County (for example, payments derived from proceeds of a foreclosure on the Mortgaged Property), even if those payments are denominated as interest with respect to the 2021 Bonds.

Bond Counsel will give its opinion in reliance upon certifications by County representatives and others as to certain facts relevant to the opinion. The County has covenanted to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), regarding, among other matters, the use, expenditure and investment of the proceeds derived from the sale of the 2021 Bonds and the timely payment to the United States of any arbitrage profit with respect to the 2021 Bonds. The County's failure to comply with its covenants could cause interest on the 2021 Bonds to be included in gross income for federal income tax purposes retroactively to the date of issuance of the 2021 Bonds.

DISCOUNT BONDS

The initial public offering prices of the 2021 Bonds maturing on October 1, 20__ through October 1, 20__, inclusive (collectively, the "Discount Bonds"), are less than the amounts payable at maturity. An amount not less than the difference between the initial offering prices to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters, placement agents, wholesalers or other intermediaries) of the Discount Bonds and the amounts payable at maturity constitutes original issue discount. Under existing federal income tax law and regulations, the original issue discount on a Discount Bond is interest not includable in the gross income of an owner who purchases such Discount Bond in the original offering at the initial public offering price thereof and holds it to maturity, and such owner will not realize taxable gain upon payment of such Discount Bond at maturity. Owners who purchase Discount Bonds at a price other than the initial offering price or who do not purchase Discount Bonds in the initial public offering should consult their tax advisors with respect to the consequences of the ownership of such Discount Bonds. An owner who purchases a Discount Bond in the initial offering at the initial offering price and holds such Discount Bond to maturity is deemed under existing federal tax laws and regulations to accrue original issue discount on a constant yield basis under Section 1288 of the Code from the date of original issue. An owner's adjusted basis in a Discount Bond is increased by accrued original issue discount for purposes of determining gain or loss on sale, exchange or other disposition of such Discount Bond. Accrued original issue discount may be taken into account as an increase in the amount of tax-exempt interest received or deemed to have been received for purposes of determining various other tax consequences of owning a Discount Bond, including in the calculation of adjusted current earnings of corporations for purposes of computing the alternative minimum tax imposed by the Code on corporations, even though there will not be a corresponding cash payment.

Bond Counsel's opinion will not address issues relating to the treatment of original issue discounts on Discount Bonds. **Owners and prospective purchasers of Discount Bonds should consult their own tax advisors regarding the calculation of accrued original issue discount for federal income tax purposes and any North Carolina or other state and local tax consequences in connection with the ownership or disposition of Discount Bonds**.

PREMIUM BONDS

The initial public offering prices of the 2021 Bonds maturing on October 1, 20__ through October 1, 20__, inclusive (collectively, the "Premium Bonds"), are greater than the amounts payable at maturity. The difference between (a) the initial offering prices to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters, placement agents, wholesalers or other intermediaries) at which a substantial amount of each maturity of the Premium Bonds is sold and (b) the principal amount payable at maturity of such Premium Bonds constitutes original issue premium. In general, an owner of a Premium Bond must amortize the bond premium over the remaining term of the Premium Bond based on the owner's yield over the remaining term of the Premium Bond, determined based on constant yield principles (in certain cases involving a Premium Bond callable prior to its stated maturity date, the amortization period and yield may be required to be determined on the basis of an earlier call date that results in the lowest yield on such Premium Bond). An owner of a Premium Bond must amortize the bond premium by offsetting the qualified stated interest allocable to each interest accrual period under the owner's regular method of accounting against the bond premium allocable to that period and subtract such bond premium from the owner's basis in such Premium Bond. If the bond premium allocable to an accrual period exceeds the qualified stated interest allocable to that accrual period, the excess is a nondeductible loss. Under certain circumstances, the owner of a Premium Bond may realize a taxable gain upon disposition of the Premium Bond even though it is sold or redeemed for an amount less than or equal to the owner's original acquisition cost.

Bond Counsel's opinion will not specifically address any issues relating to the treatment of premium paid on, or attributable to, Premium Bonds. **Owners and prospective purchasers of Premium Bonds should consult their own tax advisors regarding the treatment of bond premium for federal income tax purposes and any North Carolina or other state and local tax consequences in connection with receipt of bond premium or otherwise with respect to the ownership and disposition of Premium Bonds**.

OTHER TAX CONSEQUENCES

Ownership or transfer of, or the accrual or receipt of interest on, the 2021 Bonds may result in collateral federal, State of North Carolina, and other state or local tax consequences to certain taxpayers, including, without limitation, financial institutions, property and casualty insurance companies, certain foreign corporations doing business in the United States, certain S corporations with excess passive income, individual recipients of Social Security or Railroad Retirement benefits, taxpayers who may be deemed to have incurred or continued indebtedness to purchase or carry tax-exempt obligations, taxpayers who may be eligible for the federal earned income tax credit, and taxpayers subject to franchise, estate, inheritance, gift or capital gains taxes. Owners and prospective purchasers of the 2021 Bonds should consult their tax advisors as to any such possible tax consequences. Except to the extent covered in its legal opinion, Bond Counsel expresses no opinion regarding any such collateral tax consequences.

Interest on the 2021 Bonds may or may not be subject to state or local taxation in jurisdictions other than North Carolina. Owners and prospective purchasers of the 2021 Bonds should consult their own tax advisors as to the status of interest on the 2021 Bonds under the tax laws of any such jurisdiction other than North Carolina. Bond Counsel will express no opinion as to any such matters.

No assurance can be given that future legislation, including amendments to the Code or interpretations thereof, if enacted into law, or certain litigation or judicial decisions, if upheld, will not contain provisions or produce results which could, directly or indirectly, reduce the benefit of the excludability of interest on the 2021 Bonds from gross income for federal income tax purposes.

The Internal Revenue Service (the "Service") has an ongoing program of auditing tax-exempt obligations to determine whether, in the view of the Service, interest on such tax-exempt obligations is includable in the gross income of the owners thereof for federal income tax purposes. No assurances can be given as to whether or not the Service will commence an audit of the 2021 Bonds.

Interest paid on tax-exempt obligations, such as the 2021 Bonds, will be subject to information reporting in a manner similar to interest paid on taxable obligations. Although such reporting requirement does not, in and of itself, affect the excludability of interest with respect to the 2021 Bonds from gross income for federal income tax purposes, such reporting requirement causes the payment of interest with respect to the 2021 Bonds to be subject to backup withholding if such interest is paid to beneficial owners who (a) are not "exempt recipients," and (b) either fail to provide certain identifying information (such as the beneficial owner's taxpayer identification number) in the required manner or have been identified by the Service as having failed to report all interest and dividends required to be shown on their income tax returns. Generally, individuals are not exempt recipients, whereas corporations and certain other entities generally are exempt recipients. Amounts withheld under the backup withholding rules from a payment to a beneficial owner would be allowed as a refund or credit against such beneficial owner's federal income tax liability provided the required information is furnished to the Service.

CONTINUING DISCLOSURE OBLIGATION

In accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 ("Rule 15c2-12"), the County has undertaken in the Trust Agreement to provide, or cause to be provided through the Trustee, to the Municipal Securities Rulemaking Board (the "MSRB"):

(1) by not later than seven months after the end of each fiscal year, beginning with the fiscal year ending June 30, 2021, the audited financial statements of the County for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or if such audited financial statements are not then available, unaudited financial statements of the County for such fiscal year to be replaced subsequently by audited financial statements of the County to be delivered within 15 days after such audited financial statements become available for distribution;

(2) by not later than seven months after the end of each fiscal year, beginning with the fiscal year ending June 30, 2021, the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the captions "**THE COUNTY—DEBT INFORMATION**" and "**—TAX INFORMATION**" in Appendix A relating to the 2021 Bonds (excluding any information on overlapping or underlying debt) to the extent such items are not included in the audited financial statements referred to in (1) above;

(3) in a timely manner not in excess of ten business days after the occurrence of the event, notice of any of the following events with respect to the 2021 Bonds:

(a) principal and interest payment delinquencies;

(b) non-payment related defaults, if material;

(c) unscheduled draws on debt service reserves reflecting financial difficulties;

(d) unscheduled draws on credit enhancements reflecting financial difficulties;

(e) substitution of credit or liquidity providers, or their failure to perform;

(f) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the 2021A Bonds, or other material events affecting the tax status of the 2021A Bonds;

(g) modifications to rights of holders of the 2021 Bonds, if material;

(h) calls for redemption of 2021 Bonds (other than calls pursuant to sinking fund redemption), if material, and tender offers;

(i) defeasances;

(j) release, substitution, or sale of property securing repayment of the 2021 Bonds, if material;

(k) rating changes;

(l) bankruptcy, insolvency, receivership or similar proceedings related to the County or any other person or entity that may at any time become legally obligated to make payments on the 2021 Bonds (collectively, the "Obligated Persons");

(m) the consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(n) appointment of a successor or additional trustee or the change of name of a trustee, if material;

(o) incurrence of a financial obligation of the County, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the County or any Obligated Person, any of which affect security holders, if material; and

(p) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the County, any of which reflect financial difficulties; and

(4) in a timely manner, notice of a failure of the County to provide required annual financial information described in (1) or (2) above on or before the date specified.

For purposes of the foregoing, "financial obligation" means a (a) debt obligation, (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing

or planned debt obligation, or (c) a guarantee of (a) or (b). The term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

For the purposes of the event identified in subparagraph (l) above, the event is considered to occur when any of the following occurs: the appointment of a receiver, fiscal agent or similar officer for an Obligated Person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Obligated Person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Obligated Person.

The County shall provide the document referred to above to the MSRB in an electronic format as prescribed by the MSRB and accompanied by identifying information as prescribed by the MSRB.

The County may discharge its undertaking described above by transmitting the documents referred to above to any entity and by any method authorized by the U.S. Securities and Exchange Commission.

At present, Section 159-34 of the General Statutes of North Carolina requires that the County's financial statements be prepared in accordance with generally accepted accounting principles and that they be audited in accordance with generally accepted auditing standards.

The County has acknowledged in the Trust Agreement that its undertaking pursuant to Rule 15c2-12 is intended to be for the benefit of the registered owners of the 2021 Bonds and is enforceable by the Trustee or by any registered owner of the 2021 Bonds. THE RIGHT TO ENFORCE THE PROVISIONS OF THE COUNTY'S RULE 15C2-12 UNDERTAKINGS IS LIMITED TO A RIGHT TO OBTAIN SPECIFIC PERFORMANCE OF THE COUNTY'S OBLIGATIONS AND A FAILURE BY THE COUNTY TO COMPLY WITH ITS RULE 15C2-12 UNDERTAKINGS WILL NOT BE AN EVENT OF DEFAULT UNDER THE TRUST AGREEMENT AND WILL NOT RESULT IN ACCELERATION OF THE INSTALLMENT PAYMENTS.

The County may modify from time to time, consistent with Rule 15c2-12, the information provided or the format of the presentation of such information, to the extent necessary or appropriate in the judgment of the County; provided that (1) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law or change in the identity, nature or status of the County; (2) the information to be provided, as modified, would have complied with the requirements of the Rule 15c2-12 as of the date of this Official Statement, after taking into account any amendments or interpretations of the Rule 15c2-12, as well as any changes in circumstances; and (3) any such modification does not materially impair the interest of the Owners or the beneficial owners, as determined by the Trustee or nationally recognized bond counsel or by the approving vote of the Owners of a majority in principal amount of the 2021 Bonds. Any annual financial information containing modified operating data or financial information will explain, in narrative form, the reasons for the modification and the impact of the change in the type of operating data or financial information being provided.

The County's Rule 15c2-12 undertakings will terminate on payment, or provision having been made for payment in a manner consistent with the Rule 15c2-12, in full of the principal and interest with respect to the 2021 Bonds.

THE COUNTY'S CONTINUING DISCLOSURE COMPLIANCE

[To be reviewed/confirmed] During the past five years, the County has not failed to comply in all material respects with the terms of its prior undertakings under Rule 15c2-12, except as described in the following paragraphs.

The County had certain disclosure information that was due to be posted by January 31, 2017, with respect to the fiscal year ended June 30, 2016. At that deadline, however, the County's CAFR (including its audit) for the fiscal year ended June 30, 2016, was not yet available. Prior to the deadline, the County posted certain unaudited financial statements as called for by the terms of its continuing disclosure undertakings. In this posting, however, by oversight, the County did not post its adopted budget or the supplemental financial information as required by its continuing disclosure undertakings. The County posted such required supplemental financial information in March 2017 and its adopted budget in October 2017. Additionally, for some years, while the County timely posted its annual disclosures on EMMA, such annual disclosures were not always properly linked to each of the County's CUSIP numbers.

In April 2019, the County determined that it had in some circumstances inadvertently failed to post on the EMMA system information regarding its approved County budget for the fiscal year ended June 30, 2019, as required by some of the County's continuing disclosure obligations, although the County's CAFR included some budget information. Upon becoming aware of this issue, the County promptly moved to properly link the required budget information to all relevant CUSIP numbers.

The County has filed notices of failure to file the items described above as required by Rule 15c2-12, which describe the occasions of non-compliance and corrected compliance.

The County is not aware of any other occasions in which it was in material noncompliance with any of its continuing disclosure undertakings. The County has not knowingly failed to comply with its prior continuing disclosure undertakings. The County believes that at this point, it has filed all the financial information that its previous commitments require, and that all required financial information is posted with regard to all relevant CUSIP numbers.

UNDERWRITING

The Underwriters have agreed under the terms of a Bond Purchase Agreement (the "Purchase Agreement") to purchase all of the 2021 Bonds, if any of the 2021 Bonds are to be purchased, at a purchase price equal to 100% of the principal amount of the 2021 Bonds, plus/less net original issue premium/discount of $_____, less an Underwriters' discount of $_____. The Underwriters' obligation to purchase the 2021 Bonds is subject to certain terms and conditions set forth in the Purchase Agreement.

FHN Financial Capital Markets is a division of First Horizon Bank and First Horizon Advisors, Inc., is a wholly owned subsidiary of First Horizon Bank. FHN Financial Capital Markets has entered into a distribution agreement with First Horizon Advisors, Inc., for the distribution of the offered Bonds at the original issue prices. Such arrangement generally provides that FHN Financial Capital Markets will share a portion of its underwriting compensation or selling concession with First Horizon Advisors, Inc.

The Underwriters may offer and sell the 2021 Bonds to certain dealers (including dealers depositing the 2021 Bonds into investment trusts) and others at prices lower than the initial public offering prices stated on the inside front cover page hereof. The public offering prices may be changed from time to time by the Underwriters.

RATINGS

Moody's Investors Service, Inc., S&P Global Ratings and Fitch Ratings Inc. have assigned ratings of "[___]," "[___]" and "[___]," respectively, to the 2021 Bonds. These ratings reflect only the view of such rating agencies, and an explanation of the significance of such ratings may be obtained from such rating agencies. Certain information and materials not included in this Official Statement were furnished to such rating agencies. There is no assurance that such ratings will continue for any given period of time or that such ratings will not be revised downward or withdrawn entirely if, in the judgment of such rating agencies, circumstances so warrant. Any such downward revision or withdrawal of such ratings may have an adverse effect on the market price of the 2021 Bonds.

MISCELLANEOUS

All quotations from and summaries and explanations of the Trust Agreement and the Deed of Trust contained herein or in Appendix C hereto do not purport to be complete, and reference is made to such documents for full and complete statements of their respective provisions. The Appendices attached hereto are a part of this Official Statement.

The information contained in this Official Statement has been compiled or prepared from information obtained from the County and other sources deemed to be reliable and, although not guaranteed as to completeness or accuracy, is believed to be correct as of this date. Any statements involving matters of opinion, whether or not expressly so stated, are intended as such and not as representations of fact.

APPENDIX A

THE COUNTY

APPENDIX B

MANAGEMENT'S DISCUSSION AND ANALYSIS AND THE BASIC FINANCIAL STATEMENTS OF ORANGE COUNTY, NORTH CAROLINA

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Management's Discussion and Analysis

The Management's Discussion and Analysis of the financial activities of the County, lifted from the Comprehensive Annual Financial Report for the County for the fiscal year ended June 30, 2020, is included in this Appendix. Management's Discussion and Analysis provides an objective and easily readable short and long-term analysis of the County's financial activities based on currently known facts, decisions or conditions. Management's Discussion and Analysis is not a required part of the Basic Financial Statements but is supplementary information required by the Governmental Accounting Standards Board. The independent auditors of the County have applied certain limited procedures, which consist primarily of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, they did not audit this information and did not express an opinion on it.

Financial Information

The financial statements of the County have been audited by certified public accountants for the fiscal year ended June 30, 2020. Copies of these financial statements containing the unqualified report of the independent certified public accountant are available in the office of the Chief Financial Officer at 200 South Cameron St., Hillsborough, North Carolina 27278.

The following financial statements are the Basic Financial Statements of the County, the notes thereto and certain required supplementary information, lifted from the Comprehensive Annual Financial Report of the County for the fiscal year ended June 30, 2020.

APPENDIX C

SUMMARY OF PRINCIPAL LEGAL DOCUMENTS

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APPENDIX D

FORM OF OPINION OF BOND COUNSEL

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APPENDIX E

BOOK-ENTRY ONLY SYSTEM

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APPENDIX E

BOOK-ENTRY ONLY SYSTEM

Beneficial ownership interests in the 2021 Bonds will be available only in a book-entry system. The actual purchasers of the 2021 Bonds (the "Beneficial Owners") will not receive physical certificates representing their interests in such 2021 Bonds purchased. So long as The Depository Trust Company ("DTC"), New York, New York, or its nominee is the registered owner of the 2021 Bonds, references in this Official Statement to the Owners of the 2021 Bonds shall mean DTC or its nominee and shall not mean the Beneficial Owners of the 2021 Bonds. The Trust Agreement contains provisions applicable to periods when DTC or its nominee is not the registered owner.

The following description of DTC, its procedures and record keeping with respect to beneficial ownership interests in the 2021 Bonds, payment of interest and other payments with respect to the 2021 Bonds to DTC Participants or to beneficial owners, confirmation and transfer of beneficial ownership interests in the 2021 Bonds and/or other transactions by and between DTC, DTC Participants and beneficial owners is based on information furnished by DTC.

DTC will act as securities depository for the 2021 Bonds. The 2021 Bonds will be registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC. One fully-registered certificate in the aggregate principal amount of each maturity of the 2021 Bonds will be deposited with DTC or its designee. So long as Cede & Co. is the registered owner of the 2021 Bonds, as DTC's Partnership nominee, reference herein to the Owners or registered owners of the 2021 Bonds shall mean Cede & Co. and shall not mean the beneficial owners of the 2021 Bonds.

DTC, the world's largest securities depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, as amended. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 100 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants of sales and other securities transactions in deposited securities through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC, in turn, is owned by a number of Direct Participants of DTC and Members of the National Securities Clearing Corporation, Fixed Income Clearing Corporation and Emerging Markets Clearing Corporation as well as by the New York Stock Exchange, Inc., the American Stock Exchange, and the National Association of Securities Dealers, Inc. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly (the "Indirect Participants" and collectively with the Direct Participants, the "Participants"). DTC has a Standard & Poor's rating of AA+. The DTC rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at **www.dtcc.com**.

Purchases of 2021 Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for 2021 Bonds on DTC's records. The ownership interest of each actual

purchaser of the 2021 Bonds (the "Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participants through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the 2021 Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners of such 2021 Bonds. Beneficial Owners will not receive certificates representing their ownership interests in 2021 Bonds, except in the event that use of the book-entry system for such 2021 Bonds is discontinued.

To facilitate subsequent transfers, all 2021 Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co. or such name as may be requested by an authorized representative of DTC. The deposit of 2021 Bonds with DTC and their registration in the name of Cede & Co. or such other nominee do not effect any change in beneficial ownership. DTC has no knowledge of the identities of the actual Beneficial Owners of the 2021 Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such 2021 Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of the 2021 Bonds may wish to take certain steps to augment transmission to them of notices of significant events with respect to such 2021 Bonds, such as redemptions, defaults and proposed amendments to the security documents. For example, Beneficial Owners of the 2021 Bonds may wish to ascertain that the nominee holding such 2021 Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the registrar and request that copies of notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the 2021 Bonds within a maturity are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in the 2021 Bonds of such maturity to be redeemed.

Neither DTC nor Cede & Co. (nor such other DTC nominee) will consent or vote with respect to the 2021 Bonds unless authorized by a Direct Participant in accordance with DTC's procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Trustee as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting and voting rights to those Direct Participants to whose accounts such 2021 Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Because DTC is treated as the owner of the 2021 Bonds for substantially all purposes under the Trust Agreement, Beneficial Owners may have a restricted ability to influence in a timely fashion remedial action or the giving or withholding of requested consents or other directions. In addition, because the identity of Beneficial Owners is unknown to the County, to DTC or to the Trustee, it may be difficult to transmit information of potential interest to Beneficial Owners in an effective and timely manner. **Beneficial Owners should make appropriate arrangements with their broker or dealer regarding distribution of information regarding the 2021 Bonds that may be transmitted by or through DTC.**

Principal, premium, if any, and interest payments on the 2021 Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to

credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Trustee, on the payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such Participants and not of DTC (nor its nominee), the Trustee or the County, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal, premium, if any, and interest to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the Trustee's responsibility, disbursement of such payments to Direct Participants is DTC's responsibility, and disbursement of such payments to the Beneficial Owners shall be the responsibility of Direct and Indirect Participants. The County cannot and does not give assurance that Direct and Indirect Participants will promptly transfer payments to Beneficial Owners.

DTC may discontinue providing its services as securities depository with respect to the 2021 Bonds at any time by giving reasonable notice to the County and the Trustee. Under such circumstances, in the event that a successor depository is not obtained, physical certificates representing interests in 2021 Bonds are required to be printed and delivered. The County may decide to discontinue use of the system of book-entry only transfers through DTC (or a successor securities depository). In that event, physical certificates will be printed and delivered to DTC.

The County and the Trustee have no responsibility or obligation to DTC, the Direct Participants, the Indirect Participants or the Beneficial Owners with respect to (1) the accuracy of any records maintained by DTC or any Participant, or the maintenance of any records; (2) the payment by DTC or any Participant of any amount due to any Beneficial Owner in respect of the 2021 Bonds, or the sending of any amount due to any beneficial owner in respect to the 2021 Bonds or the sending of transaction statements; (3) the delivery or timeliness of delivery by DTC or any Participant of any notice to any Beneficial Owner which is required or permitted under the Trust Agreement to be given to Owners; (4) the selection of the Beneficial Owners to receive payments upon any partial redemption of the 2021 Bonds; or (5) any consent given or other action taken by DTC or its nominee as the registered owner of the 2021 Bonds, including any action taken pursuant to an omnibus proxy.

The information in this section concerning DTC and DTC's book-entry system has been obtained from sources the County believes to be reliable, but the County takes no responsibility for the accuracy thereof.

Attachment 8

$[_____]
ORANGE COUNTY, NORTH CAROLINA
LIMITED OBLIGATION BONDS, SERIES 2021A
TAXABLE LIMITED OBLIGATION REFUNDING BONDS, SERIES 2021B

BOND PURCHASE AGREEMENT

June [__], 2021

Orange County, North Carolina
Hillsborough, North Carolina

Ladies and Gentlemen:

The undersigned, FHN Financial Capital Markets ("FHN") on its own behalf and as representative of Robert W. Baird & Co. Incorporated (together, the "Underwriters"), offers to enter into the following purchase agreement (this "Bond Purchase Agreement") with Orange County, North Carolina (the "County"), which, upon the County's acceptance of this offer, will be binding upon the County and the Underwriters. This offer is made subject to the County's acceptance of this Bond Purchase Agreement, which acceptance shall be evidenced by the execution and delivery (manually or by facsimile transmission) of this Bond Purchase Agreement by a duly authorized officer of the County on or before 12:00 P.M., Eastern Time, on the date hereof. Upon such acceptance, execution and delivery, this Bond Purchase Agreement shall be in full force and effect in accordance with its terms and shall be binding upon the County and the Underwriters. Except as expressly otherwise defined herein, capitalized terms used herein shall have the same meanings as set forth in the Preliminary Official Statement (as defined below).

(1) Purchase and Sale. (a) Upon the terms and conditions and based on the representations, warranties and covenants hereinafter set forth, the Underwriters hereby agree to purchase from the County, and the County hereby agrees to sell to the Underwriters, all (but not less than all) of the $[_____] aggregate principal amount of the County's Limited Obligation Bonds, Series 2021A (the "2021A Bonds") and the $[_____] aggregate principal amount of the County's Taxable Limited Obligation Refunding Bonds, Series 2021B (the "2021B Bonds" and, together with the 2021A Bonds, the "Bonds"), dated the date of payment for and the delivery of the Bonds (such payment and delivery being herein sometimes called the "Closing"). The purchase price for the 2021A Bonds shall be $[_____] (representing the principal amount of the 2021A Bonds, plus/less [net] original issue premium/discount of $[_____], and less underwriters' discount of $[_____]) and the purchase price for the 2021B Bonds shall be $[_____] (representing the principal amount of the 2021B Bonds, plus/less [net] original issue premium/discount of $[_____], and less underwriters' discount of $[_____]) (collectively, the "Purchase Price"). The Underwriters shall pay the Purchase Price for the Bonds on the day of the Closing by wiring $[_____], at the County's direction, to the Trustee (as defined below).

(b) The Bonds shall be issued and secured under and pursuant to a Trust Agreement dated as of June 1, 2021 (the "Trust Agreement"), between the County and The Bank of New York Mellon Trust Company, N.A., as trustee (the "Trustee"). The County is authorized pursuant to Section 20 of Chapter 160A of the General Statutes of North Carolina (the "Act"), to issue the Bonds for the purpose of providing funds to the County to (i) acquire, construct, equip and otherwise improve a variety of County facilities and assets, (ii) refund the Refunded Obligations and (iii) pay certain costs incurred in connection with the sale and issuance of the Bonds. The County's issuance of the Bonds has been authorized by a resolution adopted by the Board of Commissioners of the County on May 18, 2021 (the "Approving

Resolution"). As security for performance of the County's obligations under the Trust Agreement, the County will execute and deliver to a deed of trust trustee (the "Deed of Trust Trustee"), for the benefit of the Trustee, a Deed of Trust dated as of June 1, 2021 (the "Deed of Trust"), granting a first lien of record on the Mortgaged Property, subject to Permitted Encumbrances.

(c) The Bonds shall be dated the date of the Closing, shall mature on the dates and in the amounts, shall bear interest at the rates and shall have the terms stated in Exhibit A attached hereto.

(2) Sale of All the Bonds; Offering. It shall be a condition to the County's obligation to sell and deliver the Bonds to the Underwriters, and to the obligation of the Underwriters to purchase and accept delivery of the Bonds, that the entire principal amount of the Bonds is sold and delivered by the County, and accepted and paid for by the Underwriters at the Closing. The Underwriters intend to make a bona fide public offering of all the Bonds at a price or prices not in excess of the initial public offering price or prices set forth in Exhibit A. The Bonds may be offered and sold to certain dealers (including dealers depositing such Bonds into investment trusts or mutual funds) at prices lower than such public offering prices. The Underwriters reserve the right to make such changes in such prices as the Underwriters shall deem necessary in connection with the offering of the Bonds.

(3) Establishment of Issue Price.

(a) FHN, on behalf of the Underwriters, agrees to assist the County in establishing the issue price of the 2021A Bonds and shall execute and deliver to the County at Closing an "issue price" or similar certificate, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit B, with such modifications as may be appropriate or necessary, in the reasonable judgment of FHN, the County, and Sanford Holshouser LLP ("Bond Counsel"), to accurately reflect, as applicable, the sales price or prices or the initial offering price or prices to the public of the 2021A Bonds.

(b) [Except as otherwise set forth in Exhibit B attached hereto,] [t]he County will treat the first price at which 10% of each maturity of the 2021A Bonds (the "10% test") is sold to the public as the issue price of that maturity (if different interest rates apply within a maturity, each separate CUSIP number within that maturity will be subject to the 10% test). At or promptly after the execution of this Bond Purchase Agreement, FHN shall report to the County the price or prices at which the Underwriters have sold to the public each maturity of the 2021A Bonds. If at that time the 10% test has not been satisfied as to any maturity of the 2021A Bonds, FHN agrees to promptly report to the County the prices at which it sells the unsold 2021A Bonds of that maturity to the public. That reporting obligation shall continue, whether or not the Closing Date (as hereinafter defined) has occurred, until the 10% test has been satisfied as to the 2021A Bonds of that maturity or until all 2021A Bonds of that maturity have been sold to the public.

(c) [FHN confirms that the Underwriters have offered the 2021A Bonds to the public on or before the date of this Bond Purchase Agreement at the offering price or prices (the "initial offering price"), or at the corresponding yield or yields, set forth in Exhibit B attached hereto, except as otherwise set forth therein. Exhibit B also sets forth, as of the date of this Bond Purchase Agreement, the maturities, if any, of the 2021A Bonds for which the 10% test has not been satisfied and for which the County and FHN, on behalf of the Underwriters, agrees that the restrictions set forth in the next sentence shall apply, which will allow the County to treat the initial offering price to the public of each such maturity as of the sale date as the issue price of that maturity (the "hold-the-offering-price rule"). So long as the hold-the-offering-price rule remains applicable to any maturity of the 2021A Bonds, the Underwriters will neither offer nor sell unsold 2021A Bonds of that maturity to any person at a price that is higher than the initial

offering price to the public during the period starting on the sale date and ending on the earlier of the following:

(1) the close of the fifth (5^{th}) business day after the sale date; or

(2) the date on which the Underwriters have sold at least 10% of that maturity of the 2021A Bonds to the public at a price that is no higher than the initial offering price to the public.

The Underwriters shall promptly advise the County when the Underwriters have sold 10% of that maturity of the 2021A Bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.]

(d) FHN confirms that any selling group agreement and any retail distribution agreement (to which FHN is a party) relating to the initial sale of the 2021A Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (A) report the prices at which it sells to the public the unsold 2021A Bonds of each maturity allotted to it until it is notified by FHN that either the 10% test has been satisfied as to the 2021A Bonds of that maturity or all 2021A Bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by FHN. The County acknowledges that, in making the representation set forth in this subsection, FHN will rely on (i) in the event a selling group has been created in connection with the initial sale of the 2021A Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, if applicable, as set forth in a selling group agreement and the related pricing wires, and (ii) in the event that a retail distribution agreement was employed in connection with the initial sale of the 2021A Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, if applicable, as set forth in the retail distribution agreement and the related pricing wires. The County further acknowledges that the Underwriters shall not be liable for the failure of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement, to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the 2021A Bonds.

(e) The Underwriters acknowledge that sales of any 2021A Bonds to any person that is a related party to either of the Underwriters shall not constitute sales to the public for purposes of this section. Further, for purposes of this section:

i. "public" means any person other than an underwriter or a related party,

ii. "underwriter" means (A) any person that agrees pursuant to a written contract with the County (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the 2021A Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the 2021A Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the 2021A Bonds to the public),

iii. a purchaser of any of the 2021A Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of

another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

iv. "sale date" means the date of execution of this Bond Purchase Agreement by all parties.

(4) Official Statement. The County hereby ratifies and approves the Preliminary Official Statement dated May [__], 2021 (the "Preliminary Official Statement"), and consents to its distribution and use by the Underwriters prior to the date hereof in connection with the public offering and sale of the Bonds. The County confirms that the Preliminary Official Statement was "deemed final" by the County as of its date for purposes of Rule 15c2-12 of the United States Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"). Upon acceptance of this offer, the County shall prepare a final Official Statement and shall, within the earlier of seven (7) business days following the date hereof or two business days prior to the Closing Date (as hereinafter defined), deliver to the Underwriters printed copies of such final Official Statement (such final Official Statement, together with any amendment or supplement thereto, being the "Official Statement") in sufficient quantity as may reasonably be required by the Underwriters in order to comply with the Rule and any applicable rules of the Municipal Securities Rulemaking Board (the "MSRB"). The County hereby authorizes and approves the Official Statement and consents to the use and distribution of the Official Statement by the Underwriters in connection with the public offering and sale of the Bonds. At the time of or prior to the Closing, the Underwriters will file, or cause to be filed, the Official Statement with the MSRB. In addition, the County hereby approves and authorizes the Underwriters to coordinate the printing of the Official Statement and consents to the electronic distribution of the Official Statement.

(5) Representations of the County. The County hereby represents, warrants and covenants that:

(a) The County is a political subdivision duly organized and validly existing under the Constitution and laws of the State of North Carolina (the "State"), and is authorized pursuant to the laws of the State, including the Act, and the Approving Resolution to issue the Bonds.

(b) The County has full legal right, power and authority to (i) adopt the Approving Resolution, (ii) execute, deliver and perform its obligations under this Bond Purchase Agreement, the Trust Agreement, the Bonds, the Escrow Agreement and the Deed of Trust; (iii) issue and deliver the Bonds to the Underwriters as provided in this Bond Purchase Agreement; (iv) approve and authorize the distribution of the Preliminary Official Statement and the Official Statement; and (v) carry out and consummate all other transactions contemplated by this Bond Purchase Agreement, the Approving Resolution, the Trust Agreement, the Bonds, the Escrow Agreement, the Deed of Trust and the Official Statement.

(c) The Approving Resolution has been duly adopted by the County, and the County has duly authorized all necessary action to be taken by the County for: (i) the offering, issuance, sale, and delivery of the Bonds upon the terms set forth herein and in the Official Statement, (ii) the execution and delivery by the County of the Bonds, this Bond Purchase Agreement, the Trust Agreement, the Escrow Agreement, the Deed of Trust, and the performance of its obligations under the Bonds, this Bond Purchase Agreement, the Trust Agreement, the Escrow Agreement, the Deed of Trust and any and all such other agreements and documents as may be required to be executed, delivered, and received by the County in

order to carry out, give effect to, and consummate the transactions contemplated hereby and by the Official Statement (the Bonds, this Bond Purchase Agreement, the Trust Agreement, the Escrow Agreement, the Deed of Trust and such other agreements and documents being collectively referred to herein as the "County Documents"), and (iii) the authorization of the use and distribution of the Official Statement.

(d) The Approving Resolution was duly adopted at a meeting of the Board of Commissioners of the County called and held pursuant to law and with all public notice required by law and at which a quorum was present and acting throughout, and is in full force and effect and has not been amended or repealed.

(e) This Bond Purchase Agreement, the Trust Agreement, the Escrow Agreement, the Deed of Trust and any other instrument or agreement to which the County is a party in connection with the consummation of the transactions contemplated by the foregoing documents, when executed and delivered by the parties thereto, and assuming such documents are enforceable against the parties thereto other than the County, will constitute legal, valid and binding obligations of the County (subject, as to the enforcement of remedies, to the valid exercise of judicial discretion, the sovereign police powers of the State and constitutional powers of the United States of America and to any valid applicable bankruptcy, insolvency, moratorium, reorganization or other similar laws affecting the rights of creditors generally and the exercise of judicial discretion in accordance with general principles of equity).

(f) When delivered to and paid for by the Underwriters at the Closing, in accordance with the provisions of this Bond Purchase Agreement, the Bonds will have been duly authorized, executed and delivered by the County and will constitute legal, valid and binding special obligations of the County, enforceable in accordance with their terms (subject, as to the enforcement of remedies, to the valid exercise of judicial discretion, the sovereign police powers of the State and constitutional powers of the United States of America and to any valid applicable bankruptcy, insolvency, moratorium, reorganization or other similar laws affecting the rights of creditors generally and the exercise of judicial discretion in accordance with general principles of equity) and will be entitled to the benefits of, and secured as provided in, the Trust Agreement.

(g) The County has complied, and will at the Closing be in compliance, in all material respects, with the Approving Resolution, the Trust Agreement and the Act and all other agreements relating to projects undertaken by the County or with respect to which the County has assumed responsibility.

(h) There is no action, suit, proceeding, inquiry or investigation, at law or in equity, before or by any court, public board or body, pending or, to the knowledge of the County, threatened against or affecting the County (or, to the knowledge of the County, any meritorious basis therefor) (i) attempting to limit, enjoin or otherwise restrict or prevent the County from functioning or contesting or questioning the existence of the County or the titles of the present officers of the County to their offices or (ii) wherein an unfavorable decision, ruling or finding would (A) adversely affect the existence or powers of the County or the validity or enforceability of the Bonds, the Approving Resolution, the Trust Agreement, this Bond Purchase Agreement, the Escrow Agreement, the Deed of Trust or any agreement or instrument to which the County is a party and which is used or contemplated for use in the consummation of the transactions contemplated hereby including, without limitation, the County Documents and the Official Statement; or (B) materially adversely affect (1) the transactions contemplated by the County Documents or the Official Statement, or (2) the exemption of the interest on the 2021A Bonds from federal or State income taxation.

(i) The County's adoption of the Approving Resolution, its execution and delivery of the County Documents and the Bonds, and compliance with the provisions thereof and hereof, do not and will not conflict with or constitute, on the County's part, a violation of, breach of or default under any material statute, existing law, administrative regulation, filing, decree or order, state or federal, or any

provision of the Constitution or laws of the State, or any rule or regulation of the County, or any material indenture, mortgage, lease, deed of trust, note, resolution, or other agreement or instrument to which the County, or its properties, are subject or by which the County, or its properties, are or may be bound or, to the knowledge of the County, any order, rule or regulation of any regulatory body or court having jurisdiction over the County or its activities or properties.

(j) The County is not in default in the payment of the principal of or interest on any of its indebtedness for borrowed money and is not in default in any material respect under any document or instrument under and subject to which any indebtedness for borrowed money has been incurred which default would affect materially and adversely the transactions contemplated by any of the County Documents. No event has occurred or is continuing under the provisions of any such document or instrument that, with the lapse of time or the giving of notice, or both, would constitute an event of default thereunder, which event of default would affect adversely the transactions contemplated by any of the County Documents.

(k) The County is not in material breach of or in default under the Approving Resolution, any applicable law or administrative regulation of the State or the United States, or any applicable judgment or decree, or any loan agreement, note, resolution or other agreement or instrument to which the County is a party or is otherwise subject, which breach or default would in any way materially adversely affect the authorization or issuance of the Bonds and the transactions contemplated hereby, and no event has occurred and is continuing which, with the passage of time or the giving of notice or both, would constitute such a breach or default.

(l) On and as of the Closing, all authorizations, consents, and approvals of, notices to, registrations or filings with, or actions in respect of any governmental body, agency, or other instrumentality or court required to be obtained, given, or taken on behalf of the County in connection with the execution, delivery and performance by the County of the County Documents, and any other agreement or instrument to which the County is a party and which has been or will be executed in connection with the consummation of the transactions contemplated by the foregoing documents, will have been obtained, given, or taken and will be in full force and effect.

(m) Any certificate signed by an authorized officer of the County delivered to the Underwriters shall be deemed a representation and warranty by the County to the Underwriters as to the truth of the statements made therein.

(n) The County has and will cooperate with the Underwriters and their counsel in any endeavor to qualify the Bonds for offering and sale under the securities or "Blue Sky" laws of such jurisdictions of the United States as the Underwriters may request; provided, however, that the County will not be required to execute a general or special consent to service of process or qualify to do business in connection with any qualification or determination in any jurisdiction.

(o) The audited financial statements of the County for the period ended June 30, 2020, present fairly the County's financial condition as of such date and the results of its operations for the respective periods set forth therein and have been prepared in accordance with generally accepted accounting principles consistently applied. There has been no material change in the financial affairs of the County since June 30, 2020, except as disclosed specifically in the Official Statement.

(p) If between the date of this Bond Purchase Agreement and the date 25 days after the "end of the underwriting period" for the Bonds, as defined in the Rule, any event occurs which might or would cause the Official Statement to contain any untrue statement of a material fact or to omit to state a material fact required to be stated therein or necessary to make the statements therein, in the light of the

circumstances under which they were made, not misleading, the County shall promptly provide written notice to the Underwriters thereof, and if, in the opinion of the County or the Underwriters, such event requires the preparation and publication of a supplement or amendment to the Official Statement, the County shall at its expense supplement or amend the Official Statement in a form and in a manner approved by the Underwriters. For purposes of this Bond Purchase Agreement, the "end of the underwriting period" shall be deemed to be the Closing Date (as hereinafter defined), unless the Underwriters shall have notified the County to the contrary on or before the Closing Date.

(q) If the Official Statement is supplemented or amended pursuant to subsection (p) of this Section, at the time of each supplement or amendment thereto and (unless subsequently again supplemented or amended pursuant to such subsection) at all times subsequent thereto up to and including the Closing Date, the County shall take all steps necessary to ensure that the Official Statement as so supplemented or amended will not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading.

(r) The information in the Preliminary Official Statement (excluding therefrom the information under the captions "INTRODUCTION – Book-Entry Only" and "UNDERWRITING" and in Appendix E, as to which no representations or warranties are made), including its attachments and appendices, at the time of acceptance hereof is correct in all material respects, and such Preliminary Official Statement does not contain any untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements made therein, in the light of the circumstances under which they were made, not misleading; and the information in the Official Statement (excluding therefrom the information under the captions "INTRODUCTION – Book-Entry Only" and "UNDERWRITING" and in Appendix E, as to which no representations or warranties are made) as of its date and as of the Closing Date, will be true and correct and will not contain any untrue statement of a material fact or omit to state a material fact required to be stated therein or necessary to make the statements made therein, in the light of the circumstances under which they were made, not misleading.

(s) Between the date hereof and the Closing, the County shall not, without the prior written consent of the Underwriters, offer or issue in any material amount any bonds, notes or other obligations for borrowed money, or incur any material liabilities, direct or contingent, except in the course of normal business operations of the County or except for such borrowings as may be described in or contemplated by the Official Statement.

(t) Except as described in the Official Statement, during the last five years, the County has not failed to materially comply with any previous undertaking relating to continuing disclosure of information pursuant to Rule 15c2-12.

The execution and delivery of this Bond Purchase Agreement by the County shall constitute a representation by the County to the Underwriters that the representations, warranties and covenants contained in this Section 5 are true as of the date hereof; provided that no officer of the County shall be individually liable for the breach of any representation, warranty or covenant made by the County in this Section 5.

(6) Closing. At 10:00 a.m., Eastern Time, on June [__], 2021, or at such other time or date as the County and the Underwriters shall mutually agree upon (the "Closing Date"), the County shall (a) deliver or cause to be delivered, through the custody of The Depository Trust Company, New York, New York ("DTC"), or at such place as the County and Underwriters shall mutually agree upon, for the account of the Underwriters, the Bonds duly executed by the County in fully registered form, bearing proper CUSIP numbers, and registered in the name of Cede & Co., as nominee of DTC, which will act as securities

depository for the Bonds; and (b) deliver or cause to be delivered, to the Underwriters at Atlanta, Georgia, or at such other place as the County and Underwriters may mutually agree upon, the documents described in Section 7(d) hereof. Concurrently with the delivery of the Bonds and the documents mentioned in Section 7(d) hereof at the Closing, subject to the conditions contained herein, the Underwriters will accept such delivery and will pay the purchase price of the Bonds in the amount set forth in Section 1 hereof by wire transfer in immediately available funds to the Trustee for the account of the County. The Closing shall take place at the offices of the County. The Bonds shall be available for inspection by the Underwriters at least two business days prior to Closing.

(7) Closing Conditions/Right to Cancel. The Underwriters enter into this Bond Purchase Agreement in reliance upon the County's representations and agreements herein and the performance by the County of its obligations hereunder, both as of the date hereof and as of the date of Closing. The Underwriters' obligations under this Bond Purchase Agreement are and shall be subject to the following additional conditions:

(a) At the time of the Closing, the Approving Resolution, the Trust Agreement, and the Deed of Trust shall be in full force and effect and none of the Approving Resolution, the Trust Agreement, the Deed of Trust or the Official Statement shall have been amended, modified or supplemented, except as may have been approved in writing by the Underwriters, and the County shall have duly adopted, and there shall be in full force and effect, such other resolutions as, in the opinion of Bond Counsel, shall be necessary in connection with the transactions contemplated hereby.

(b) The Bonds, as set forth in Section 6, shall be delivered to the Trustee to be held by the Trustee under DTC's FAST program.

(c) The Underwriters shall have the right to cancel its obligation to purchase the Bonds at the time of Closing if any of the documents, certificates or opinions to be delivered to the Underwriters hereunder is not delivered at the time of Closing or if, between the date hereof and the time of Closing, one or more of the following occurs:

(i) Legislation (whether or not yet introduced in Congress of the United States ("Congress")) shall be enacted or be actively considered for enactment by the Congress or recommended to the Congress by the President of the United States or favorably reported for passage to either House of Congress by any committee of such House, or a conference committee of both Houses, to which such legislation had been referred for consideration, or a decision by a federal court of the United States or the United States Tax Court shall be rendered, or an order, ruling, regulation or official statement by or on behalf of the Treasury Department of the United States or the Internal Revenue Service or other governmental agency shall be made or proposed, or a release or official statement made by the President of the United States or by the Treasury Department of the United States or the Internal Revenue Service, with respect to federal taxation upon revenues or other income of the general character to be derived by the County or upon interest received on obligations of the general character of the Bonds which in the Underwriters' judgment, materially adversely affects the market for the Bonds; or

(ii) Legislation shall hereafter be enacted or actively considered for enactment or introduction, with an effective date on or prior to the Closing, or a decision by a court of the United States shall be rendered or a stop order, ruling, regulation or proposed regulation by or on behalf of the Securities and Exchange Commission or other agency having jurisdiction shall be made, to the effect that the issuance, sale and delivery of the Bonds, or any other obligations of any similar public body of the general character of the County is in violation of the Securities Act of 1933, as amended, of the Securities Exchange Act of 1934, as amended, or of the Trust Indenture

Act of 1939, as amended or with the purpose or effect of otherwise prohibiting the issuance, sale or delivery of the Bonds, as contemplated hereby, or of obligations of the general character of the Bonds; or

(iii) There shall have occurred any outbreak or escalation of hostilities or other national or international calamity or crisis, the effect of such outbreak, calamity or crisis on the financial markets of the United States being such as, in the Underwriters' judgment, would materially adversely affect the market for, or market price of, the Bonds; or

(iv) There shall be in force a general suspension of trading on the New York Stock Exchange or minimum or maximum prices for trading shall have been fixed and be in force, or maximum ranges for prices for securities shall have been required and be in force on the New York Stock Exchange whether by virtue of a determination by that Exchange or by order of the Securities and Exchange Commission or any other governmental authority having jurisdiction; or

(v) A general banking moratorium shall have been declared by federal, State or New York authorities having jurisdiction, and be in force, or a major financial crisis or a material disruption in commercial banking or securities settlement or clearances services shall have occurred such as to make it, in the judgment of the Underwriters, impractical or inadvisable to proceed with the offering of the Bonds as contemplated in the Official Statement; or

(vi) an event shall occur which makes untrue or incorrect in any material respect, as of the time of such event, any statement or information contained in the Official Statement or which is not reflected in the Official Statement but should be reflected therein in order to make the statements contained therein not misleading in any material respect and requires an amendment of or supplement to the Official Statement and the effect of which, in the judgment of the Underwriters, would materially adversely affect the market for the Bonds or the sale, at the contemplated offering prices (or yields), by the Underwriters of the Bonds; or

(vii) any of Fitch Ratings Inc. ("Fitch"), Moody's Investors Service, Inc. ("Moody's) or S&P Global Ratings, a business unit of Standard & Poor's Financial Services LLC ("S&P") shall have taken any action to lower, suspend or withdraw their respective ratings on the Bonds and such action, in the opinion of the Underwriters, would adversely affect the market price or marketability of the Bonds.

(d) At the Closing, the Underwriters shall receive the following documents:

(i) Duly executed or certified copies of each of the Trust Agreement, the Escrow Agreement and Deed of Trust;

(ii) The approving opinion of Bond Counsel in the form set forth in Appendix D of the Official Statement together with a supplemental opinion in form and substance satisfactory to the Underwriters, and a reliance letter addressed to the Underwriters, each of which shall be dated the Closing Date;

(iii) The opinion of John L. Roberts, Esq., County Attorney, dated the Closing Date and addressed to the Underwriters and Bond Counsel in form and substance satisfactory to the Underwriters;

(iv) An opinion of McGuireWoods LLP, as counsel to the Underwriters, dated the Closing Date and addressed to the Underwriters in form and substance satisfactory to the Underwriters;

(v) A certificate, dated the Closing Date, of the duly authorized representative(s) or officer(s) of the County and in form and substance satisfactory to the Underwriters, to the effect that (A) the representations and agreements of the County herein are true and correct in all material respects as of the date of Closing; (B) there are not pending or, to such officials' knowledge, threatened legal proceedings that will materially adversely affect the transactions contemplated hereby or by the Trust Agreement, or the validity or enforceability of the Bonds, or the security therefor; (C) the financial information relating to the County provided to the Underwriters presents fairly the financial position of the County as of the date indicated therein and the results of its operations for the period specified therein and the financial statements from which such information was derived have been prepared in accordance with applicable law with respect to the period involved; (D) since June 30, 2020, there has not been any material adverse change in the financial condition of the County taken as a whole or no increase in the County's indebtedness for borrowed money, other than as disclosed in the Official Statement or otherwise disclosed in writing to the Underwriters; (E) the information contained in the Official Statement as of the Closing Date is true and correct in all material respects and did not and does not contain any untrue or misleading statement of a material fact or omit to state any material fact necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading; and (F) the County has complied with all agreements and satisfied all the conditions on its part required to be performed or satisfied at or prior to the Closing, other than those specified hereunder that have been waived by the Underwriters;

(vi) A photocopy of the Official Statement;

(vii) One counterpart original of a transcript of all proceedings taken by the County relating to the authorization and issuance of the Bonds;

(viii) Specimen Bonds;

(ix) A certificate, dated the date of the Closing, of the duly authorized representative(s) or officer(s) of the County, with a copy of the Approving Resolution attached, to the effect that the Approving Resolution has been duly adopted and remains in full force and effect;

(x) A certificate, dated on or before the closing date, evidencing the property insurance required by the Trust Agreement;

(xi) A pro forma title insurance policy or other evidence of title insurance satisfactory to the Underwriters issued by Investors Title Insurance Company, relating to the Deed of Trust and naming the Trustee as a beneficiary;

(xii) Federal tax form 8038-G prepared with respect to the 2021A Bonds and ready for filing;

(xiii) A tax certificate of the County in form and content reasonably satisfactory to the Underwriters;

(xiv) Evidence that Moody's, S&P and Fitch have issued ratings for the Bonds of not less than "[___]," "[___]" and "[___]", respectively;

(xv) An executed copy of the Verification Report of Bingham Arbitrage Rebate Services, Inc.;

(xvi) A defeasance opinion of Bond Counsel addressed to the Trustee and the Underwriters in form and substance satisfactory to the Underwriters; and

(xvii) Such additional legal opinions, certificates, proceedings, instruments and other documents, as the Underwriters or legal counsel to the Underwriters may reasonably request to evidence compliance by the County with legal requirements relating to the issuance of the Bonds, the truth and accuracy, as of the date of Closing, of all representations contained herein and the due performance or satisfaction by the County at or prior to the date of Closing of all agreements then to be performed and all conditions then to be satisfied as contemplated under this Bond Purchase Agreement and the Trust Agreement.

If the County shall be unable to satisfy the conditions to the obligations of the Underwriters contained in this Bond Purchase Agreement or if the obligations of the Underwriters shall be terminated for any reason permitted by this Bond Purchase Agreement, this Bond Purchase Agreement shall terminate and neither the County nor the Underwriters shall have any further obligations hereunder, except that Sections 9 and 10 and the representations and warranties of the County contained herein (as of the date made) will continue in full force and effect.

(8) Survival. All representations, warranties and agreements of the County set forth in or made pursuant to this Bond Purchase Agreement shall remain operative and in full force and effect, regardless of any investigations made by or on behalf of the Underwriters and shall survive the delivery of and payment for the Bonds.

(9) Payment of Expenses. The County shall pay, out of the proceeds of the Bonds or from its own funds, any expenses incident to the performance of the obligations of the County or the Underwriters hereunder, including but not limited to: (i) the cost of the preparation, reproduction, printing, distribution, and mailing, of the Official Statement; (ii) the fees and disbursements of Bond Counsel and counsel for the County; (iii) the fees and disbursements of any experts retained by the County or the Underwriters; (iv) fees charged by the rating agencies for the rating of the Bonds; and (v) the cost of qualifying the Bonds under the laws of such jurisdictions as the Underwriters may designate, including filing fees and fees and disbursements of counsel for the Underwriters in connection with such qualification and the preparation of Blue Sky Memoranda.

If the Bonds are not delivered to the Underwriters pursuant to this Bond Purchase Agreement, the County shall pay all expenses incident to the performance of the County's and the Underwriters' obligations hereunder as provided in this Section.

The Underwriters shall pay (i) any fees of the MSRB in connection with the issuance of the Bonds, (ii) the cost of obtaining CUSIP number(s) assigned for the Bonds, and (iii) the fees and disbursements of counsel for the Underwriters.

(10) Indemnification. To the extent permitted by law, the County agrees to indemnify and hold harmless the Underwriters, the directors, officers, employees and agents of each Underwriter and each person who controls any Underwriter within the meaning of either the Securities Act of 1933, as amended (the "Securities Act") or the Securities Exchange Act of 1934, as amended (the "Exchange Act") against any and all losses, claims, damages or liabilities, joint or several, to which they or any of them may become subject under the Securities Act, the Exchange Act or other Federal or state statutory law or regulation, at common law or otherwise, insofar as such losses, claims, damages or liabilities arise out of or are based

upon any untrue statement or alleged untrue statement of a material fact (except statements pertaining to the Underwriters) contained in the Preliminary Official Statement, the Official Statement (or in any supplement or amendment thereto), or arise out of or are based upon the omission or alleged omission to state therein a material fact required to be stated therein or necessary to make the statements therein, in the light of the circumstances under which they were made, not misleading (except omissions or alleged omissions pertaining to the Underwriters). This indemnity agreement will be in addition to any liability which the County may otherwise have.

Each Underwriter severally and not jointly agrees to indemnify and hold harmless the County, and its officials, directors, officers, and employees, and each person who controls the County within the meaning of either the Securities Act or the Exchange Act, to the same extent as the foregoing indemnity from the County to each Underwriter, but only with reference to written information furnished by the Underwriters to the County or information provided by the Underwriters specifically for inclusion in the Preliminary Official Statement or the Official Statement (or in any amendment or supplement thereto).

Promptly after receipt by an indemnified party of notice of the commencement of any action, such indemnified party will, if a claim in respect thereof is to be made against the indemnifying party, notify the indemnifying party in writing of the commencement thereof; but the failure so to notify the indemnifying party (i) will not relieve it from liability unless and to the extent it did not otherwise learn of such action and such failure results in the forfeiture by the indemnifying party of substantial rights and defenses; and (ii) will not, in any event, relieve the indemnifying party from any obligations to any indemnified party other than the indemnification obligation. The indemnifying party shall be entitled to appoint counsel of the indemnifying party's choice at the indemnifying party's expense to represent the indemnified party in any action for which indemnification is sought provided, however, that such counsel shall be satisfactory to the indemnified party. Notwithstanding the indemnifying party's election to appoint counsel to represent the indemnified party in an action, the indemnified party shall have the right to employ separate counsel (including local counsel), and the indemnifying party shall bear the reasonable fees, costs and expenses of such separate counsel if (i) the use of counsel chosen by the indemnifying party to represent the indemnified party would present such counsel with a conflict of interest; (ii) the actual or potential defendants in, or targets of, any such action include both the indemnified party and the indemnifying party and the indemnified party shall have reasonably concluded that there may be legal defenses available to it and/or other indemnified parties which are different from or additional to those available to the indemnifying party; (iii) the indemnifying party shall not have employed counsel satisfactory to the indemnified party to represent the indemnified party within a reasonable time after notice of the institution of such action; or (iv) the indemnifying party shall authorize the indemnified party to employ separate counsel at the expense of the indemnifying party. An indemnifying party will not, without the prior written consent of the indemnified parties, settle or compromise or consent to the entry of any judgment with respect to any pending or threatened claim, action, suit or proceeding in respect of which indemnification or contribution may be sought hereunder (whether or not the indemnified parties are actual or potential parties to such claim or action) unless such settlement, compromise or consent includes an unconditional release of each indemnified party from all liability arising out of such claim, action, suit or proceeding.

In the event that the indemnity provided herein is unavailable or insufficient to hold harmless an indemnified party for any reason the County and the Underwriters agree to contribute to the aggregate losses, claims, damages and liabilities (including legal or other expenses reasonably incurred in connection with investigating or defending the same) to which the County and one or more of the Underwriters may be subject in such proportion as is appropriate to reflect the relative benefits received by the County on the one hand and by the Underwriters on the other from the offering. If the allocation provided by the immediately preceding sentence is unavailable for any reason, the County and the Underwriters shall contribute in such proportion as is appropriate to reflect not only such relative benefits

but also the relative fault of the County on the one hand and of the Underwriters on the other in connection with the statements or omissions which resulted in such losses, as well as any other relevant equitable considerations. In no case shall any Underwriter (except as may be provided in any agreement among the Underwriters relating to the offering) be responsible for any amount in excess of the purchase discount or fee applicable to the Bonds purchased by such Underwriter hereunder. Benefits received by the County shall be deemed to be equal to the total net proceeds from the offering (before deducting expenses) received by it, and benefits received by the Underwriters shall be deemed to be equal to the total purchase discounts and commissions in each case set forth on the cover of the Official Statement. Relative fault shall be determined by reference to, among other things, whether any untrue or any alleged untrue statement of a material fact or the omission or alleged omission to state a material fact relates to information provided by the County on the one hand or the Underwriters on the other, the intent of the parties and their relative knowledge, information and opportunity to correct or prevent such untrue statement or omission. The County and the Underwriters agree that it would not be just and equitable if contribution were determined by pro rata allocation or any other method of allocation which does not take account of the equitable considerations referred to above. Notwithstanding the provisions of this paragraph no person guilty of fraudulent misrepresentation (within the meaning of Section 11(f) of the Securities Act) shall be entitled to contribution from any person who was not guilty of such fraudulent misrepresentation. Each person who controls an Underwriter within the meaning of either the Securities Act or the Exchange Act and each director, officer, employee and agent of an Underwriter shall have the same rights to contribution as the Underwriter, and each person who controls the County within the meaning of either the Securities Act or the Exchange Act and each official, director, officer and employee of the County shall have the same rights to contribution as the County, subject in each case to the applicable terms and conditions of this paragraph.

(11) Notices. Any notice or other communication to be given to the County under this Bond Purchase Agreement must be given in writing (not to include facsimile transmission or electronic mail) to the applicable address shown below, and any notice under this Bond Purchase Agreement to the Underwriters may be given by delivering the same in writing to FHN as follows:

Orange County, North Carolina
200 South Cameron Street
Hillsborough, North Carolina 27278
(Attention: County Manager)

FHN Financial Capital Markets
3344 Peachtree Road, Suite 2125
Atlanta, GA 30326
(Attention: Bruce Gow, Senior Vice President)

(12) Governing Law. This Bond Purchase Agreement shall be governed by and construed in accordance with the laws of the State.

(13) Effectiveness. This Bond Purchase Agreement shall become effective upon the acceptance hereof by the County.

(14) Arm's-Length Transaction. The County acknowledges and agrees that the purchase and sale of the Bonds pursuant to this Bond Purchase Agreement is an arm's-length commercial transaction between the County and the Underwriters, acting solely as principals and not as municipal advisors, financial advisors or agents of the County. The Underwriters have not assumed a financial advisory responsibility in favor of the County with respect to the offering of the Bonds or the process leading thereto (whether or not the Underwriters, or any affiliate of the Underwriters, has advised or is currently advising the County on other matters) or any other obligation to the County except the obligations expressly set forth

in this Bond Purchase Agreement, it being the County's understanding that a financial advisory relationship shall not be deemed to exist when, in the course of acting as an underwriter, a broker, dealer or municipal securities dealer, a person renders advice to an issuer, including advice with respect to the structure, timing, terms and other similar matters concerning a new issue of municipal securities. The Underwriters have provided to the County prior disclosures regarding their role as underwriters, their compensation, any potential or actual material conflicts of interest, and material financial characteristics and material financial risks associated with the transaction to the extent required by MSRB rules. The Underwriters hereby notify the County that the Underwriters are not acting as Municipal Advisors (as defined in Section 15B of the Securities Exchange Act of 1934, as amended), the Underwriters are not agents of the County, and the Underwriters do not have a fiduciary duty to the County in connection with the matters contemplated by this Bond Purchase Agreement. The County has consulted its own legal, financial, and other advisors to the extent it has deemed appropriate.

(15) Miscellaneous. (a) If any provision of this Bond Purchase Agreement shall be held or deemed to be or shall, in fact, be inoperative, invalid or unenforceable as applied in any particular case in any jurisdiction or jurisdictions because it conflicts with any provisions of any constitution, statute, rule or public policy, or any other reason, such circumstances shall not have the effect of rendering the provision in question inoperable or unenforceable in any other case or circumstance, or of rendering any other provision or provisions of this Bond Purchase Agreement invalid, inoperative or unenforceable to any extent whatever.

(b) This Bond Purchase Agreement may be signed in any number of counterparts, each of which shall which shall be an original, but all of which shall constitute but one and the same instrument.

(c) This Bond Purchase Agreement is made solely for the benefit of and is binding on the County and the Underwriters (including successors or assigns of the Underwriters) and no other person shall acquire or have any right hereunder or by virtue hereof. It is the entire agreement of the parties, superseding all prior agreements, and may not be modified except in writing signed by both of the parties hereto.

(d) Under this Bond Purchase Agreement, the Underwriters are acting as principals and not as agents or fiduciaries, and the Underwriters' engagement is as independent contractors and not in any other capacity. The County agrees that it is solely responsible for making its own judgments in connection with the offering of the Bonds regardless of whether the Underwriters have or are currently advising the County on related or other matters.

[Remainder of Page Intentionally Left Blank]

Very truly yours,

FHN FINANCIAL CAPITAL MARKETS, on its own behalf and on behalf of Robert W. Baird & Co. Incorporated

By: _____
Bruce Gow, Senior Vice President

Approved, accepted and agreed to:

ORANGE COUNTY, NORTH CAROLINA

By:_____
Bonnie B. Hammersley, County Manager

EXHIBIT A

Terms of the Bonds

Principal Amounts, Interest Rates and Prices – 2021A Bonds

Maturity Date (October 1)	Principal Amount	Interest Rate	Yield	Price

* Yield to October 1, 20[__] call date at par.

Principal Amounts, Interest Rates and Prices – 2021B Bonds

Maturity Date (October 1)	Principal Amount	Interest Rate	Yield	Price

* Yield to October 1, 20[__] call date at par.

Redemption Provisions

EXHIBIT B

$[_____]
Orange County, North Carolina
Limited Obligation Bonds, Series 2021A

ISSUE PRICE CERTIFICATE

The undersigned, on behalf of FHN Financial Capital Markets ("FHN"), on behalf of itself and Robert W. Baird & Co. Incorporated (together, the "Underwriting Group"), hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the "Bonds").

1. [***Sale of the Bonds***. As of the date of this certificate, for each Maturity of the Bonds, the first price at which at least 10% of such Maturity of the Bonds was sold to the Public is the respective price listed in Schedule A.][***Sale of the General Rule Maturities***. As of the date of this certificate, for each Maturity of the General Rule Maturities, the first price at which at least 10% of such Maturity of the Bonds was sold to the Public is the respective price listed in Schedule A.]

2. ***[Initial Offering Price of the Hold-the-Offering-Price Maturities***.

(a) The Underwriting Group offered the Hold-the-Offering-Price Maturities to the Public for purchase at the respective initial offering prices listed in Schedule A (the "Initial Offering Prices") on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Bonds is attached to this certificate as Schedule B.

(b) As set forth in the Bond Purchase Agreement, the members of the Underwriting Group have agreed in writing that, (i) for each Maturity of the Hold-the-Offering-Price Maturities, they would neither offer nor sell any of the Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the "hold-the-offering-price rule"), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker-dealer who is a party to the retail distribution agreement, to comply with the hold-the-offering-price rule. FHN has not offered or sold any Maturity of the Bonds at a price that is higher than the respective Initial Offering Price for that Maturity of the Bonds during the Holding Period. Each of the other members of the Underwriting Group [and each selling group member] has represented that it would not offer or sell any Maturity of the Hold the-Offering-Price Maturities at a price that is higher than the respective Initial Offering Price for that Maturity of the Bonds during the Holding Period.]

3. ***Defined Terms***.

(a) [*General Rule Maturities* means those Maturities of the Bonds listed in Schedule A hereto as the "General Rule Maturities."]

(b) [*Hold-the-Offering-Price Maturities* means those Maturities of the Bonds listed in Schedule A hereto as the "Hold-the-Offering-Price Maturities."]

(c) [*Holding Period* means, with respect to a Hold-the-Offering-Price Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date (June __, 2021), or (ii) the date on which the Underwriters have sold at least 10% of such Hold-the-Offering-Price Maturity to the Public at prices that are no higher than the Initial Offering Price for such Hold-the-Offering-Price Maturity.]

(d) *Issuer* means Orange County, North Carolina.

(e) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(f) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(g) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is June __, 2021.

(h) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents FHN's interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Tax Certificate and with respect to compliance with the federal income tax rules affecting the Bonds, and by Bond Counsel in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of Internal Revenue Service Form 8038-G, and other federal income tax advice it may give to the Issuer from time to time relating to the Bonds. The representations set forth herein are not necessarily based on personal knowledge and, in certain cases, the undersigned is relying on representations made by other members of the Underwriting Group.

FHN FINANCIAL CAPITAL MARKETS, on its own behalf and on behalf of Robert W. Baird & Co. Incorporated

By: _____
Bruce Gow, Senior Vice President

Dated: June __, 2021

Schedule A

Sale Prices of the [Bonds][General Rule Maturities and Initial Offering Prices of the Hold-the-Offering Price Maturities]

[Schedule B

Pricing Wire or Equivalent Communication

(Attached)]

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-f

SUBJECT: Designation of Inflatable Boat as Surplus Property and Approval of Transfer to Eno Fire Department

DEPARTMENT: Emergency Services (ES)

ATTACHMENT(S):

Resolution

INFORMATION CONTACT:
Kirby Saunders, (919) 245-6123

PURPOSE: To:

1. Approve the designation of a 2019 Inmar inflatable rubber boat (vessel I.D. IMG4SA62G819) and accompanying 40 HP Evinrude jet prop (05560749) as surplus property; and
2. To approve the attached resolution approving and authorizing staff to complete the transfer of ownership to Eno Fire Department.

BACKGROUND: In 2020, Emergency Services was authorized to purchase an inflatable boat and motor to enhance swiftwater rescue capabilities within the county. The project was a cost-share with Eno Fire Department to replace outdated swift water rescue equipment. The Eno Fire Department provides fire suppression, emergency medical, and rescue services within its primary fire district located near the Durham County line. The Department is the primary response department to Eno River State Park. Eno Fire Department has had sole possession of the equipment since the acquisition and desires to become certified through the NC Association of Rescue and Emergency Medical Services. As part of the certification process, the Department must have the boat registered and such requires ownership.

With flooding as Orange County's highest natural threat, swiftwater rescue boats are paramount in conducting searches, rescues, and evacuations from flood waters. With this addition, the County will have (4) equipped and prepared swiftwater teams.

The County Attorney's Office was consulted and determined that the first step in transferring ownership was to declare the property as surplus. If approved, County staff will transfer the title and ownership to Eno Fire Department.

FINANCIAL IMPACT: The total value of the property at purchase was $10,941. Eno Fire Department has and will continue to assume all responsibility for ownership and maintenance of the vessel and engine.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board:

1. Approve the designation of the boat and motor as surplus equipment; and
2. Approve and authorize the Chair to sign the attached resolution approving and authorizing staff to transfer the surplus property to Eno Fire Department.

ORANGE COUNTY BOARD OF COMMISSIONERS

RESOLUTION APPROVING THE DONATION OF SURPLUS, OBSOLETE, OR UNUSED COUNTY EQUIPMENT TO THE ENO FIRE AND EMERGENCY SERVICES, INC. DEPARTMENT

WHEREAS, in 2019, Orange County purchased an Inmar rigid inflatable boat and Evinrude jet prop motor to enhance the swiftwater rescue capabilities within the County; and

WHEREAS, Eno Fire and Emergency Services, Inc. (Eno Fire Department) has been assigned this equipment and completed training to provide these rescue capabilities; and

WHEREAS, Eno Fire Department desires to become certified by the North Carolina Rescue and EMS Association and requires ownership of the boat in order to become registered; and

WHEREAS, County staff recommends that this equipment be donated to Eno Fire and Emergency Services, a fire district, which is a governmental unit as defined by North Carolina General Statute (NCGS) 160A-274(a), to be used for emergency rescue purposes; and

WHEREAS, pursuant to the provision of NCGS 160A-280 allows counties to donate to another governmental unit any personal property that the Board of County Commissioners deems to be surplus, obsolete, or unused; and

WHEREAS, pursuant to the provision of NCGS 160A-280, the Orange County Board of Commissioners has caused public notice of this proposed Resolution to be posted at least five days prior to the adoption of this Resolution approving the donation.

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Commissioners hereby approves the donation pursuant to the provisions of NCGS 160A-280 by Orange County to the Eno Fire and Emergency Services Department, Inc. of the above described personal property to be used for emergency rescue services.

Adopted this 18th day of May 2021.

_____

Renee Price, Chair
Orange County Board of Commissioners

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-g

SUBJECT: Change in BOCC Meeting Schedule for 2021

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):

INFORMATION CONTACT:

Laura Jensen, Clerk to the Board, 919-245-2130

PURPOSE: To consider changes to the Board of Commissioners' meeting calendar for 2021.

BACKGROUND: Pursuant to North Carolina General Statute 153A-40, the Board of County Commissioners must fix the time and place of its meetings or provide a notice of any change in the Meeting Schedule.

There is one proposed Meeting Calendar change for 2021, the addition of a virtual work session for Thursday, June 3, 2021, following the virtual budget public hearing scheduled to begin at 7:00 pm. Members of the Board of Commissioners would be participating in the meeting remotely. As in prior meetings, members of the public would be able to view and listen to the meeting via online streaming video or on Spectrum Cable TV. The meetings would be streamed in real-time on the County's website for public viewing/listening, real-time broadcast on Spectrum Cable, and video-recorded for future television broadcast and reference on the County's website.

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends the Board amend its meeting calendar for 2021 by adding a virtual work session for Thursday, June 3, 2021 to begin after the conclusion of the virtual budget hearing scheduled for 7:00 pm.

ORANGE COUNTY
BOARD OF COMMISSIONERS
ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-h

SUBJECT: Schools Adequate Public Facilities Ordinance – Approval and Certification of 2021 Report

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):
1. Town of Carrboro Resolution
2. 2021 SAPFOTAC Annual Report
3. 11x17 Copies of Student Projection Charts

INFORMATION CONTACT:
Craig Benedict, Director, 919-245-2575
Ashley Moncado, Planner II, 919-245-2589

PURPOSE: To approve and certify the 2021 Schools Adequate Public Facilities Ordinance Technical Advisory Committee (SAPFOTAC) Report.

BACKGROUND: At the December 15, 2020 Board of County Commissioners' meeting, the Board approved the November 13, 2020 actual membership and capacity numbers for both Chapel Hill-Carrboro City Schools (CHCCS) and Orange County Schools (OCS). Additional approvals/certifications, as outlined in the table below, are required by the SAPFO partners MOUs (Memoranda of Understanding). At the March 16, 2021 BOCC meeting, the Board received for transmittal the draft 2021 SAPFOTAC Report. A letter and the Executive Summary of the Report were sent to all SAPFO partners advising them of the availability of the draft Report and inviting comments. Comments were requested for submission by April 16, 2021.

The Carrboro Town Council received the draft 2021 SAPFOTAC Report at its April 13 meeting and approved the Resolution contained in Attachment 1. The Chapel Hill Town Council received the draft report on April 7 and the Town of Hillsborough Commissioners received the report at their April 12 meeting. No comments were received. Orange County School staff shared the draft 2021 SAPFOTAC Report with the Board of Education via email and no comments were received.

The exact pages of the 2021 SAPFOTAC Report that the BOCC will be acknowledging and certifying are listed below. The context (i.e. definitions and standards) of the various SAPFO elements precedes the data to be certified and is within the full report.

Element	**Page in SAPFOTAC Report**	**Certification to be made by BOCC**
Building Capacity with Capital Investment Plan (CIP) changes (Change from previous year)	11 through 16	Building capacity and current year membership for OCS and CHCCS were approved at the December 15, 2020 meeting.
Student Membership Projection Methodology	20	Certification that the **average** of 5 models will be used, as noted in #3 on page 20

(No change from previous year)		
Student Membership Projections (Change from previous year)	35 and 36	▪ Orange County Elementary, Middle, and High Schools Student Projections (row that notes average only) (p. 35) ▪ Chapel Hill - Carrboro Elementary, Middle, and High Schools Student Projections (row that notes average only) (p. 36)
Student Membership Growth Rate (Change from previous year)	39	▪ Orange County Elementary, Middle, and High Schools ▪ Chapel Hill - Carrboro Elementary, Middle, and High Schools
Student/Housing Generation Rate (No change from previous year)	42	▪ Orange County Elementary, Middle, and High Schools ▪ Chapel Hill - Carrboro Elementary, Middle, and High Schools

COVID Impacts
Both school districts have experienced decreases in student membership due to students being withdrawn and enrolled in private schools with in-person learning or homeschooled. At this time, staff believes these are temporary impacts and a majority of these students will return when in-person learning commences. However, the loss of students has impacted the SAPFO 10-year projections by decreasing future student growth rates and service levels and pushing building capacity needs far beyond the 10-year projection period. Recognizing concerns with these projections not being constructive in planning for the future or when students return to the classroom, Orange County Planning staff drafted hypothetical 2020-21 student membership and grade level numbers in order to generate alterative 10-year student projections. Additional information can be found on page iii of the Executive Summary.

Changes in Class Size
In 2018, the North Carolina General Assembly unveiled House Bill 90, which allows for a phasing-in process to address the decrease in class size averages over the next three school years. Based on House Bill 90, average class sizes for kindergarten to third grade will face a decrease from 1:20 to 1:19 for the 2019-2020 school year, 1:19 to 1:18 for the 2020-2021 school year, and 1:18 to 1:17 for the 2021-2022 school year. Reductions in class size averages may create elementary school capacity issues for the 2024-25 school year.

FINANCIAL IMPACT: Current 10-year student growth projections show no future capacity needs for additional schools in the CHCCS District and OCS District. Implementation of class size legislation will likely require additional capacity at the elementary school level in a shorter time period.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: ENSURE ECONOMIC SELF-SUFFICIENCY**
  The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

ENVIRONMENTAL IMPACT: There are no Orange County Environmental Responsibility Goal impacts applicable to this item.

RECOMMENDATION(S): The Manager recommends the Board approve the 2021 SAPFOTAC Annual Report and certify those aspects of the Report detailed in the summary table above.

Attachment 1

A motion was made by Council Member Foushee, seconded by Council Member Haven-O'Donnell, to approve the following resolution:

A RESOLUTION ACCEPTING THE SCHOOLS ADEQUATE PUBLIC FACILITIES TECHNICAL ADVISORY COMMITTEE (SAPFOTAC) 2021 REPORT

WHEREAS, the Town has had a longstanding interest in the success and excellence of the Chapel Hill – Carrboro City Schools; and

WHEREAS, the Town has participated in the development and implementation of the schools adequate public facilities ordinance provisions since 2003; and

WHEREAS, the annual technical advisory committee report has been prepared and distributed for review.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Carrboro accepts the report and provides the following comment and direction:

- Town Council has a concern that the model does not include an updated classroom/student ratio reflecting the decrease in the average classroom size as far in advance as possible. The further out this is included, the better we are able to plan.
- Staff is to request information on why the Schools Joint Action Committee have not specified an updated classroom/student ratio in their SAPFOTAC Modeling

This the 13th day of April 2021

Ayes: Mayor Lydia Lavelle, Council Member Barbara Foushee, Council Member Jacquelyn Gist, Council Member Randee Haven-O'Donnell, Council Member Susan Romaine, Council Member Damon Seils, Council Member Sammy Slade

I, Catherine Dorando, Town Clerk for the Town of Carrboro, NC do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Carrboro Town Council.

TOWN OF CARRBORO INCORPORATED 1911 NORTH CAROLINA

Town Clerk

ORANGE COUNTY, NC

SCHOOLS ADEQUATE PUBLIC FACILITIES ORDINANCE

PREPARED BY A STAFF COMMITTEE: PLANNING DIRECTORS, SCHOOL REPRESENTATIVES, TECHNICAL ADVISORY COMMITTEE (SAPFOTAC)

(PURSUANT TO PROVISIONS OF A MEMORANDUM OF UNDERSTANDING ADOPTED IN 2002 & 2003)

(ORDINANCES ADOPTED IN JULY 2003)

Annual Report
2021

(BASED ON NOVEMBER 2020 DATA)

CERTIFIED BY THE BOCC ON MAY 18, 2021

Table of Contents

2021 SAPFOTAC Executive Summary i
Introduction viii
Schools Adequate Public Facilities Ordinance Partners ix
Planning Directors/School Representatives Technical Advisory Committee x
I. Base Memorandum of Understanding 1
A. Level of Service 1
B. Building Capacity and Membership 2
Attachment I.B.1 Orange County School Capacity (Elementary, Middle, & High) (2019-20) 5
Attachment I.B.2 Chapel Hill-Carrboro City School Capacity (Elementary, Middle, & High) (2019-20) 8
Attachment I.B.3 Orange County School Capacity (Elementary, Middle, & High) (2020-21) 11
Attachment I.B.4 Chapel Hill-Carrboro City School Capacity (Elementary, Middle, & High) (2020-21) 14
C. Membership Date 17
II. Annual Update to Schools Adequate Public Facilities Ordinance System 18
A. Capital Investment Plan (CIP) 18
B. Student Membership Projection Methodology 19
Attachment II.B.I – Student Membership Projection Descriptions 20
Attachment II.B.2 – Student Membership Projection Models Performance Analysis (2019-20) 21
Attachment II.B.3 – Student Membership Projection Models Performance Analysis (2020-21) 25
C. Student Membership Projections 29
Attachment II.C.1 – Orange County Student Projections (Elementary, Middle, & High) (2019-20) 33
Attachment II.C.2 – Chapel Hill-Carrboro Student Projections (Elementary, Middle, & High) (2019-20) 34
Attachment II.C.3 – Orange County Student Projections (Elementary, Middle, & High) (2020-21) 35
Attachment II.C.4 – Chapel Hill-Carrboro Student Projections (Elementary, Middle, & High) (2020-21) 36
D. Student Membership Growth Rate 37
Attachment II.D.1 – Orange County and Chapel Hill-Carrboro City Student Growth Rates (Chart dates from 2020-2030 based on 11/15/19 membership numbers) (2019-20) 38
Attachment II.D.2 – Orange County and Chapel Hill-Carrboro City Student Growth Rates (Chart dates from 2021-2031 based on 11/13/20 membership numbers) (2020-21) 39
E. Student / Housing Generation Rate 40
Attachment II.E.1 – Current Student Generation Rates (2015) 42
III. Flowchart of Schools Adequate Public Facilities Ordinance Process 43
A. Capital Investment Plan (CIP) (Process 1) 43
Attachment III.A.1 – Process 1 Capital Improvement Plan 44
B. Schools Adequate Public Facilities Ordinance Certificate of Adequate Public Schools (CAPS) Update (Process 2) 45
Attachment III.B.1 – Process 2 Certificate of Adequate Public Schools (CAPS) Allocation 46

2021 SAPFOTAC Executive Summary

I. Base Memorandum of Understanding

A. Level of Service .....*(No Change)*.....*Pg. 1*

	Chapel Hill/Carrboro School District	*Orange County School District*
Elementary	105%	105%
Middle	107%	107%
High	110%	110%

B. Building Capacity and Membership .....*(Change)*.....*Pg. 2*

	Chapel Hill/Carrboro School District			*Orange County School District*		
	Capacity	**Membership**	**Change from Prior Year**	**Capacity**	**Membership**	**Change from Prior Year**
Elementary	5664	4893	(470)	3361	3047	(185)
Middle	2944	2917	(127)	2166	1654	(109)
High	3975	3932	(8)	2439	2381	(16)

C. Membership Date – *November 15*.....*(No Change)*.....*Pg. 17*

II. Annual Update to SAPFO System

A. Capital Investment Plan (CIP) .....*(No Change)*.....*Pg. 18*

B. Student Membership Projection Methodology .....*(No Change)*.....*Pg. 19*
The average of 3, 5, and 10-year history/cohort survival, linear and arithmetic projection models.

C. Student Membership Projections.....*(Change)*.....*Pg. 29*

Analysis of 5 Years of Projections for 2020-2021 School Year – Chapel Hill/Carrboro City Schools

(The first column for each year includes the student membership projection made for 2020-2021 in that given year. The second column for each year includes the number of students the projection was off compared to actual membership. An "L" indicates the projection was low compared to the actual, whereas an "H" indicates the projection was high compared to the actual.)

		Year Projection Made for 2020-2021 Membership									
	Actual 2020 Membership	**2015-2016**		**2016-2017**		**2017-2018**		**2018-2019**		**2019-2020**	
Elementary	4893	5699	H806	5728	H835	5473	H580	5444	H551	5356	H463
Middle	2917	2996	H79	2984	H67	2929	H12	2981	H64	3045	H128
High	3932	3883	H49	3879	H53	3933	H1	3972	H40	3985	H53

Analysis of 5 Years of Projections for 2020-2021 School Year – Orange County Schools

(The first column for each year includes the student membership projection made for 2020-2021 in that given year. The second column for each year includes the number of students the projection was off compared to actual membership. An "L" indicates the projection was low compared to the actual, whereas an "H" indicates the projection was high compared to the actual.)

		Year Projection Made for 2020-2021 Membership									
	Actual 2020 Membership	2015-2016		2016-2017		2017-2018		2018-2019		2019-2020	
Elementary	3047	3390	H343	3267	H220	3186	H139	3262	H215	3267	H220
Middle	1654	1790	H136	1765	H111	1730	H76	1737	H83	1728	H74
High	2381	2604	H223	2539	H158	2456	H75	2371	H10	2401	H20

D. Student Membership Growth Rate .....*(Change)*.....*Pg. 37*

Projected Average Annual Growth Rate Over Next 10 Years										
	Chapel Hill/Carrboro School District					*Orange County School District*				
Year Projection Made:	**2016-2017**	**2017-2018**	**2018-2019**	**2019-2020**	**2020-2021**	**2016-2017**	**2017-2018**	**2018-2019**	**2019-2020**	**2020-2021**
Elementary	0.91%	0.36%	0.56%	0.65%	-0.23%	0.51%	0.58%	0.91%	0.84%	-0.02%
Middle	0.95%	0.21%	0.19%	-0.07%	-1.50%	0.36%	0.13%	0.28%	0.37%	-0.67%
High	0.72%	0%	0.16%	0.03%	-1.44%	0.22%	-0.10%	0.21%	0.21%	-0.98%

E. Student / Housing Generation Rate .....(*No Change)*.....*Pg. 40*

SCHOOL ADEQUATE PUBLIC FACILITIES ORDINANCE STATUS

(Based on future year Student Membership Projections)

CHAPEL HILL/CARRBORO SCHOOL DISTRICT

Elementary School Level

A. Does not currently exceed 105% LOS standard (current LOS is 86.4%).
B. The projected growth rate at this level is expected to decrease over the next 10 years (average ~ -0.23% per year compared to 0.29% over the past 10 years).
C. Similar to last year, projections are not showing a need for an additional Elementary School in the 10-year projection period.

Middle School Level

A. Does not currently exceed 107% LOS standard (current LOS is 99.1%).
B. The projected growth rate at this level is expected to decrease over the next 10 years (average ~ -1.50% compared to an average of 1.19% over the past 10 years).
C. Similar to last year, projections are not showing a need for an additional Middle School in the 10-year projection period.

High School Level

A. Does not currently exceed the 110% LOS standard (current LOS is 98.9%).
B. The projected growth rate at this level is expected to decrease over the next 10 years (average ~ -1.44% compared to 0.90% over the past 10 years).
C. Capacity has increased by 100 seats due to renovations at Chapel Hill High School. Similar to last year, projections are not showing a need to expand Carrboro High School from the initial capacity of 800 students to the ultimate capacity of 1,200 students in the 10-year projection period.

ORANGE COUNTY SCHOOL DISTRICT

Elementary School Level

A. Does not currently exceed 105% LOS standard (current LOS is 90.7%).
B. The projected growth rate at this level is expected to decrease over the next 10 years (average ~ -0.02% compared to 0.09% over the past 10 years).
C. Similar to last year, projections are not showing a need for an additional Elementary School in the 10-year projection period.

Middle School Level

A. Does not currently exceed 107% LOS standard (current LOS is 76.4%).
B. The projected growth rate at this level is expected to decrease over the next 10 years (average ~ -0.67% compared to 0.59% over the past 10 years).
C. Similar to last year, projections are not showing a need for an additional Middle School in the 10-year projection period.

High School Level

A. Does not currently exceed 110% LOS standard (current LOS is 97.6%).
B. The projected growth rate at this level is expected to decrease over the next 10 years (average ~ -0.98% compared to 0.81% over the past 10 years).
C. Similar to last year, projections are not showing a need to expand Cedar Ridge High School from the initial capacity of 1,000 students to 1,500 students in the 10-year projection period.

ADDITIONAL INFORMATION

COVID Impacts

Both school districts have experienced decreases in student membership due to students being withdrawn and enrolled in private schools with in-person learning or homeschooled. At this time, staff believes these are temporary impacts and a majority of these students will return when in-person learning commences. However, the loss of students has impacted the SAPFO 10-year projections by decreasing future student growth rates and service levels and pushing building capacity needs far beyond the 10-year projection period. Recognizing concerns with these projections not being constructive in planning for the future or when students return to the classroom, Orange County Planning staff drafted hypothetical 2020-21 student membership and grade level numbers in order to generate alternative 10-year student projections.

Hypothetical student membership and grade level numbers were drafted based on SAPFO data from previous reports. The purpose of this was to draft informal projections which may depict future student growth rates and service levels without the impacts from COVID. Staff believes the 10-year projections will correct themselves when students return to the classroom and student membership numbers increase to regular levels. Due to the requirements in the SAPFO MOUs, these projections cannot be certified, but may be documented in the annual report. Similar to the 2020-21 SAPFO projections, the alternative projections utilize the same methodology contained in the SAPFO MOUs. The four alternative projections were based on the following scenarios and data:

- Scenario 1: Draft 10-year projections using 2019 SAPFO student membership and grade level numbers for this school year (2020-21).
- Scenario 2: Draft 10-year projections using the average student membership and grade level numbers from the previous five school years (2015-2019).

- Scenario 3: Draft 10-year projections using the average Student Growth Rates from the past 10 school years.
- Scenario 4: Draft 10-year projections using the average Student Growth Rates over the next 10 school years.

Based on the four alternative projections, no capacity needs were identified in the 10-year projection period for both districts. Outcomes (i.e. projected student membership, service levels, and student growth rates) of the alternative projections are similar to 10-year projections contained in previous SAPFO reports. The following tables provide a summary of the alternative projections for the 2030-31 school year including average student membership numbers and service levels. In addition, average student membership numbers and service levels from the 2020-21 SAPFO projections are provided for comparison purposes. The 2020-21 SAPFO projection sheets, contained on pages 35 and 36 of this report, are certified annually by the Orange County Board of Commissioners. Spreadsheets of the alternative projections can be provided upon request.

Chapel Hill – Carrboro City Schools						
	SAPFO Level of Service (LOS) and Building Capacity					
	Elementary		Middle		High	
	Capacity at 100% LOS	Capacity at 105% LOS	Capacity at 100% LOS	Capacity at 107% LOS	Capacity at 100% LOS	Capacity at 110% LOS
	5,664	5,947	2,944	3,150	3,975	4,373
	2030-31 School Year					
	Elementary		Middle		High	
	Average Membership	Level of Service	Average Membership	Level of Service	Average Membership	Level of Service
Scenario 1	5,688	100.4%	3,040	103.2%	3,954	99.5%
Scenario 2	5,751	101.5%	3,010	102.3%	3,948	99.3%
Scenario 3	5,724	101.1%	3,073	104.4%	4,009	100.9%
Scenario 4	5,738	101.3%	3,067	104.2%	3,987	100.3%
2020-21 Projections	4,782	84.4%	2,505	85.1%	3,401	85.5%

Orange County Schools						
	SAPFO Level of Service (LOS) and Building Capacity					
	Elementary		Middle		High	
	Capacity at 100% LOS	Capacity at 105% LOS	Capacity at 100% LOS	Capacity at 107% LOS	Capacity at 100% LOS	Capacity at 110% LOS
	3,361	3,529	2,166	2,318	2,439	2,683
	2030-31 School Year					
	Elementary		Middle		High	
	Average Membership	Level of Service	Average Membership	Level of Service	Average Membership	Level of Service
Scenario 1	3,478	103.5%	1,819	84.0%	2,444	83.2%
Scenario 2	3,413	101.6%	1,797	83.0%	2,434	82.8%
Scenario 3	3,492	103.9%	1,836	84.8%	2,471	84.1%
Scenario 4	3,516	104.6%	1,843	85.1%	2,477	84.3%
2020-21 Projections	3,039	90.4%	1,545	71.4%	2,157	73.4%

Changes in Average Class Size

In 2018, the North Carolina General Assembly unveiled House Bill 90 which allows for a phasing-in process to address the decrease in class size averages over the next three school years. Based on House Bill 90, average class sizes for kindergarten to third grade will face a decrease from 1:20 to 1:19 for the 2019-2020 school year, 1:19 to 1:18 for the 2020-2021 school year, and 1:18 to 1:17 for the 2021-2022 school year. Reductions in class size averages may create elementary school capacity issues for the 2024-25 school year based on the four alternative SAPFO projections. In order to address these impacts in time, the School Boards and Orange County Board of Commissioners met to review elementary school capacity (including Pre-K impacts) and determine how to implement the school capacity changes into the SAPFO annual report and 10-year student membership and building capacity projections sheets. At this time, no decisions have been made by the Schools Joint Action Committee (SJAC). As a result, the 1:20 class size continues to be used for SAPFO purposes.

Pre-K Students

In recent years, Pre-K enrollment has been a topic of discussion with both school districts. At this time, SAPFO has not been amended to include Pre-K in the membership and capacity numbers. Pre-K enrollment has been included in discussions regarding changes in class size and school capacity. However, Pre-K numbers and impacts continue to be monitored by the SAPFOTAC. In addition, the annual report will begin to report Pre-K membership beginning with the 2019-20 school year, prior to COVID impacts. Pre-K students for each district is as follows:

	Chapel Hill-Carrboro City Schools	Orange County Schools
School Year	**Number of Students**	**Number of Students**
2019-20	267	144
2020-21	208	86

Charter and Private Schools

Currently, there are two Charter Schools located in the Town of Hillsborough. Charter student membership for these two schools is as follows:

	Eno River Academy	The Expedition School
School Year	**Number of Students**	**Number of Students**
2017-18	542	326
2018-19	655 *(+113)*	355 *(+29)*
2019-20	715 *(+60)*	365 *(+10)*
2020-21	747 *(+32)*	365*
**The Expedition School reached full capacity of 365 students last school year*		

Charter and private schools are not included as part of the SAPFO Annual Report and, as a result, their membership and capacity numbers are not included in future projections. SAPFO projections are used for projecting only public school capacity/construction needs. However, the SAPFO Technical Advisory Committee does monitor charter and private schools and their effect on student enrollment in both school districts. If a charter or private school were to close and a spike were to be realized in school enrollment, the student projections would likely accelerate the need for additional capacity in future years, but likely still within an appropriate time for CIP planning. Charter Schools are also monitored by the Department of Public Instruction (DPI) which provides pupil information, based on data received from Charter Schools located in

Orange County, to the County for funding purposes. The County budgeted for charter schools as follows:

	Chapel Hill-Carrboro City Schools	Orange County Schools
Fiscal Year	**Number of Students**	**Number of Students**
2017-18	162	617
2018-19	155 *(-7)*	769 *(+152)*
2019-20	169 *(+14)*	843 *(+74)*
2020-21	166 *(-3)*	885 *(+42)*

Although charter and private schools numbers are not collected for SAPFO purposes, impacts due to enrollment at these schools are accounted for in SAPFO process with the annual reporting of student membership and growth rates contained in the 10-year student projections.

Future Residential Development

Proposed growth is not included in the SAPFO projection system until actual students begin enrollment. The Certificate of Adequate Public Schools (CAPS) test is conducted during the approval process at a certain stage. Once students are enrolled in a school year, through annual reporting of student membership numbers, 10-year student projections can be updated to display future capacity needs in time to efficiently plan for future school capacity/construction requests. The SAPFOTAC continue to monitor and evaluate the demand and growth of residential development throughout Orange County as well as its effect on student membership rates. Below is a list of larger residential projects and the potential number of students from these projects which may have an impact in the short term. Please note, the City of Mebane is not a party to the SAPFO agreement and therefore does not require that CAPS (Certificate of Adequate Public Schools) be issued prior to development approvals. As a result, the expected number of students is based on unit type and bedroom count estimates.

Residential Project	Jurisdiction	Proposed Total Units	Expected Number of Students
Collins Ridge Phase 1	Hillsborough	672	Elementary: 84 Middle: 45 High: 57
Weavers Grove	Chapel Hill	235	Elementary: 44 Middle: 18 High: 20
The Meadows	Mebane	167	Elementary: 34 Middle: 18 High: 23
Stagecoach Corner	Mebane	35	Elementary: 9 Middle: 5 High: 6
Bowman Village/ Bowman Place	Mebane	177	Elementary: 48 Middle: 23 High: 30
The Townes of Oakwood Square	Mebane	88	Elementary: 5 Middle: 4 High: 5

Northeast Village (Havenstone Phase 1 & 2)	Mebane	169	Elementary: 46 Middle: 22 High: 29
Tupelo Junction	Mebane	181	Elementary: 49 Middle: 24 High: 31

School Renovation and Expansion

The Schools Adequate Public Facilities Ordinance (SAPFO) student projections illustrate when the adopted level of service capacities are forecasted to be met and/or exceeded in anticipation of CIP planning and the construction of a new school. Both school districts continue planning efforts to renovate and expand existing facilities to address school capacity needs in a more feasible way. Additional capacity resulting from school renovations and expansions will be added to the projection models in stages, once funding is approved, versus the addition of greater capacity when a new school is constructed and completed. The renovation and expansion to existing facilities may delay construction of new schools further into the future, depending on how and how much capacity is added to the system. Decisions on the timing of reconstruction (i.e. capacity additions) funding would be directly linked to the SAPFO model at the appropriate time.

Orange County, NC School Adequate Public Facilities Ordinance

Introduction

The Schools Adequate Public Facilities Ordinance (SAPFO) and its Memorandum of Understanding are ordinances and agreements, respectively. Supporting documents are anticipated to be dynamic to incorporate the annual changing conditions of membership, capacity and student projections that may affect School Capital Investment Plan (CIP) timing. This formal annual report will be forthcoming to all of the Schools Adequate Public Facilities Ordinance partners each year as new information is available.

This updated information is used in the schools capital needs process of the Capital Investment Plan (Process 1) and within elements of the Schools Adequate Public Facilities Ordinance Certificate of Adequate Public Schools (CAPS) spreadsheet system (Process 2).

This report and any comments from the Schools Adequate Public Facilities Ordinance partners will be considered in the first half of each year by the Board of County Commissioners at a regular or special meeting. The various elements of the report are then "certified" and formally considered in the process of the upcoming Capital Investment Plan. The Certificate of Adequate Public Schools system is updated after November 15 when data is received from the school districts with actual membership and pre-certified capacity (i.e. CIP capacity or prior "joint action" capacity changes).

The Schools Adequate Public Facilities Ordinance and Memorandum of Understanding have dynamic aspects. The derivation of the baseline and update to the variables will continue in the future as a variety of school related issues are fine-tuned by technical and policy groups.

The primary facet of this report includes the creation of mathematical projections for student memberships by school levels (Elementary, Middle and High) and by School Districts (Chapel Hill/Carrboro and Orange County). This information is found in Section II, Subsections B, C, D, and E.

In summary, this report serves as an update to the dynamic conditions of student membership and school capacity which affect future projected needs considered in Capital Investment Planning.

Interested parties may make their comments known to the Board of County Commissioners prior to their review of the report and school CIP completion or ask questions of the SAPFOTAC members.

Schools Adequate Public Facilities Ordinance Partners

Annual Report as Outlined in Schools Adequate Public Facilities Ordinance Memorandum of Understanding (SAPFO MOU) Section 1d

Respectfully Submitted to Schools Adequate Public Facilities Ordinance Partners

Chapel Hill-Carrboro City School District SAPFO	Orange County School District SAPFO
Board of County Commissioners	Board of County Commissioners
Carrboro Town Council	Hillsborough Board of Commissioners
Chapel Hill Town Council	
Chapel Hill-Carrboro School Board	Orange County School Board

Planning Directors/School Representatives Technical Advisory Committee (aka SAPFOTAC)

Town of Carrboro
Trish McGuire, Planning Director
301 West Main Street
Carrboro, NC 27510

Town of Chapel Hill
Colleen R. Willger, Planning and Development Services Director
405 Martin Luther King, Jr. Blvd.
Chapel Hill, North Carolina 27514

Town of Hillsborough
Margaret Hauth, Planning Director
P.O. Box 429
Hillsborough, NC 27278

Orange County Planning Department
Craig Benedict, Planning Director
Ashley Moncado, Special Projects Planner
Gary Donaldson, Director of Finance and Administrative Services
131 W. Margaret Lane
P.O. Box 8181
Hillsborough, NC 27278

Orange County School District
Monique Felder, Superintendent
200 E. King Street
Hillsborough, NC 27278

Chapel Hill-Carrboro City School District
Nyah Hamlett, Superintendent
Patrick Abele, Assistant Superintendent for Support Services
Catherine Mau, Coordinator of Student Enrollment
750 Merritt Mill Road
Chapel Hill, NC 2751

I. Base Memorandum of Understanding

A. Level of Service

1. ***Responsible Entity for Suggesting Change –*** Change can only be effectuated by amendment to Memorandum of Understanding (MOU) by all SAPFO partners.
2. ***Definition –*** Level of Service (LOS) means the amount (level) of students that can be accommodated (serviced) at a certain school system grade group [i.e., Elementary level (K-5), Middle Level (6-8), High School Level (9-12)].
3. ***Standard for:***

Chapel Hill-Carrboro City School District

Elementary	Middle	High School
105%	**107%**	**110%**

Standard for:

Orange County School District

Elementary	Middle	High School
105%	**107%**	**110%**

4. ***Analysis of Existing Conditions:***

Chapel Hill-Carrboro City School District

These standards are acceptable at this time.

Analysis of Existing Conditions:

Orange County School District

These standards are acceptable at this time.

5. ***Recommendation:***

Chapel Hill-Carrboro City School District

No change from above standard.

Recommendation:

Orange County School District

No change from above standard.

B. Building Capacity and Membership

1. ***Responsible Entity for Suggesting Change –*** The Planning Directors, School Representatives, and Technical Advisory Committee (SAPFOTAC) will receive requested changes that are CIP related and adopted in the prior year. CIP capacity changes will be updated along with actual membership received in November of each year. Other changes will be sent to a 'Joint Action Committee' of the BOCC and Board of Education, as noted in the MOU, who will make recommendations and forward changes (on the specific forms with justification) to the full Board of County Commissioners for review and action. These non-CIP changes would be updated in the upcoming November CAPS system recalibration and included in the SAPFOTAC report.
2. ***Definition –*** For purposes of this Memorandum, "building capacity" will be determined by reference to State guidelines and the School District guidelines (consistent with CIP School Construction Guidelines/policies developed by the School District and the Board of County Commissioners) and will be determined by a joint action of the School Board and the Orange County Board of Commissioners. As used herein the term "building capacity" refers to permanent buildings. Mobile classrooms and other temporary student accommodating classroom spaces are not permanent buildings and may not be counted in determining the school districts building capacity.

3. ***Standard for:***
Chapel Hill-Carrboro City School District

The original certified capacity for each of the schools was certified by the respective superintendent and incorporated in the initialization of the CAPS system (Chapel Hill-Carrboro School District April 29, 2002 - Base) Capacity changes were made each year as follows:

2003: Increase of 619 at Rashkis Elementary.

2004: No changes at Elementary, Middle, or High School levels.

Standard for:
Orange County School District

The original certified capacity for each of the schools was certified by the respective superintendent and incorporated in the initialization of the CAPS system (Orange County School District April 30, 2002 - Base) Capacity changes were made each year as follows:

2003: No net increase in capacity at Elementary level. No changes at Middle School level. Increase of 1,000 at Cedar Ridge High School.

2005: No changes at Elementary, Middle, or High School levels.

2006: No changes at Elementary, Middle, or High School levels.

2007: An increase of 800 at the High School level with the opening of Carrboro High School.

2008: An increase of 323 at the Elementary School level due to the opening of Morris Grove Elementary School and the implementation of the 1:21 class size ratio in grades K-3

2009: No changes at Elementary, Middle, or High School levels.

2010: An increase in capacity of 40 students at the High School level with Phoenix Academy High School becoming official high school within the district

2011: No changes at Elementary, Middle, or High School levels.

2012: No changes at Elementary, Middle, or High School levels.

2013: An increase in capacity of 585 students due to the opening of Northside Elementary School.

2014: An increase in capacity of 104 students due to the opening of the Culbreth Middle School addition.

2015: No changes at Elementary, Middle, or High School levels.

2016: No changes at Elementary, Middle, or High School levels.

2004: No net increase in capacity at Elementary level. No changes at Middle or High School levels.

2005: An increase in capacity of 100 at Hillsborough Elementary with the completion of renovations.

2006: An increase in capacity of 700 at the Middle School level with the completion of Gravelly Hill Middle School and an increase of 15 at the High School level with the temporary location of Partnership Academy Alternative School. An increase of 2 at the Elementary level due to a change in the capacity calculation for each grade at each school.

2007: No changes at Elementary, Middle, or High School levels.

2008: A decrease of 228 at the Elementary School level due to the implementation of the 1:21 class size ratio in grades K-3 and an increase of 25 at the High School level with the completion of the new Partnership Academy Alternative School.

2009: No changes at Elementary, Middle, or High School levels.

2010: No changes at Elementary, Middle, or High School levels.

2011: No changes at Elementary, Middle, or High School levels.

2012: No changes at Elementary or Middle School levels. A decrease of 119 at High School level as a result of a N.C. Department of Public Instruction (DPI) study.

2017: A decrease in capacity of 165 students due to the implementation of the 1:20 class size ratio in grades K-3.
2018: No changes at Elementary, Middle or High School levels.
2019: No changes at Elementary, Middle, or High School levels.
2020: Increase of 100 seats at the High School level due to renovations at Chapel Hill High School. No changes at Elementary or Middle School levels.

2013: No changes at Elementary, Middle, or High School levels.
2014: No changes at Elementary, Middle, or High School levels.
2015: No changes at Elementary, Middle, or High School levels.
2016: No changes at Elementary, Middle, or High School levels.
2017: A decrease in capacity of 333 students due to the implementation of the 1:20 class size ratio in grades K-3.
2018: No changes at Elementary, Middle, or High School levels.
2019: No changes at Elementary, Middle, or High School levels.
2020: No changes at the Elementary, Middle, or High School levels.

4. ***Analysis of Existing Conditions:***

Chapel Hill-Carrboro City School District

The Schools Facilities Task Force developed a system to calculate capacity. Any changes year to year will be monitored, reviewed, and recorded by the SAPFOTAC on approved forms distributed to SAPFO partners and certified upon approval by the Board of County Commissioners each year. The requested 2020-21 capacity is noted on Attachment I.B.4

Analysis of Existing Conditions:

Orange County School District

The Schools Facilities Task Force developed a system to calculate capacity. Any changes year to year will be monitored, reviewed, and recorded by the SAPFOTAC on approved forms distributed to SAPFO partners and certified upon approval by the Board of County Commissioners each year. The requested 2020-21 capacity is noted on Attachment I.B.3

5. ***Recommendation:***

Chapel Hill-Carrboro City School District

Accept school capacities at all levels, as reported by CHCCS and shown in Attachment I.B.4.

Recommendation:

Orange County School District

Accept school capacities at all levels, as reported by OCS and shown in Attachment I.B.3.

School APFO Capacity, Membership and Change Request Form

School District: Orange County Schools
SAPFO CAPS Year: November 15, 2019 - November 14, 2020
Capacity and Membership Submittal Date: November 15, 2019

Elementary School	Square Feet	2015-2016 Requested Capacity	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	Justification Footnote #	Membership
Cameron Park	70,812	565	565	502	502	502		601
Central	52,492	455	455	428	428	428		286
Efland Cheeks	64,316	497	497	455	455	455		499
Grady Brown	74,016	544	544	490	490	490		442
Hillsborough	51,106	471	471	420	420	420		444
New Hope	100,164	586	586	526	526	526		579
Pathways	85,282	576	576	540	540	540		381
Total	498,188	3,694	3,694	3,361	3,361	3,361		3,232

Special Note(s): 1. For the November 15, 2002 base year the board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification:

RECEIVED
NOV 18 2019

Capacity Certification:

Superintendent 11/19/19 Date

Membership Certification:

Superintendent 11/19/19 Date

BOCC Chair Date

BOCC Chair Date

School APFO Capacity, Membership and Change Request Form

School District: Orange County Schools
SAPFO CAPS Year: November 15, 2019 - November 14, 2020
Capacity and Membership Submittal Date: November 15, 2019

Middle School	Square Feet	2015-2016 Requested Capacity	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	Justification Footnote #	Membership
A.L. Stanback	136,000	740	740	740	740	740		653
C.W. Stanford	107,620	726	726	726	726	726		642
Gravelly Hill	123,000	700	700	700	700	700		468
Total	366,620	2,166	2,166	2,166	2,166	2,166		1,763

Special Note(s): 1. For the November 15, 2002 base year the board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification:

Capacity Certification:

Superintendent Date 11/26/19

Membership Certification:

Superintendent Date 11/26/19

BOCC Chair Date

BOCC Chair Date

School APFO Capacity, Membership and Change Request Form

School District: Orange County Schools
SAPFO CAPS Year: November 15, 2019 - November 14, 2020
Capacity and Membership Submittal Date: November 15, 2019

High School	Square Feet	2015-2016 Requested Capacity	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	Justification Footnote #	Membership
Orange	213,509	1,399	1,399	1,399	1,399	1,399		1,296
Cedar Ridge	206,900	1,000	1,000	1,000	1,000	1,000		1,067
Partnership	6,600	40	40	40	40	40		34
Total	427,009	2,439	2,439	2,439	2,439	2,439		2,397

Special Note(s): 1. For the November 15, 2002 base year the board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC. 2. The 2012-2013 capacity numbers for Orange High School (1,399) is based on a capacity analysis and facilities study completed by the Department of Public Instruction in August 2012.

Justification:

RECEIVED
NOV 18 2019
BPEA DEPT

Capacity Certification:

Superintendent 11/15/19 Date

Membership Certification:

Superintendent 11/15/19 Date

BOCC Chair Date

BOCC Chair Date

School APFO Capacity, Membership and Change Request Form

School District: Chapel Hill-Carrboro City Schools
SAPFO CAPS Year: November 15, 2019 - November 14, 2020
Capacity and Membership Submittal Date: November 15, 2019

Elementary School	Square Feet	2015-2016 Requested Capacity	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	Justification Footnote #	Membership (referenced school year)
Carrboro	60,832	533	533	518	518	518	*	515
Ephesus	66,952	448	448	436	436	436		389
Estes Hills	56,299	527	527	516	516	516		429
Glenwood	50,764	538	423	412	412	412		456
FP Graham	66,689	423	538	522	522	522		585
McDougle	98,000	564	564	548	548	548		552
Rashkis	95,729	585	585	568	568	568		494
Scroggs	90,980	585	575	558	558	558		425
Seawell	52,896	585	466	450	450	450		517
Morris Grove	90,221	575	585	568	568	568		545
Northside	99,500	466	585	568	568	568		456
Total	828,862	5,829	5,829	5,664	5,664	5,664		5,363

Special Note(s): 1. For the November 15, 2002 base year the Board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification:

** Waiting for the Schools Joint Action Committee reductions for class size changes*

Capacity Certification:

Pamela Baker 11/20/19
Superintendent Date

Penny Rich
BOCC Chair Date

Membership Certification:

Pamela Baker 11/20/19
Superintendent Date

Penny Rich
BOCC Chair Date

School APFO Capacity, Membership and Change Request Form

School District: Chapel Hill-Carrboro City Schools
SAPFO CAPS Year: November 15, 2019 - November 14, 2020
Capacity and Membership Submittal Date: November 15, 2019

Middle School	Square Feet	2015-2016 Requested Capacity	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	Justification Footnote #	Membership (referenced school year)
Culbreth	122,467	774	774	774	774	774		800
McDougle	136,221	732	732	732	732	732		692
Phillips	109,498	706	706	706	706	706		748
Smith	128,764	732	732	732	732	732		804
Total	**496,950**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**		**3,044**

Special Note(s): 1. For the November 15, 2002 base year the Board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification:

Capacity Certification:

Pamela Baker 11/20/19
Superintendent Date

Membership Certification:

Pamela Baker 11/20/19
Superintendent Date

BOCC Chair Date

BOCC Chair Date

School APFO Capacity, Membership and Change Request Form

School District: Chapel Hill-Carrboro City Schools
SAPFO CAPS Year: November 15, 2019 - November 14, 2020
Capacity and Membership Submittal Date: November 15, 2019

High School	Square Feet	2015-2016 Requested Capacity	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	Justification Footnote #	Membership (referenced school year)
Chapel Hill	241,111	1,520	1,520	1,520	1,520	1,520		1,514
East Chapel Hill	259,869	1,515	1,515	1,515	1,515	1,515		1,519
Carrboro	148,023	800	800	800	800	800		869
Phoenix Acad.	5,207	40	40	40	40	40		38
Total	**654,210**	**3,875**	**3,875**	**3,875**	**3,875**	**3,875**		**3,940**

Special Note(s): 1. For the November 15, 2002 base year the Board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification:

Capacity Certification:

Pamela Baldwin 11/20/19
Superintendent Date

BOCC Chair Date

Membership Certification:

Pamela Baldwin 11/20/19
Superintendent Date

BOCC Chair Date

Schools Adequate Public Facilities Ordinance (SAPFO) Capacity, Membership and Change Request Form

School District: Orange County Schools
SAPFO CAPS Year: November 13, 2020 - November 14, 2021
Capacity and Membership Submittal Date: November 13, 2020

Elementary School	Square Feet	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	2020-2021 Requested Capacity	Justification Footnote #	Membership (referenced school year)	Percentage of Capacity/Level of Service
Cameron Park	70,812	565	565	502	502	502		567	112.9%
Central	52,492	455	455	428	428	428		268	62.6%
Efland Cheeks	64,316	497	497	455	455	455		499	109.7%
Grady Brown	74,016	544	544	490	490	490		405	82.7%
Hillsborough	51,106	471	471	420	420	420		427	101.7%
New Hope	100,164	586	586	526	526	526		533	101.3%
Pathways	85,282	576	576	540	540	540		348	64.4%
Total	**498,188**	**3,694**	**3,694**	**3,361**	**3,361**	**3,361**		**3,047**	**90.7%**

Special Note(s): 1. For the November 15, 2002 base year the board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification:

Capacity and Membership Certification:

Superintendent — Date 11/14/20

BOCC Chair — Date 1-19-21

Schools Adequate Public Facilities Ordinance (SAPFO) Capacity, Membership and Change Request Form

School District: Orange County Schools
SAPFO CAPS Year: November 13, 2020 - November 14, 2021
Capacity and Membership Submittal Date: November 13, 2020

Middle School	Square Feet	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	2020-2021 Requested Capacity	Justification Footnote #	Membership (referenced school year)	Percentage of Capacity/Level of Service
A.L. Stanback	136,000	740	740	740	740	740		627	84.7%
C.W. Stanford	107,620	726	726	726	726	726		583	80.3%
Gravelly Hill	123,000	700	700	700	700	700		444	63.4%
Total	366,620	2,166	2,166	2,166	2,166	2,166		1,654	76.4%

Special Note(s): 1. For the November 15, 2002 base year the board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification:

Capacity and Membership Certification:

Superintendent — Date: 11/16/20

BOCC Chair — Date: 1-19-21

Schools Adequate Public Facilities Ordinance (SAPFO) Capacity, Membership and Change Request Form

School District: Orange County Schools
SAPFO CAPS Year: November 13, 2020 - November 14, 2021
Capacity and Membership Submittal Date: November 13, 2020

High School	Square Feet	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	2020-2021 Requested Capacity	Justification Footnote #	Membership (referenced school year)	Percentage of Capacity/Level of Service
Cedar Ridge	206,900	1,000	1,000	1,000	1,000	1,000		1,035	103.5%
Orange	213,509	1,399	1,399	1,399	1,399	1,399		1,317	94.1%
Partnership	6,600	40	40	40	40	40		29	72.5%
Total	427,009	2,439	2,439	2,439	2,439	2,439		2,381	97.6%

Special Note(s): 1. For the November 15, 2002 base year the board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification:

Capacity and Membership Certification:

Superintendent — Date: 11/16/20

BOCC Chair — Date: 1-19-21

Schools Adequate Public Facilities Ordinance (SAPFO) Capacity, Membership and Change Request Form

School District: Chapel Hill-Carrboro City Schools
SAPFO CAPS Year: November 13, 2020 - November 14, 2021
Capacity and Membership Submittal Date: November 13, 2020

Elementary School	Square Feet	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	2020-2021 Requested Capacity	Justification Footnote #	Membership (referenced school year)	Percentage of Capacity/Level of Service
Carrboro	60,832	533	518	518	518	518	*	478	92.3%
Ephesus	66,952	448	436	436	436	436		342	78.4%
Estes Hills	56,299	527	516	516	516	516		380	73.6%
FP Graham	66,689	538	522	522	522	522		564	108.0%
Glenwood	50,764	423	412	412	412	412		433	105.1%
McDougle	98,000	564	548	548	548	548		488	89.1%
Morris Grove	90,221	585	568	568	568	568		492	86.6%
Northside	99,500	585	568	568	568	568		402	70.8%
Rashkis	95,729	585	568	568	568	568		437	76.9%
Scroggs	90,980	575	558	558	558	558		474	84.9%
Seawell	52,896	466	450	450	450	450		403	89.6%
Total	**828,862**	**5,829**	**5,664**	**5,664**	**5,664**	**5,664**		**4,893**	**86.4%**

Special Note(s): 1. For the November 15, 2002 base year the Board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification: Waiting for the Schools Joint Action Committee reductions for class size changes.

Capacity and Membership Certification:

11/15/2020
Superintendent — Date

Renée A. Price 1-19-21
BOCC Chair — Date

Schools Adequate Public Facilities Ordinance (SAPFO) Capacity, Membership and Change Request Form

School District: Chapel Hill-Carrboro City Schools
SAPFO CAPS Year: November 13, 2020 - November 14, 2021
Capacity and Membership Submittal Date: November 13, 2020

Middle School	Square Feet	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	2020-2021 Requested Capacity	Justification Footnote #	Membership (referenced school year)	Percentage of Capacity/Level of Service
Culbreth	122,467	774	774	774	774	774		737	95%
McDougle	136,221	732	732	732	732	732		751	103%
Phillips	109,498	706	706	706	706	706		694	98%
Smith	128,764	732	732	732	732	732		735	100%
Total	**496,950**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**		**2,917**	**99.1%**

Special Note(s): 1. For the November 15, 2002 base year the Board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification:

Capacity and Membership Certification:

11/15/2020
Superintendent — Date

Renée A. Price 1-19-21
BOCC Chair — Date

Schools Adequate Public Facilities Ordinance (SAPFO) Capacity, Membership and Change Request Form

School District: Chapel Hill-Carrboro City Schools
SAPFO CAPS Year: November 13, 2020 - November 14, 2021
Capacity and Membership Submittal Date: November 13, 2020

High School	Square Feet	2016-2017 Requested Capacity	2017-2018 Requested Capacity	2018-2019 Requested Capacity	2019-2020 Requested Capacity	2020-2021 Requested Capacity	Justification Footnote #	Membership (referenced school year)	Percentage of Capacity/Level of Service
Carrboro	148,023	800	800	800	800	800		838	105%
Chapel Hill	278,508	1,520	1,520	1,520	1,520	1,620	*	1,529	94%
East Chapel Hill	259,869	1,515	1,515	1,515	1,515	1,515		1,516	100%
Phoenix Acad.	5,207	40	40	40	40	40		49	123%
Total	**691,607**	**3,875**	**3,875**	**3,875**	**3,875**	**3,975**		**3,932**	**98.9%**

Special Note(s): 1. For the November 15, 2002 base year the Board accepted the superintendent-certified capacities as part of the School Facilities Task Force review and 2003 Planners and School Representative Technical Advisory Committee Report. These capacities will remain effective until changed by (1) the School CIP or (2) an amended version of this form that is certified by the BOCC.

Justification: 100 seats added to CHHS for the 2020-21 school year. Total square feet 278,508.

Capacity and Membership Certification:

11/15/2020
Superintendent — Date

Renée A. Price 1-19-21
BOCC Chair — Date

C. Membership Date

1. ***Responsible Entity for Suggesting Change –*** Change can be effectuated only by amendment to Memorandum of Understanding (MOU) by all SAPFO partners. The Planning Directors, School Representatives, and Technical Advisory Committee (SAPFOTAC) may advise if a change in date would improve the reporting or timeliness of the report.
2. ***Definition –*** The date at which student membership is calculated. This date is updated each year and also serves as the basis for projections along with the history from previous years. "For purposes of this Memorandum, the term "school membership" means the actual number of students attending school as of November 15 of each year. The figure is determined by considering the number of students enrolled (i.e. registered, regardless of whether a student is no longer attending school) and making adjustments for withdrawals, dropouts, deaths, retentions and promotions. Students who are merely absent from class on the date membership is determined as a result of sickness or some other temporary reason are included in school membership figures. Each year the School District shall transmit its school membership to the parties to this agreement no later than five (5) school days after November 15.
3. ***Standard for:***

   Chapel Hill-Carrboro City School District

   November 15 of each year

   Standard for:

   Orange County School District

   November 15 of each year
4. ***Analysis of Existing Conditions:***

   This will be analyzed in the future years to determine if it is an exemplary date.
5. ***Recommendation:***

   Chapel Hill-Carrboro City School District

   No change at this time.

   Recommendation:

   Orange County School District

   No change at this time.

II. Annual Update to Schools Adequate Public Facilities Ordinance System

A. Capital Investment Plan (CIP)

1. ***Responsible Entity for Suggesting Change –*** The updating of this section will be conducted by the Board of County Commissioners (BOCC) after review of the CIP requests from the School Districts. Action regarding CIP programs usually occurs during the BOCC budget Public Hearing process in the winter and spring of each year. The development of the CIP considers the conditions noted in the SAPFOTAC report released in the same CIP development year including LOS (level of service), capacity, and membership projections.
2. ***Definition –*** The process and resultant program to determine school needs and provide funding for new school facilities through a variety of funding mechanisms.
3. ***Standard for:*** ***Standard for:***

Chapel Hill-Carrboro City School District	**Orange County School District**
Not Applicable	Not Applicable

4. ***Analysis of Existing Conditions:***

   The MOU outlines a system of implementing the SAPFO, including issuing Certificates of Adequate Public Schools (CAPS) to new development if capacity is available. The Requests for CAPS will be evaluated using the most recently adopted Capital Investment Plan. A new Capital Investment Plan is currently under development for approval prior to June 30, 2021.

5. ***Recommendation:***

   Not subject to staff review

B. Student Membership Projection Methodology

1. ***Responsible Entity for Suggesting Change –*** This section is reviewed and recommended by the Planning Directors, School Representatives, and Technical Advisory Committee (SAPFOTAC) to the BOCC for change, if necessary.
2. ***Definition –*** The method(s) by which student memberships are calculated for future years to determine total membership at each combined school level (Elementary, Middle, and High School) which take into consideration historical membership totals at a specific time (November 15) in the school year. These methods are also known as 'models'.
3. ***Standard for:*** ***Standard for:***

   Chapel Hill-Carrboro City School District **Orange County School District**

   Presently, the average of five models is being used: namely 3, 5, and 10-year history/cohort survival methods, Orange County Planning Department Linear Wave, and Tischler Linear methods. Attachment II.B.1 includes a description of each model.
4. ***Analysis of Existing Conditions:***

   Performance of the models is monitored each year. The value of a projection model is in its prediction of school level capacities at least three years in advance of capacity shortfalls so the annual Capital Investment Plan (CIP) updates can respond proactively with siting, design, and construction. Attachment II.B.1 includes a description of each model. Attachment II.B.3 shows the performance of the models for the 2020-21 school year from the prior year projection.
5. ***Recommendation:***

   Analysis on the accuracy of the results is showing that some models have better results in one district while others have better results in the other district. The historic growth rate is recorded by the models, but projected future growth is more difficult to accurately quantify. In all areas of the county, proposed growth is not included in the SAPFO projection system until actual students begin enrollment. The system is updated in November of each year, becoming part of the historical projection base.

STUDENT MEMBERSHIP PROJECTIONS

PROJECTION TYPE	DESCRIPTION / CHARACTERISTICS	FORMULA	ASSUMPTIONS
Tischler Linear (OCS & CHCCS)	Mathematical formula; straight line projection	y=((c*b)*x)+b y=projected population; c=historical annual change; b=base year; x= projection years	Historical growth is reflected in projected growth
OCP Linear Wave (OCS)	Mathematical linear with percent variation among school levels; reflects progressing waves of membership	**BYM + (BYI + 5(n)) = EYM EYM * %SL = EYM/SL** BYM= base year 2nd month membership; BYI=year student membership increment base; EYM=ensuing year membership; n=projection year; %SL=% of total membership per school level (i.e. elementary, middle, high); EYM/SL=ensuing year member by school level	Base year growth reflects 10-year average; increase in BYI of 5 every other year reflects increases in housing growth; reflects buildout constraints
OCP Linear Wave (CHCCS)	Mathematical linear with percent variation among school levels; reflects progressing waves of membership	**BYM + (BYI - 15(n)) = EYM EYM * %SL = EYM/SL** BYM= base year 2nd month membership; BYI=year student membership increment base; EYM=ensuing year membership; n=projection year; %SL=% of total membership per school level (i.e. elementary, middle, high); EYM/SL=ensuing year member by school level	Base year growth reflects 10-year average; decrease in BYI of 15 until school year 2010-2011 reflects decreases in housing growth; reflects buildout constraints
3-Year Cohort (OCS & CHCCS)	Mathematical formula that computes the average advancement rate over the previous 3 years for each grade level and then uses each rate to calculate projected membership by school level; an assumed kindergarten membership is based on birth records and/or historical growth rates	$K_n = k_{n-1} + (k_{n-1} * 0.01)$ n=1 $a = (\Sigma\ G_n / g_{n-1}) / 3$ n=3 $b = g_{n-1}\ (a)$ K=kindergarten membership; n=given school year; G=given grade's membership(other than kindergarten); g= previous grade's membership; a=average advancement rate; b=projected membership	Assumes a 1% annual growth rate for the kindergarten grade level; assumes the same percentage of students in each grade level graduate to the next level each year
5 year Cohort (OCS & CHCCS)	Mathematical formula that computes the average advancement rate over the previous 5 years for each grade level and then uses each rate to calculate projected membership by school level; an assumed kindergarten membership is based on birth records and/or historical growth rates	$K_n = k_{n-1} + (k_{n-1} * 0.01)$ n=1 $a = (\Sigma\ G_n / g_{n-1}) / 5$ n=5 $b = g_{n-1}\ (a)$ K=kindergarten membership; n=given school year; G=given grade's membership(other than kindergarten); g= previous grade's membership; a=average advancement rate; b=projected membership	Assumes a 1% annual growth rate for the kindergarten grade level; assumes the same percentage of students in each grade level graduate to the next level each year
10 year Cohort (OCS & CHCCS)	Mathematical formula that computes the average advancement rate over the previous 10 years for each grade level and then uses each rate to calculate projected membership by school level; an assumed kindergarten membership is based on birth records and/or historical growth rates	$K_n = k_{n-1} + (k_{n-1} * 0.01)$ n=1 $a = (\Sigma\ G_n / g_{n-1}) / 10$ n=10 $b = g_{n-1}\ (a)$ K=kindergarten membership; n=given school year; G=given grade's membership(other than kindergarten); g= previous grade's membership; a=average advancement rate; b=projected membership	Assumes a 1% annual growth rate for the kindergarten grade level; assumes the same percentage of students in each grade level graduate to the next level each year

Orange County School District
School Membership 2019-20 School Year (November 15, 2019)

	11/15/18 Actual 2018-19		2019 Report Projection for 2019-20	11/15/19 Actual 2019-20	Change between actual Nov 2018 - Nov 2019
Elementary	**3205**			**3232**	**+ 27**
Model				**Projection is**	
T			3217	L15	
OCP			3215	L17	
10C			3217	L15	
5C			3197	L35	
3C			3217	L15	
Average			**3213**	**L19**	
	11/15/18			**11/15/19**	
Middle	**1779**			**1763**	**- 16**
Model				**Projection is**	
T			1786	H23	
OCP			1773	H10	
10C			1808	H45	
5C			1794	H31	
3C			1788	H25	
Average			**1790**	**H27**	
	11/15/18			**11/15/19**	
High	**2349**			**2397**	**+ 48**
Model				**Projection is**	
T			2358	L39	
OCP			2385	L12	
10C			2339	L58	
5C			2339	L58	
3C			2318	L79	
Average			**2348**	**L49**	
Totals	**11/15/18**			**11/15/19**	
Elementary	3205			3232	
Middle	1779			1763	
High	2349			2397	
Total	**7333**			**7392**	**+ 59**
Model				**Projection is**	
T			7361	L31	
OCP			7373	L19	
10C			7364	L28	
5C			7330	L62	
3C			7323	L69	
Average			**7351**	**L41**	

H means High
L means Low

Orange County School District
School Membership 2019-2020 School Year (November 15, 2019)

Statistical Findings

PROJECTION TYPE ABBREVIATIONS	
'TISCHLER' LINEAR (T) ORANGE COUNTY PLANNING (OCP)	10-YEAR COHORT (10C) 5-YEAR COHORT (5C) 3-YEAR COHORT (3C)

Elementary School Level

- The projections were all low, ranging from 15 students to 35 students below actual membership. On average, the projections were 19 students lower than the actual membership.
- The membership actually increased by 27 students between November 16, 2018 and November 15, 2019.

Middle School Level

- Projections were all high, ranging from 10 students to 45 students above actual membership. On average, the projections were 27 students higher than the actual membership.
- The membership actually decreased by 16 students between November 16, 2018 and November 15, 2019.

High School Level

- The majority of projections all low, ranging from 12 students to 79 students below actual membership. On average, the projections were 49 students lower than the actual membership.
- The membership actually increased by 48 students between November 16, 2018 and November 15, 2019.

TOTAL

- The totals of all school level projections were low, ranging from 19 students to 69 students below actual membership. On average, the projections were 41 students lower than the actual membership.
- The membership increased in total by 59 students, which is the sum of +27 at Elementary, -16 at Middle, and +48 at High.

Chapel Hill-Carrboro City School District
School Membership 2019-2020 School Year (November 15, 2019)

	11/15/18 Actual 2018-19		2019 Report Projection for 2019-20	11/15/19 Actual 2019-20	Change between actual Nov 2018 - Nov 2019
Elementary	**5471**			**5363**	**- 108**
Model				**Projection is**	
T			5512	H149	
OCP			5417	H54	
10C			5423	H60	
5C			5473	H110	
3C			5418	H55	
Average			**5448**	**H85**	
	11/15/18			**11/15/19**	
Middle	**2933**			**3044**	**+ 111**
Model				**Projection is**	
T			2955	L89	
OCP			2910	L134	
10C			3010	L34	
5C			2908	L136	
3C			3025	L19	
Average			**2962**	**L82**	
	11/15/18			**11/15/19**	
High	**3932**			**3940**	**+ 8**
Model				**Projection is**	
T			3962	H22	
OCP			4055	H115	
10C			3894	L46	
5C			3902	L38	
3C			3926	L14	
Average			**3948**	**H8**	
Totals	**11/15/18**			**11/15/19**	
Elementary	5471			5363	
Middle	2933			3044	
High	3932			3940	
Total	**12,336**			**12,347**	**+ 11**
Model				**Projection is**	
T			12,429	H82	
OCP			12,382	H35	
10C			12,327	L20	
5C			12,283	L64	
3C			12,369	H22	
Average			**12,358**	**H11**	

H means High
L means Low

Chapel Hill-Carrboro City School District
School Membership 2019-2020 School Year (November 15, 2019)

Statistical Findings

PROJECTION TYPE ABBREVIATIONS	
'TISCHLER' LINEAR (T) ORANGE COUNTY PLANNING (OCP)	10-YEAR COHORT (10C) 5-YEAR COHORT (5C) 3-YEAR COHORT (3C)

Elementary School Level

- Projections were all high ranging from 54 students to 149 students above actual membership. On average, the projections were 85 students higher than the actual membership.
- The actual membership decreased by 108 students between November 16, 2018 and November 15, 2019.

Middle School Level

- Projections were all low, ranging from 19 students to 136 students below actual membership. On average, the projections were 82 students lower than the actual membership.
- The actual membership increased by 111 students between November 16, 2018 and November 15, 2019.

High School Level

- Projections were mixed, ranging from 46 students below to 115 students above actual membership. On average, the projections were 8 students higher than the actual membership.
- The actual membership increased by 8 students between November 16, 2018 and November 15, 2019.

TOTAL

- The totals of all school level projections were mixed, ranging from 64 students below to 82 students above actual membership. On average, the projections were 11 students higher than the actual membership.
- The membership increased in total by 11 students, which is the sum of -108 at Elementary, +111 at Middle, and +8 at High.

Orange County School District
School Membership 2020-2021 School Year (November 13, 2020)

	11/15/19 Actual 2019-20		2020 Report Projection for 2020-21	11/13/20 Actual 2020-21	Change between actual Nov 2019 - Nov 2020
Elementary	**3232**			**3047**	**- 185**
Model				**Projection is**	
T			3241	H194	
OCP			3248	H201	
10C			3275	H228	
5C			3285	H238	
3C			3286	H239	
Average			**3267**	**H220**	
	11/15/19			**11/13/20**	
Middle	**1763**			**1654**	**- 109**
Model				**Projection is**	
T			1768	H114	
OCP			1773	H119	
10C			1709	H55	
5C			1702	H48	
3C			1686	H32	
Average			**1728**	**H74**	
	11/15/19			**11/13/20**	
High	**2397**			**2381**	**- 16**
Model				**Projection is**	
T			2404	H23	
OCP			2412	H31	
10C			2398	H17	
5C			2389	H8	
3C			2401	H20	
Average			**2401**	**H20**	
Totals	**11/15/19**			**11/13/20**	
Elementary	3232			3047	
Middle	1763			1654	
High	2397			2381	
Total	**7392**			**7082**	**- 310**
Model				**Projection is**	
T			7413	H331	
OCP			7433	H351	
10C			7382	H300	
5C			7376	H294	
3C			7373	H291	
Average			**7396**	**H314**	

H means High
L means Low

Orange County School District
School Membership 2020-2021 School Year (November 13, 2020)

Statistical Findings

PROJECTION TYPE ABBREVIATIONS	
'TISCHLER' LINEAR (T) ORANGE COUNTY PLANNING (OCP)	10-YEAR COHORT (10C) 5-YEAR COHORT (5C) 3-YEAR COHORT (3C)

Elementary School Level

- Projections were all high, ranging from 194 students to 239 students above actual membership. On average, the projections were 220 students higher than the actual membership.
- The membership actually decreased by 185 students between November 16, 2019 and November 13, 2020.

Middle School Level

- Projections were all high, ranging from 32 students to 119 students above actual membership. On average, the projections were 74 students higher than the actual membership.
- The membership actually decreased by 109 students between November 16, 2019 and November 13, 2020.

High School Level

- Projections were all high, ranging from 8 students to 31 students above actual membership. On average, the projections were 20 students higher than the actual membership.
- The membership actually decreased by 16 students between November 16, 2019 and November 13, 2020.

TOTAL

- The totals of all school level projections were all high, ranging from 291 students to 351 students above actual membership. On average, the projections were 314 students higher than the actual membership.
- The membership decreased in total by 310 students, which is the sum of -185 at Elementary, -109 at Middle, and -16 at High.

Chapel Hill-Carrboro City School District
School Membership 2020-2021 School Year (November 12, 2020)

	11/15/19 Actual 2019-20		2020 Report Projection for 2020-21	11/13/20 Actual 2020-21	Change between actual Nov 2019 - Nov 2020
Elementary	**5363**			**4893**	**- 470**
Model				**Projection is**	
T			5398	H505	
OCP			5378	H485	
10C			5349	H456	
5C			5331	H438	
3C			5322	H429	
Average			**5356**	**H463**	
	11/15/19			**11/13/20**	
Middle	**3044**			**2917**	**- 127**
Model				**Projection is**	
T			3064	H147	
OCP			3055	H138	
10C			3031	H114	
5C			3033	H116	
3C			3042	H125	
Average			**3045**	**H128**	
	11/15/19			**11/13/20**	
High	**3940**			**3932**	**- 8**
Model				**Projection is**	
T			3966	H34	
OCP			3959	H27	
10C			3981	H49	
5C			3998	H66	
3C			4022	H90	
Average			**3985**	**H53**	
Totals	**11/15/19**			**11/13/20**	
Elementary	5363			4893	
Middle	3044			2917	
High	3940			3932	
Total	**12,347**			**11,742**	**- 605**
Model				**Projection is**	
T			12,428	H686	
OCP			12,392	H650	
10C			12,361	H619	
5C			12,362	H620	
3C			12,386	H644	
Average			**12,386**	**H644**	

H means High
L means Low

Chapel Hill-Carrboro City School District
School Membership 2020-2021 School Year (November 12, 2020)

Statistical Findings

PROJECTION TYPE ABBREVIATIONS	
'TISCHLER' LINEAR (T) ORANGE COUNTY PLANNING (OCP)	10-YEAR COHORT (10C) 5-YEAR COHORT (5C) 3-YEAR COHORT (3C)

Elementary School Level

- Projections were all high ranging from 429 students to 505 students above actual membership. On average, the projections were 463 students higher than the actual membership.
- The actual membership decreased by 470 students between November 16, 2019 and November 13, 2020.

Middle School Level

- Projections were all high, ranging from 114 students to 147 students above actual membership. On average, the projections were 128 students higher than the actual membership.
- The actual membership decreased by 127 students between November 16, 2019 and November 13, 2020.

High School Level

- Projections were all high, ranging from 27 students to 90 students above actual membership. On average, the projections were 53 students higher than the actual membership.
- The actual membership decreased by 8 students between November 16, 2019 and November 13, 2020.

TOTAL

- The totals of all school level projections were all high, ranging from 619 students to 686 students above actual membership. On average, the projections were 644 students higher than the actual membership.
- The membership decreased in total by 605 students, which is the sum of -470 at Elementary, -127 at Middle, and -8 at High.

C. Student Membership Projections

1. ***Responsible Entity for Suggesting Change –*** The updating of this section will be conducted by the Planning Directors, School Representatives, and Technical Advisory Committee (SAPFOTAC) and referred to the BOCC for annual report certifications. Projections will be distributed to SAPFO partners for review and comments to the BOCC prior to certification.
2. ***Definition –*** The result of the average of the five student projection models represented by 10 year numerical membership projections by school level (Elementary, Middle, and High) for each school district (Chapel Hill-Carrboro City School District and Orange County School District).
3. ***Standard for:***

Chapel Hill-Carrboro City School District

The 5 model average discussed in Section II.B (Student Projection Methodology). See Attachment II.C.4

Standard for:

Orange County School District

The 5 model average discussed in Section II.B (Student Projection Methodology). See Attachment II.C.3

4. ***Analysis of Existing Conditions***

   The membership figures and percentage growth on the attachments show a decrease and negative growth rate for all three school levels for both districts in the 10-year projection period. Attachment II.C.3 and Attachment II.C.4 show year-by-year percent growth and projected level of service (LOS). The projection models were updated using current (November 13, 2020) memberships. Ten years of student membership were projected thereafter.

Chapel Hill-Carrboro City School District

Elementary

The previous year (2019-20) projections for November 2020 at this level were overestimated by 463 students. The actual membership decreased by 470 students. Over the previous ten years, this level has shown varying increases and decreases in growth rates. Following a significant increase (168 students) in 2011-12, this level has experienced a decrease in five out of the following eight school years. Growth rates during the past ten years have ranged from -1.97% to +3.17%. The district's eleventh elementary school, Northside Elementary School, opened in

2013. Capacity was decreased in 2017-18 due to changes in class size averages for kindergarten to third grade by the North Carolina State Legislature. The need for an additional elementary school is not anticipated in the 10-year projection period. This is similar to last year's projections.

Although not included in SAPFO school capacity or membership numbers, Pre-K programs continue to impact operations at District elementary schools where Pre-K programs exist. CHCCS reported 208 Pre-K students for the 2020-21 school year. Specific impacts of Pre-K programs at the elementary school level continue to be reviewed and discussed .

Middle

The previous year (2019-20) projections for November 2020 for this level were overestimated by 128 students. The actual membership decreased by 127 students. Over the previous ten years, this level has shown varying increases before experiencing decreases in 2015-16 and 2016-17. Following these decreases, membership increased the last three school years before experiencing a decrease this year. Growth rates during this time period have ranged from -0.59% to +3.78%. Capacity was increased in 2014-15 with the opening of the Culbreth Middle School science wing. The need for an additional middle school is not anticipated in the 10-year projection period. This is similar to last year's projections.

High School

The previous year (2019-20) projections for November 2020 for this level were overestimated by 53 students. The actual membership decreased by 8 students. Over the previous ten years, growth has been variable with decreases in membership in only three of the last ten years. Growth rates during this time period have ranged from -0.90 to +4.39%. Due to renovations at Chapel Hill High School, this level experienced an increase in capacity of 100 seats. The need for additional high school capacity at Carrboro High School is not anticipated in the 10-year projection period. This is similar to last year's projections.

Additional Information for Chapel Hill-Carrboro City School District

Following the economic downturn (2011-14), there has been an increase in residential projects, specifically multifamily development, in the Town of Chapel Hill. As previously stated, proposed growth is not directly and immediately included in the SAPFO projection system until actual students begin enrollment. However, proposed student growth resulting from new

development is directly accounted for through the CAPS test. The CAPS test is conducted during the approval process at a certain stage and this step does project development impacts against rated capacity. Once students are enrolled in a school year, through annual reporting of student membership numbers, 10-year student projections can be updated to display future capacity needs in time to efficiently plan for future school construction requests. SAPFOTAC will continue to monitor and evaluate the demand and growth of residential development in Chapel Hill and Carrboro as well as its effect on student membership rates.

Orange County School District

Elementary

The previous year (2019-20) projections for November 2020 at this level were overestimated by 220 students. Actual membership decreased by 185 students. Over the previous ten years, this level experienced positive growth before experiencing decreases in 2014-15, 2016-17, and 2017-18. Following these decreases, this level experienced increases during the last two school years before experiencing a decrease this year. Growth rates during this period have ranged from -5.07% to +2.30%. Capacity was decreased in 2017-18 due to changes in class size averages for kindergarten to third grade by the North Carolina State Legislature. The need for an additional Elementary School is not anticipated in the 10-year projection period. This is similar to last year's projections.

Although not included in SAPFO school capacity or membership numbers, Pre-K programs continue to impact operations at District elementary schools where Pre-K programs exist. OCS reported 86 Pre-K students for the 2020-21 school year. Specific impacts of Pre-K programs at the elementary school level continue to be reviewed and discussed.

Middle

The previous year (2019-20) projections for November 2020 for this level were overestimated by 74 students. The actual membership decreased by 109 students. Over the previous ten years, growth has varied widely with decreases in student membership in four of the ten school years. Growth rates during this period have ranged from -1.31% to +3.74%. The need for an additional Middle School is not anticipated in the 10-year projection period. This is similar to last year's projections.

High School

The previous year (2019-20) projections for November 2020 for this level were overestimated by 20 students. The actual membership decreased by 16 students. This school level has experienced decreases in four out of the ten previous school years and this school year. Growth rates during this period ranged from -3.93% to 4.58%. In 2012-13 student membership increased by 32 while capacity decreased by 119 at Orange County High School as a result of a N.C. Department of Public Instruction (DPI) study. Similar to last year's projections, the need for additional capacity at Cedar Ridge High School is not anticipated in the 10-year projection period. However, to address public safety concerns with the current high school capacity exceeding the 100% threshold, Cedar Ridge High School will be expanded from an initial capacity of 1,000 students to 1,500 students for the 2021-22 school year.

Additional Information for Orange County School District

The City of Mebane lies partially within Orange County and students within the Orange County portion of Mebane attend Orange County Schools. However, the City of Mebane is not a party to the SAPFO agreement and therefore does not require that CAPS (Certificate of Adequate Public Schools) be issued prior to development approvals. Following the economic downturn (2011-14), there has been an increase in approved and undeveloped residential development in the City of Mebane and the Town of Hillsborough. However, the residential growth that has occurred in the recent past within Mebane's and Hillsborough's jurisdiction has yet to be seen with OCS student membership numbers and fully realized into the historically based projection methods due to the recession, charter schools, and possibly new family dynamics affecting family size. SAPFOTAC will continue monitoring and evaluating the demand and growth of residential development in Mebane and Hillsborough as well as its effect on student membership rates.

Currently, there are two Charter Schools located in the Town of Hillsborough, which continue to have an effect on OCS membership numbers. Charter schools are not included as part of the SAPFO Annual Report and, as a result, their membership and capacity are not included in future projections. However, the SAPFOTAC does monitor charter schools and their effect on student enrollment at both school districts.

5. ***Recommendation:***

   Use statistics as noted in 3 above

OCS Student Projections (1) (4)

Elementary

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Actual	3,211	3,285	3,348	3,403	3,433	3,259	3,318	3,293	3,183	3,205	3,232										
Tischler (2)												3,241	3,251	3,260	3,270	3,279	3,289	3,298	3,308	3,317	3,327
OC Planning												3,248	3,271	3,295	3,320	3,346	3,372	3,394	3,412	3,430	3,448
10 Year Growth												3,275	3,283	3,334	3,374	3,409	3,443	3,478	3,512	3,548	3,583
5 Year Growth												3,285	3,299	3,354	3,396	3,429	3,464	3,498	3,533	3,568	3,604
3 Year Growth												3,286	3,300	3,357	3,397	3,426	3,460	3,495	3,530	3,565	3,601
Average												**3,267**	**3,281**	**3,320**	**3,351**	**3,378**	**3,406**	**3,433**	**3,459**	**3,496**	**3,513**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	**46**	**74**	**63**	**55**	**30**	**(174)**	**59**	**(25)**	**(110)**	**22**	**27**	**35**	**14**	**39**	**31**	**26**	**28**	**27**	**26**	**27**	**27**
Capacity - 100% Level of Service	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**
Number of Students, Actual and Projected, Over (Under) 100% LOS	**(483)**	**(409)**	**(346)**	**(291)**	**(261)**	**(435)**	**(376)**	**(401)**	**(178)**	**(156)**	**(129)**	**(94)**	**(80)**	**(41)**	**(10)**	**17**	**45**	**72**	**98**	**125**	**152**
105% Level of Service	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**
Number of Students, Actual and Projected, Over (Under) 105% LOS	**(668)**	**(594)**	**(531)**	**(476)**	**(446)**	**(620)**	**(561)**	**(586)**	**(346)**	**(324)**	**(297)**	**(262)**	**(248)**	**(209)**	**(178)**	**(151)**	**(123)**	**(96)**	**(70)**	**(43)**	**(16)**
Actual - % Level of Service	86.9%	88.9%	90.6%	92.1%	92.9%	88.2%	89.8%	89.1%	94.7%	95.4%	96.2%										
Average - % Level of Service												97.2%	97.6%	98.8%	99.7%	100.5%	101.3%	102.1%	102.9%	103.7%	104.5%
Annual Student Growth Rate (3)	**1.45%**	**2.30%**	**1.92%**	**1.64%**	**0.88%**	**-5.07%**	**1.81%**	**-0.75%**	**-3.34%**	**0.69%**	**0.84%**	**1.08%**	**0.42%**	**1.19%**	**0.95%**	**0.79%**	**0.82%**	**0.79%**	**0.77%**	**0.77%**	**0.77%**

Capacity decrease due to change in class size ratios per House Bill 13 (K-3 average class size ratios are 1:20 as directed by State legislative action)

(1) It is important to note that this reflects the November 15, 2019 date of membership as outlined in by the Schools Adequate Public Facilities Ordinar

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CH

(3) Annual growth rate calculated using actual membership for years 2010-11 through 2019-20 and average membership for years 2020-21 through 2025

(4) Class sizes for grades K-3 = 1:23 for school years 2000 through 2007-08 . In accordance with 2005 School Collaboration Work Group direction, effective the 2008-2009 school year with the opening of CHCCS Elementary #10, K-3 class sizes are 1:21 as directed by past State legislative

OCS Student Projections(1)

Middle

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Actual	1,665	1,698	1,704	1,684	1,747	1,762	1,739	1,724	1,730	1,779	1,763										
Tischler (2)												1,768	1,773	1,779	1,784	1,789	1,794	1,799	1,804	1,810	1,815
OC Planning												1,773	1,776	1,779	1,783	1,787	1,814	1,834	1,854	1,873	1,893
10 Year Growth												1,709	1,694	1,679	1,701	1,691	1,727	1,751	1,770	1,787	1,805
5 Year Growth												1,702	1,690	1,681	1,712	1,710	1,750	1,775	1,793	1,811	1,829
3 Year Growth												1,686	1,664	1,649	1,682	1,684	1,725	1,748	1,761	1,779	1,797
Average												**1,726**	**1,719**	**1,713**	**1,732**	**1,732**	**1,762**	**1,781**	**1,796**	**1,812**	**1,828**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	**64**	**33**	**6**	**(20)**	**63**	**15**	**(23)**	**(15)**	**6**	**49**	**(16)**	**(38)**	**(8)**	**(6)**	**19**	**(0)**	**30**	**19**	**15**	**16**	**16**
Capacity - 100% Level of Service	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**
Number of Students, Actual and Projected, Over (Under) 100% LOS	**(501)**	**(468)**	**(462)**	**(482)**	**(419)**	**(404)**	**(427)**	**(442)**	**(436)**	**(387)**	**(403)**	**(438)**	**(447)**	**(453)**	**(434)**	**(434)**	**(404)**	**(385)**	**(370)**	**(354)**	**(338)**
107% Level of Service	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**
Number of Students, Actual and Projected, Over (Under) 107% LOS	**(653)**	**(620)**	**(614)**	**(634)**	**(571)**	**(556)**	**(579)**	**(594)**	**(589)**	**(539)**	**(555)**	**(590)**	**(598)**	**(604)**	**(585)**	**(585)**	**(556)**	**(536)**	**(521)**	**(506)**	**(490)**
Actual - % Level of Service	76.9%	78.4%	78.7%	77.7%	80.7%	81.3%	80.3%	79.6%	79.9%	82.1%	81.4%										
Average - % Level of Service												79.8%	79.4%	79.1%	80.0%	80.0%	81.3%	82.2%	82.9%	83.7%	84.4%
Annual Student Growth Rate (3)	**4.00%**	**1.98%**	**0.35%**	**-1.17%**	**3.74%**	**0.86%**	**-1.31%**	**-0.86%**	**0.35%**	**2.83%**	**-0.90%**	**-2.01%**	**-0.47%**	**-0.35%**	**1.11%**	**-0.01%**	**1.72%**	**1.10%**	**0.84%**	**0.87%**	**0.87%**

(1) It is important to note that this reflects the November 15, 2019 date of membership as outlined in by the Schools Adequate Public Facilities Ordinar

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CH

(3) Annual growth rate calculated using actual membership for years 2010-11 through 2019-20 and average membership for years 2020-21 through 2025

OCS Student Projections (1)

High

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2019-20	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Actual	2,217	2,222	2,283	2,315	2,421	2,502	2,469	2,445	2,445	2,349	2,397										
Tischler (2)												2,404	2,411	2,418	2,425	2,432	2,439	2,446	2,453	2,460	2,467
OC Planning												2,412	2,430	2,448	2,468	2,489	2,486	2,494	2,506	2,519	2,531
10 Year Growth												2,398	2,425	2,460	2,417	2,409	2,355	2,362	2,392	2,395	2,438
5 Year Growth												2,389	2,400	2,418	2,361	2,352	2,304	2,320	2,362	2,371	2,417
3 Year Growth												2,401	2,407	2,421	2,350	2,325	2,266	2,280	2,327	2,336	2,381
Average												**2,401**	**2,415**	**2,433**	**2,404**	**2,401**	**2,370**	**2,380**	**2,408**	**2,416**	**2,447**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	**(26)**	**5**	**61**	**32**	**106**	**81**	**(33)**	**(23)**	**(1)**	**(96)**	**48**	**4**	**14**	**18**	**(29)**	**(3)**	**(31)**	**10**	**28**	**8**	**31**
Capacity - 100% Level of Service	**2,558**	**2,558**	**2,558**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**
Number of Students, Actual and Projected, Over (Under) 100% LOS	**(341)**	**(336)**	**(275)**	**(124)**	**(18)**	**63**	**30**	**7**	**6**	**(90)**	**(42)**	**(38)**	**(524)**	**(506)**	**(535)**	**(538)**	**(569)**	**(559)**	**(531)**	**(523)**	**(492)**
110% Level of Service	**2,814**	**2,814**	**2,814**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**
Number of Students, Actual and Projected, Over (Under) 110% LOS	**(597)**	**(592)**	**(531)**	**(368)**	**(262)**	**(181)**	**(214)**	**(237)**	**(239)**	**(334)**	**(286)**	**(282)**	**(818)**	**(800)**	**(829)**	**(832)**	**(863)**	**(853)**	**(825)**	**(817)**	**(786)**
Actual - % Level of Service	88.7%	88.9%	89.2%	94.9%	99.3%	103.6%	101.2%	100.3%	100.2%	96.3%	98.3%										
Average - % Level of Service												98.4%	82.2%	82.8%	81.8%	81.7%	80.6%	81.0%	81.9%	82.2%	83.3%
Annual Student Growth Rate (3)	**-1.12%**	**0.23%**	**2.75%**	**1.40%**	**4.58%**	**3.35%**	**-1.32%**	**-0.93%**	**-0.04%**	**-3.93%**	**2.04%**	**0.16%**	**0.57%**	**0.76%**	**-1.18%**	**-0.12%**	**-1.31%**	**0.44%**	**1.16%**	**0.34%**	**1.27%**

Orange High capacity decreased, per DPI study

Cedar Ridge High School adding 500 seats.

(1) It is important to note that this reflects the November 15, 2019 date of membership as outlined in by the Schools Adequate Public Facilities Ordinar

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CH

(3) Annual growth rate calculated using actual membership for years 2010-11 through 2019-20 and average membership for years 2020-21 through 2025

CHCCS Student Projections (1) (4)

Elementary

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Actual	5,219	5,296	5,464	5,543	5,554	5,541	5,501	5,567	5,522	5,471	5,363										
Tischler (2)												5,398	5,432	5,467	5,502	5,537	5,571	5,606	5,641	5,676	5,710
OC Planning												5,378	5,371	5,413	5,453	5,493	5,532	5,570	5,606	5,643	5,654
10 Year Growth												5,349	5,349	5,350	5,464	5,528	5,583	5,639	5,696	5,753	5,810
5 Year Growth												5,331	5,328	5,321	5,421	5,473	5,528	5,583	5,639	5,695	5,752
3 Year Growth												5,322	5,305	5,283	5,370	5,415	5,469	5,523	5,579	5,634	5,691
Average												**5,356**	**5,357**	**5,367**	**5,442**	**5,489**	**5,537**	**5,594**	**5,632**	**5,680**	**5,723**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	(83)	77	168	79	11	(13)	(40)	66	(45)	(51)	(108)	(7)	1	10	75	47	47	57	48	48	43
Capacity - 100% Level of Service (LOS)	5,244	5,244	5,244	5,244	5,829	5,829	5,829	5,829	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664
Number of Students, Actual and Projected, Over (Under) 100% LOS	(25)	52	220	299	(275)	(288)	(328)	(262)	(142)	(193)	(301)	(308)	(307)	(297)	(222)	(175)	(127)	(90)	(32)	16	59
Capacity - 105% Level of Service (LOS)	5,506	5,506	5,506	5,506	6,120	6,120	6,120	6,120	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947
Number of Students, Actual and Projected, Over (Under) 105% LOS	(287)	(210)	(42)	37	(566)	(579)	(619)	(553)	(425)	(476)	(584)	(592)	(590)	(580)	(505)	(459)	(411)	(363)	(315)	(267)	(224)
Actual - % Level of Service	99.5%	101.0%	104.2%	105.7%	95.3%	95.1%	94.4%	95.5%	97.5%	96.6%	94.7%										
Average - % Level of Service												94.6%	94.6%	94.8%	96.1%	96.9%	97.8%	98.6%	99.4%	100.3%	101.0%
Annual Student Growth Rate (3)	-1.57%	1.48%	3.17%	1.45%	0.20%	-0.23%	-0.72%	1.20%	-0.81%	-0.92%	-1.97%	-0.14%	0.03%	0.19%	1.40%	0.87%	0.86%	0.86%	0.86%	0.86%	0.76%

Elementary School #11 opens with 525 seats

Capacity decrease due to change in class size ratios per House Bill 13 (K-3 average class size ratios are 1:20 as directed by State legislative action)

(1) It is important to note that this reflects the November 15, 2018 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance. It does not include CHCCS students attending the Hospital Scho

(2) The Trochler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHCC

(3) Annual growth rate calculated using actual membership for years 2001-11 through 2019-20 and average membership for years 2020-21 through 2029-30

(4) Class sizes for grades K-3 = 1:23 for school years 2000 through 2007-08. In accordance with 2005 School Collaboration Work Group direction, effective the 2008-2009 school year with the opening of CHCCS Elementary #10, K-3 class sizes are 1:21 as directed by past State legislative actio

CHCCS Student Projections (1)

Middle

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Actual	2,708	2,722	2,753	2,785	2,858	2,861	2,844	2,829	2,833	2,933	3,044										
Tischler (2)												3,064	3,083	3,103	3,123	3,143	3,162	3,182	3,202	3,221	3,241
OC Planning												3,055	3,052	3,049	3,045	3,041	3,036	3,031	3,049	3,068	3,087
10 Year Growth												3,031	2,978	2,935	2,834	2,799	2,773	2,862	2,900	2,929	2,958
5 Year Growth												3,033	2,967	2,914	2,809	2,782	2,746	2,822	2,848	2,877	2,905
3 Year Growth												3,042	2,998	2,961	2,856	2,821	2,771	2,835	2,853	2,882	2,910
Average												**3,045**	**3,016**	**2,992**	**2,933**	**2,917**	**2,897**	**2,946**	**2,970**	**2,995**	**3,020**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	11	14	31	32	73	76	(17)	(15)	4	100	111	1	(29)	(23)	(59)	(16)	(20)	49	24	25	25
Capacity - 100% Level of Service	2,840	2,840	2,840	2,840	2,840	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944
Number of Students, Actual and Projected, Over (Under) 100% LOS	(132)	(118)	(87)	(55)	18	(83)	(100)	(115)	(111)	(11)	100	101	72	48	(11)	(27)	(47)	2	26	51	76
107% Level of Service	3,039	3,039	3,039	3,039	3,039	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150
Number of Students, Actual and Projected, Over (Under) 107% LOS	(331)	(317)	(286)	(254)	(181)	(289)	(306)	(321)	(317)	(217)	(106)	(105)	(134)	(158)	(217)	(233)	(253)	(204)	(180)	(155)	(130)
Actual - % Level of Service	95.4%	95.8%	96.9%	98.1%	100.6%	97.2%	96.6%	96.1%	96.2%	99.6%	103.4%										
Average - % Level of Service												103.4%	102.4%	101.6%	99.6%	99.1%	98.4%	100.1%	100.9%	101.7%	102.6%
Annual Student Growth Rate (3)	0.41%	0.52%	1.14%	1.16%	2.62%	0.10%	-0.59%	-0.53%	0.14%	3.53%	3.78%	0.03%	-0.97%	-0.77%	-1.97%	-0.55%	-0.68%	1.69%	0.81%	0.84%	0.83%

Additional 104 new seats at Culbreth Middle School

(1) It is important to note that this reflects the November 15, 2018 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance. It does not include CHCCS students attending the Hospital Scho

(2) The Trochler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHCC

(3) Annual growth rate calculated using actual membership for years 2001-11 through 2019-20 and average membership for years 2020-21 through 2029-3

CHCCS Student Projections (1)

High

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
Actual	3,606	3,640	3,714	3,796	3,764	3,730	3,701	3,762	3,927	3,932	3,940										
Tischler (2)												3,966	3,991	4,017	4,042	4,068	4,093	4,119	4,144	4,170	4,195
OC Planning												3,959	4,009	4,010	4,008	4,007	4,004	4,001	3,971	3,941	3,936
10 Year Growth												3,981	4,008	4,094	4,143	4,119	4,075	3,919	3,878	3,868	3,859
5 Year Growth												3,998	4,033	4,129	4,182	4,142	4,091	3,930	3,882	3,866	3,847
3 Year Growth												4,022	4,062	4,174	4,242	4,218	4,168	4,038	3,984	3,952	3,914
Average												**3,985**	**4,021**	**4,085**	**4,123**	**4,111**	**4,090**	**4,001**	**3,972**	**3,959**	**3,950**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	(24)	34	74	82	(32)	(66)	(29)	61	165	5	8	45	35	64	39	(13)	(21)	(89)	(30)	(12)	(9)
Capacity - 100% Level of Service	3,835	3,875	3,875	3,875	3,875	3,875	3,875	3,875	3,875	3,875	3,875	3,980	3,980	3,980	3,980	3,980	3,980	3,980	3,980	3,980	3,980
Number of Students, Actual and Projected, Over (Under) 100% LOS	(229)	(235)	(161)	(79)	(111)	(146)	(174)	(113)	52	57	65	5	41	105	143	131	110	21	(8)	(21)	(30)
110% Level of Service	4,219	4,263	4,263	4,263	4,263	4,263	4,263	4,263	4,263	4,263	4,263	4,378	4,378	4,378	4,378	4,378	4,378	4,378	4,378	4,378	4,378
Number of Students, Actual and Projected, Over (Under) 110% LOS	(613)	(623)	(549)	(467)	(499)	(533)	(562)	(501)	(336)	(331)	(323)	(393)	(357)	(293)	(255)	(267)	(288)	(377)	(406)	(419)	(428)
Actual - % Level of Service	94.0%	93.9%	95.8%	96.0%	97.1%	96.3%	95.5%	97.1%	101.3%	101.5%	101.7%										
Average - % Level of Service												100.1%	101.0%	102.6%	103.6%	103.3%	102.8%	100.5%	99.8%	99.5%	99.3%
Annual Student Growth Rate (3)	-0.66%	0.94%	2.03%	2.21%	-0.84%	-0.90%	-0.78%	1.65%	4.39%	0.13%	0.20%	1.15%	0.89%	1.60%	0.94%	-0.31%	-0.50%	-2.17%	-0.74%	-0.31%	-0.23%

Phoenix Academy High School becomes official high school starting 2010-11 school year with 40 student capacity

Chapel Hill High School adding 105 seats.

(1) It is important to note that this reflects the November 15, 2018 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance. It does not include CHCCS students attending t

(2) The Trochler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for

(3) Annual growth rate calculated using actual membership for years 2001-11 through 2019-20 and average membership for years 2020-21 through 2029-3

OCS Student Projections (1) (4)

Elementary

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	3,211	3,285	3,348	3,403	3,433	3,259	3,318	3,293	3,183	3,205	3,232	3,047										
Tischler (2)													3,036	3,024	3,013	3,002	2,990	2,979	2,967	2,956	2,945	2,933
OC Planning													3,128	3,144	3,156	3,168	3,180	3,192	3,205	3,217	3,230	3,249
10 Year Growth													2,988	2,943	2,927	2,897	2,881	2,910	2,939	2,968	2,998	3,028
5 Year Growth													2,866	2,838	2,817	2,883	2,863	2,891	2,920	2,949	2,979	3,009
3 Year Growth													2,960	2,923	2,897	2,868	2,831	2,859	2,888	2,917	2,946	2,976
Average													**3,011**	**2,994**	**2,982**	**2,962**	**2,949**	**2,986**	**2,984**	**3,002**	**3,019**	**3,039**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	**46**	**74**	**63**	**55**	**30**	**(174)**	**59**	**(25)**	**(110)**	**22**	**27**	**(185)**	**(36)**	**(17)**	**(12)**	**(20)**	**(13)**	**37**	**18**	**18**	**18**	**20**
Capacity - 100% Level of Service	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**
Number of Students, Actual and Projected, Over (Under) 100% LOS	**(483)**	**(409)**	**(346)**	**(291)**	**(261)**	**(435)**	**(376)**	**(401)**	**(178)**	**(156)**	**(129)**	**(314)**	**(350)**	**(367)**	**(379)**	**(399)**	**(412)**	**(395)**	**(377)**	**(359)**	**(342)**	**(322)**
105% Level of Service	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**
Number of Students, Actual and Projected, Over (Under) 105% LOS	**(668)**	**(594)**	**(531)**	**(476)**	**(446)**	**(620)**	**(561)**	**(586)**	**(346)**	**(324)**	**(297)**	**(482)**	**(518)**	**(535)**	**(547)**	**(568)**	**(580)**	**(563)**	**(545)**	**(528)**	**(510)**	**(490)**
Actual - % Level of Service	86.9%	88.9%	90.6%	92.1%	92.9%	88.2%	89.8%	89.1%	94.7%	95.4%	96.2%	90.7%										
Average - % Level of Service													89.6%	89.1%	88.7%	88.1%	87.7%	88.3%	88.8%	89.3%	89.8%	90.4%
Annual Student Growth Rate (3)	**1.45%**	**2.30%**	**1.92%**	**1.64%**	**0.88%**	**-5.07%**	**1.81%**	**-0.75%**	**-3.34%**	**0.69%**	**0.84%**	**-5.72%**	**-1.17%**	**-0.56%**	**-0.42%**	**-0.68%**	**-0.42%**	**0.59%**	**0.59%**	**0.59%**	**0.60%**	**0.65%**

Capacity decrease due to change in class size ratios per House Bill 13 (K-3 average class size ratios are 1:20 as directed by State legislative action)

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance.

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 2001-12 through 2020-21 and average membership for years 2021-22 through 2029-

(4) Class sizes for grades K-3 = 1:23 for school years 2000 through 2007-08. In accordance with 2005 School Collaboration Work Group direction, effective the 2008-2009 school year with the opening of CHCCS Elementary #10, K-3 class sizes are 1:21 as directed by past State legislative action.

OCS Student Projections(1)

Middle

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	1,685	1,698	1,704	1,684	1,747	1,762	1,739	1,724	1,730	1,778	1,763	1,654										
Tischler (2)													1,648	1,642	1,635	1,629	1,623	1,617	1,611	1,605	1,598	1,592
OC Planning													1,683	1,699	1,715	1,730	1,746	1,762	1,778	1,780	1,781	1,783
10 Year Growth													1,630	1,595	1,602	1,565	1,571	1,540	1,494	1,463	1,478	1,493
5 Year Growth													1,613	1,589	1,570	1,536	1,542	1,507	1,459	1,424	1,439	1,453
3 Year Growth													1,598	1,548	1,541	1,507	1,510	1,471	1,419	1,379	1,393	1,407
Average													**1,634**	**1,611**	**1,613**	**1,593**	**1,598**	**1,579**	**1,552**	**1,530**	**1,538**	**1,545**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	**64**	**33**	**6**	**(20)**	**63**	**15**	**(23)**	**(15)**	**6**	**49**	**(16)**	**(109)**	**(26)**	**(24)**	**2**	**(10)**	**5**	**(19)**	**(27)**	**(22)**	**8**	**8**
Capacity - 100% Level of Service	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**
Number of Students, Actual and Projected, Over (Under) 100% LOS	**(501)**	**(468)**	**(462)**	**(482)**	**(419)**	**(404)**	**(427)**	**(442)**	**(436)**	**(387)**	**(403)**	**(512)**	**(532)**	**(555)**	**(553)**	**(573)**	**(568)**	**(587)**	**(614)**	**(636)**	**(628)**	**(621)**
107% Level of Service	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**
Number of Students, Actual and Projected, Over (Under) 107% LOS	**(653)**	**(620)**	**(614)**	**(634)**	**(571)**	**(556)**	**(579)**	**(594)**	**(588)**	**(539)**	**(555)**	**(664)**	**(683)**	**(707)**	**(705)**	**(724)**	**(719)**	**(738)**	**(765)**	**(787)**	**(780)**	**(772)**
Actual - % Level of Service	76.9%	78.4%	78.7%	77.7%	80.7%	81.3%	80.3%	79.6%	79.9%	82.1%	81.4%	76.4%										
Average - % Level of Service													75.5%	74.4%	74.4%	73.6%	73.8%	72.9%	71.7%	70.6%	71.0%	71.4%
Annual Student Growth Rate (3)	**4.00%**	**1.96%**	**0.35%**	**-1.17%**	**3.74%**	**0.86%**	**-1.31%**	**-0.86%**	**0.35%**	**2.83%**	**-0.90%**	**-6.18%**	**-1.18%**	**-1.46%**	**0.13%**	**-1.18%**	**0.31%**	**-1.20%**	**-1.71%**	**-1.42%**	**0.50%**	**0.50%**

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance.

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 2001-12 through 2020-21 and average membership for years 2021-22 through 2029-

OCS Student Projections (1)

High

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2019-20	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	2,217	2,222	2,283	2,315	2,421	2,502	2,469	2,446	2,445	2,349	2,397	2,381										
Tischler (2)													2,372	2,363	2,354	2,345	2,337	2,328	2,319	2,310	2,301	2,292
OC Planning													2,306	2,310	2,318	2,326	2,334	2,342	2,350	2,373	2,396	2,412
10 Year Growth													2,387	2,406	2,313	2,325	2,248	2,212	2,232	2,190	2,149	2,119
5 Year Growth													2,372	2,389	2,252	2,233	2,143	2,101	2,115	2,077	2,034	2,001
3 Year Growth													2,389	2,387	2,266	2,237	2,135	2,081	2,089	2,051	2,000	1,962
Average													**2,365**	**2,367**	**2,301**	**2,293**	**2,239**	**2,213**	**2,221**	**2,200**	**2,176**	**2,157**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	**(25)**	**5**	**61**	**32**	**106**	**81**	**(33)**	**(23)**	**(1)**	**(96)**	**48**	**(16)**	**(16)**	**2**	**(66)**	**(7)**	**(54)**	**(26)**	**8**	**(21)**	**(24)**	**(19)**
Capacity - 100% Level of Service	**2,558**	**2,558**	**2,558**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**
Number of Students, Actual and Projected, Over (Under) 100% LOS	**(341)**	**(336)**	**(275)**	**(124)**	**(18)**	**63**	**30**	**7**	**6**	**(90)**	**(42)**	**(58)**	**(574)**	**(572)**	**(638)**	**(646)**	**(700)**	**(726)**	**(718)**	**(739)**	**(763)**	**(782)**
110% Level of Service	**2,814**	**2,814**	**2,814**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**
Number of Students, Actual and Projected, Over (Under) 110% LOS	**(597)**	**(592)**	**(531)**	**(368)**	**(262)**	**(181)**	**(214)**	**(237)**	**(238)**	**(334)**	**(286)**	**(302)**	**(868)**	**(866)**	**(932)**	**(939)**	**(994)**	**(1,020)**	**(1,012)**	**(1,033)**	**(1,057)**	**(1,076)**
Actual - % Level of Service	86.7%	86.9%	89.2%	94.9%	99.3%	102.6%	101.2%	100.3%	100.2%	96.3%	98.3%	97.6%										
Average - % Level of Service													80.5%	80.5%	78.3%	78.0%	76.2%	75.3%	75.6%	74.9%	74.0%	73.4%
Annual Student Growth Rate (3)	**-1.12%**	**0.23%**	**2.76%**	**1.40%**	**4.58%**	**3.35%**	**-1.32%**	**-0.93%**	**-0.04%**	**-3.93%**	**2.04%**	**-0.67%**	**-0.66%**	**0.09%**	**-2.80%**	**-0.32%**	**-2.36%**	**-1.18%**	**0.37%**	**-0.94%**	**-1.10%**	**-0.86%**

Orange High capacity decreased, per DPI study

Cedar Ridge High School adding 500 seats.

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance.

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 2001-12 through 2020-21 and average membership for years 2021-22 through 2029-31

CHCCS Student Projections (1) (4)

Elementary

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	5,219	5,286	5,464	5,543	5,554	5,541	5,501	5,567	5,522	5,471	5,363	4,893										
Tischler (2)													4,885	4,877	4,869	4,862	4,854	4,846	4,838	4,830	4,822	4,814
OC Planning													5,095	5,122	5,156	5,195	5,231	5,268	5,305	5,343	5,356	5,345
10 Year Growth													4,732	4,686	4,569	4,532	4,500	4,545	4,590	4,636	4,683	4,729
5 Year Growth													4,695	4,524	4,483	4,424	4,381	4,425	4,469	4,513	4,559	4,604
3 Year Growth													4,644	4,431	4,347	4,262	4,204	4,246	4,288	4,331	4,374	4,418
Average													**4,808**	**4,708**	**4,665**	**4,655**	**4,634**	**4,666**	**4,698**	**4,731**	**4,759**	**4,782**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	(63)	77	168	79	11	(13)	(40)	66	(45)	(51)	(108)	(470)	(85)	(100)	(23)	(30)	(21)	32	32	33	28	24
Capacity - 100% Level of Service (LOS)	5,244	5,244	5,244	5,244	5,829	5,829	5,829	5,829	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664	5,664
Number of Students, Actual and Projected, Over (Under) 100% LOS	(25)	52	220	299	(275)	(288)	(328)	(262)	(142)	(193)	(301)	(771)	(856)	(956)	(979)	(1,009)	(1,030)	(998)	(966)	(933)	(905)	(882)
Capacity - 105% Level of Service (LOS)	5,506	5,506	5,506	5,506	6,120	6,120	6,120	6,120	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947	5,947
Number of Students, Actual and Projected, Over (Under) 105% LOS	(287)	(210)	(42)	37	(566)	(579)	(619)	(553)	(425)	(476)	(584)	(1,054)	(1,139)	(1,239)	(1,262)	(1,292)	(1,313)	(1,281)	(1,249)	(1,217)	(1,188)	(1,165)
Actual - % Level of Service	99.5%	101.0%	104.2%	105.7%	95.3%	95.1%	94.4%	95.5%	97.5%	96.6%	94.7%	86.4%										
Average - % Level of Service													84.9%	83.1%	82.7%	82.2%	81.8%	82.4%	82.9%	83.5%	84.0%	84.4%
Annual Student Growth Rate (3)	-1.57%	1.48%	3.17%	1.45%	0.20%	-0.23%	-0.72%	1.20%	-0.81%	-0.92%	-1.97%	-8.76%	-1.73%	-2.09%	-0.48%	-0.65%	-0.45%	0.69%	0.69%	0.69%	0.59%	0.49%

Elementary School #11 opens with 585 seats

Capacity decrease due to change in class size ratios per House Bill 13 (K-3 average class size ratios are 1:20 as directed by State legislative action)

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance. It does not include CHCCS students attending the Hospital School.

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 2011-12 through 2020-21 and average membership for years 2021-22 through 2030-31

(4) Class sizes for grades K-3 = 1:20 for school years 2000 through 2007-08. In accordance with 2005 School Collaboration Work Group direction, effective the 2008-2009 school year with the opening of CHCCS Elementary #10, K-3 class sizes are 1:21 as directed by past State legislative action.

CHCCS Student Projections (1)

Middle

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	2,708	2,722	2,753	2,765	2,858	2,861	2,844	2,829	2,833	2,933	3,044	2,917										
Tischler (2)													2,912	2,908	2,903	2,898	2,894	2,889	2,894	2,890	2,875	2,870
OC Planning													2,890	2,885	2,881	2,876	2,871	2,867	2,886	2,905	2,924	2,944
10 Year Growth													2,860	2,797	2,689	2,562	2,467	2,427	2,367	2,311	2,334	2,358
5 Year Growth													2,859	2,793	2,659	2,538	2,428	2,365	2,283	2,216	2,238	2,260
3 Year Growth													2,846	2,766	2,622	2,480	2,347	2,241	2,134	2,054	2,074	2,095
Average													**2,874**	**2,830**	**2,747**	**2,671**	**2,601**	**2,558**	**2,511**	**2,473**	**2,489**	**2,505**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	11	14	31	32	73	76	(17)	(15)	4	100	111	(127)	(43)	(44)	(83)	(76)	(70)	(44)	(47)	(38)	16	16
Capacity - 100% Level of Service	2,840	2,840	2,840	2,840	2,840	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944	2,944
Number of Students, Actual and Projected, Over (Under) 100% LOS	(132)	(118)	(87)	(55)	18	(83)	(100)	(115)	(111)	(11)	100	(27)	(70)	(114)	(197)	(273)	(343)	(386)	(433)	(471)	(455)	(439)
107% Level of Service	3,039	3,039	3,039	3,039	3,039	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150	3,150
Number of Students, Actual and Projected, Over (Under) 107% LOS	(331)	(317)	(286)	(254)	(181)	(289)	(306)	(321)	(317)	(217)	(106)	(233)	(276)	(320)	(403)	(479)	(549)	(593)	(639)	(677)	(661)	(645)
Actual - % Level of Service	95.4%	95.8%	96.9%	98.1%	100.6%	97.2%	96.6%	96.1%	96.2%	99.6%	103.4%	99.1%										
Average - % Level of Service													97.6%	96.1%	93.3%	90.7%	88.4%	86.9%	85.3%	84.0%	84.5%	85.1%
Annual Student Growth Rate (3)	0.41%	0.52%	1.14%	1.16%	2.62%	0.10%	-0.59%	-0.53%	0.14%	3.53%	3.78%	-4.17%	-1.49%	-1.52%	-2.94%	-2.76%	-2.61%	-1.68%	-1.93%	-1.51%	0.65%	0.65%

Additional 104 new seats at Culbreth Middle School

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance. It does not include CHCCS students attending the Hospital Scho

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years JANTS-12 through 2020-21 and average membership for years 2021-22 through 2030-

CHCCS Student Projections (1)

High

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	3,606	3,640	3,714	3,796	3,784	3,730	3,701	3,762	3,927	3,932	3,940	3,932										
Tischler (2)													3,926	3,919	3,913	3,907	3,900	3,894	3,888	3,881	3,875	3,869
OC Planning													3,796	3,794	3,792	3,789	3,787	3,784	3,789	3,791	3,729	3,750
10 Year Growth													3,925	3,950	3,942	3,932	3,866	3,671	3,563	3,463	3,298	3,260
5 Year Growth													3,939	3,966	3,959	3,947	3,870	3,668	3,552	3,426	3,233	3,171
3 Year Growth													3,933	3,944	3,927	3,890	3,794	3,585	3,442	3,285	3,056	2,952
Average													**3,904**	**3,915**	**3,906**	**3,893**	**3,844**	**3,721**	**3,641**	**3,557**	**3,438**	**3,401**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	(24)	34	74	82	(12)	(54)	(29)	61	165	5	8	(8)	(28)	11	(8)	(14)	(49)	(122)	(80)	(83)	(119)	(38)
Capacity - 100% Level of Service	3,835	3,875	3,875	3,875	3,875	3,875	3,875	3,875	3,875	3,875	3,875	3,975	3,975	3,975	3,975	3,975	3,975	3,975	3,975	3,975	3,975	3,975
Number of Students, Actual and Projected, Over (Under) 100% LOS	(229)	(235)	(161)	(79)	(111)	(145)	(174)	(113)	52	57	65	(43)	(71)	(60)	(69)	(82)	(131)	(254)	(334)	(418)	(537)	(574)
110% Level of Service	4,219	4,263	4,263	4,263	4,263	4,263	4,263	4,263	4,263	4,263	4,263	4,373	4,373	4,373	4,373	4,373	4,373	4,373	4,373	4,373	4,373	4,373
Number of Students, Actual and Projected, Over (Under) 110% LOS	(613)	(623)	(549)	(467)	(499)	(533)	(562)	(501)	(336)	(331)	(323)	(441)	(469)	(450)	(466)	(490)	(529)	(652)	(732)	(816)	(934)	(972)
Actual - % Level of Service	94.0%	93.9%	95.8%	98.0%	97.1%	96.3%	95.5%	97.1%	101.3%	101.5%	101.7%	98.9%										
Average - % Level of Service													99.2%	98.5%	98.3%	97.9%	96.7%	93.6%	91.6%	89.5%	86.5%	85.5%
Annual Student Growth Rate (3)	-0.66%	0.94%	2.03%	2.21%	-0.84%	-0.90%	-0.78%	1.65%	4.39%	0.13%	0.20%	-0.20%	-0.72%	0.28%	-0.21%	-0.35%	-1.27%	-3.20%	-2.15%	-2.29%	-3.35%	-1.10%

Phoenix Academy High School becomes official high school starting 2010-11 school year with 40 student capacity

100 seats added to GHHS for the 2020-2021 school year

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance. It does not include CHCCS students attending the Hospital Scho

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 2011-12 through 2020-21 and average membership for years 2021-22 through 2030-31

D. Student Membership Growth Rate

1. ***Responsible Entity for Suggesting Change –*** The updating of this section will be conducted by the Planning Directors, School Representatives, and Technical Advisory Committee (SAPFOTAC) each year and referred to the BOCC for annual report certification. Projections will be distributed to SAPFO partners for review and comments to the BOCC prior to certification.
2. ***Definition*** – The annual percentage growth rate calculated from the projections resulting from the average of the five models represented by 10-year numerical membership projections by school level for each school district. This does not represent the year-by-year growth rate that may be positive or negative, but rather the average of the annual anticipated growth rates over the next 10 years.
3. ***Standard for:***

Chapel Hill-Carrboro City School District

See Attachment II.D.2

Standard for:

Orange County School District

See Attachment II.D.2

4. ***Analysis of Existing Conditions:***

Chapel Hill-Carrboro City School District

The membership figures and percentage growth on the attachments show continued growth at each school level within the system. Projected Average Annual Growth Rate over next ten years:

Analysis of Existing Conditions:

Orange County School District

The membership figures and percentage growth on the attachments show continued growth at each school level within the system. Projected Average Annual Growth Rate over next ten years:

School Level	Year Projection Made				
	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
Elementary	0.91%	0.36%	0.56%	0.65%	-0.23%
Middle	0.95%	0.21%	0.19%	-0.07%	-1.50%
High	0.72%	0%	0.16%	0.03%	-1.44%

School Level	Year Projection Made				
	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021
Elementary	0.51%	0.58%	0.91%	0.84%	-0.02%
Middle	0.36%	0.13%	0.28%	0.37%	-0.67%
High	0.22%	-0.10%	0.21%	0.21%	-0.98%

5. ***Recommendation:***

Chapel Hill-Carrboro City School District

Use statistics as noted.

Recommendation:

Orange County School District

Use statistics as noted.

Attachment II.D.1 – Orange County and Chapel Hill-Carrboro City Student Growth Rates (Chart dates from 2020-2030 based on 11/15/19 membership numbers) (2019-20)

2019-2020

Orange County Student Projections

Elementary

School Year	2019-2020 (actual)	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
Membership	3,232	3,267	3,281	3,320	3,351	3,378	3,406	3,433	3,459	3,486	3,513
Average % Increase		1.08%	0.42%	1.19%	0.95%	0.79%	0.82%	0.79%	0.77%	0.77%	0.77%

Middle

School Year	2019-2020 (actual)	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
Membership	1,763	1,728	1,719	1,713	1,732	1,732	1,762	1,781	1,796	1,812	1,828
Average % Increase		-2.01%	-0.47%	-0.35%	1.11%	-0.01%	1.72%	1.10%	0.84%	0.87%	0.87%

High School

School Year	2019-2020 (actual)	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
Membership	2,397	2,401	2,415	2,433	2,404	2,401	2,370	2,380	2,408	2,416	2,447
Average % Increase		0.16%	0.57%	0.76%	-1.18%	-0.12%	-1.31%	0.44%	1.16%	0.34%	1.27%

Chapel Hill/Carrboro Student Projections

Elementary

School Year	2019-2020 (actual)	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
Membership	5,363	5,356	5,357	5,367	5,442	5,489	5,537	5,584	5,632	5,680	5,723
Average % Increase		-0.14%	0.03%	0.18%	1.40%	0.87%	0.86%	0.86%	0.86%	0.85%	0.76%

Middle

School Year	2019-2020 (actual)	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
Membership	3,044	3,045	3,016	2,992	2,933	2,917	2,897	2,946	2,970	2,995	3,020
Average % Increase		0.03%	-0.97%	-0.77%	-1.97%	-0.55%	-0.68%	1.69%	0.81%	0.84%	0.83%

High School

School Year	2019-2020 (actual)	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
Membership	3,940	3,985	4,021	4,085	4,123	4,111	4,090	4,001	3,972	3,959	3,950
Average % Increase		1.15%	0.89%	1.60%	0.94%	-0.31%	-0.50%	-2.17%	-0.74%	-0.31%	-0.23%

Attachment II.D.2 – Orange County and Chapel Hill-Carrboro City Student Growth Rates (Chart dates from 2021-2031 based on 11/13/20 membership numbers) (2020-21)

2020-2021

Orange County Student Projections

Elementary

School Year	2020-2021 (actual)	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031
Membership	3,047	3,011	2,994	2,982	2,962	2,949	2,966	2,984	3,002	3,019	3,039
Average % Increase		-1.17%	-0.56%	-0.42%	-0.68%	-0.42%	0.59%	0.59%	0.59%	0.60%	0.65%

Middle

School Year	2020-2021 (actual)	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031
Membership	1,654	1,634	1,611	1,613	1,593	1,598	1,579	1,552	1,530	1,538	1,545
Average % Increase		-1.18%	-1.46%	0.13%	-1.18%	0.31%	-1.20%	-1.71%	-1.42%	0.50%	0.50%

High School

School Year	2020-2021 (actual)	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031
Membership	2,381	2,365	2,367	2,301	2,293	2,239	2,213	2,221	2,200	2,176	2,157
Average % Increase		-0.66%	0.09%	-2.80%	-0.32%	-2.36%	-1.18%	0.37%	-0.94%	-1.10%	-0.86%

Chapel Hill/Carrboro Student Projections

Elementary

School Year	2020-2021 (actual)	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031
Membership	4,893	4,808	4,708	4,685	4,655	4,634	4,666	4,698	4,731	4,759	4,782
Average % Increase		-1.73%	-2.09%	-0.48%	-0.65%	-0.45%	0.69%	0.69%	0.69%	0.59%	0.49%

Middle

School Year	2020-2021 (actual)	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031
Membership	2,917	2,874	2,830	2,747	2,671	2,601	2,558	2,511	2,473	2,489	2,505
Average % Increase		-1.49%	-1.52%	-2.94%	-2.76%	-2.61%	-1.68%	-1.83%	-1.51%	0.65%	0.65%

High School

School Year	2020-2021 (actual)	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031
Membership	3,932	3,904	3,915	3,906	3,893	3,844	3,721	3,641	3,557	3,438	3,401
Average % Increase		-0.72%	0.28%	-0.21%	-0.35%	-1.27%	-3.20%	-2.15%	-2.29%	-3.35%	-1.10%

E. Student / Housing Generation Rate

1. ***Responsible Entity for Suggesting Change –*** The updating of this section will be conducted by Planning Directors, School Representatives, and Technical Advisory Committee (SAPFOTAC) and referred to the BOCC for certification. Projections will be distributed to SAPFO partners for review and comments to the BOCC prior to certification.
2. ***Definition –*** Student generation rate refers to the number of public school students per housing unit constructed in each school district, as defined in the Student Generation Rate Study completed by TisherBise on October 28, 2014. Housing units include single-family detached, single family attached/duplex, multifamily, and manufactured homes.
3. ***Standard for:***

   Chapel Hill-Carrboro City School District

   See Attachment II.E.1

   Standard for:

   Orange County School District

   See Attachment II.E.1
4. ***Analysis of Existing Conditions:***

   At the January 2014 SAPFOTAC meeting, members discussed the increased number of students generated in both school districts from new development, particularly multifamily housing. The SAPFOTAC recommended further evaluation of the adopted Student Generation Rates and the impacts the number of bedrooms a particular housing type may have on student generation rates. As a result, Orange County entered into a contract with TischlerBise to update the student generation rate analysis. The new student generation rates were approved on May 19, 2015 and are shown in Attachment II.E.1. New rates from the 2014 Student Generation Rates for Orange County Schools and Chapel Hill-Carrboro School District Report are based on an inventory of recently built units from January 1, 2004 to December 31, 2013.

   It should be noted that students are generated from new housing as well as from existing housing where new families have moved in. The CAPS system estimates new development impacts and associated student generation, but it is important to understand that student increases are a composite of both of these factors. This effect can be dramatic and can vary greatly between areas and districts where either new

housing is dominant or new families move into a large inventory of existing housing stock.

5. ***Recommendation:***

   No change at this time.

TischlerBise Student Generation Rates – 2014

Chapel Hill/Carrboro Schools				
	0-3 Bedrooms	**4 Bedrooms**	**5+ Bedrooms**	**Weighted Average**
Single-Family Detached	0.61	0.84	1.13	0.84
	0-2 Bedrooms	**3+ Bedrooms**		**Weighted Average**
Single-Family Attached	0.27	0.42		0.38
Multifamily/Other	0.11	0.47		0.18
Manufactured Home	0.268	0.86		0.78
Weight Average for Chapel Hill/Carrboro School District				**0.49**

Orange County Schools				
	0-3 Bedrooms	**4 Bedrooms**	**5+ Bedrooms**	**Weighted Average**
Single-Family Detached	0.35	0.57	0.57	0.44
	0-2 Bedrooms	**3+ Bedrooms**		**Weighted Average**
Single-Family Attached	0.07	0.17		0.15
Multifamily/Other	0.08	0.67		0.17
Manufactured Home	0.67	0.47		0.52
Weight Average for Orange County School District				0.37

Source: Student Generation Rates for Orange County School District and Chapel Hill-Carrboro School District, TischlerBise, October 28, 2014
Revised May 7, 2015

III. Flowchart of Schools Adequate Public Facilities Ordinance Process

Abstract: The Schools Adequate Public Facilities Ordinance process has two distinct components:

A. Capital Investment Plan (CIP) (Process 1)

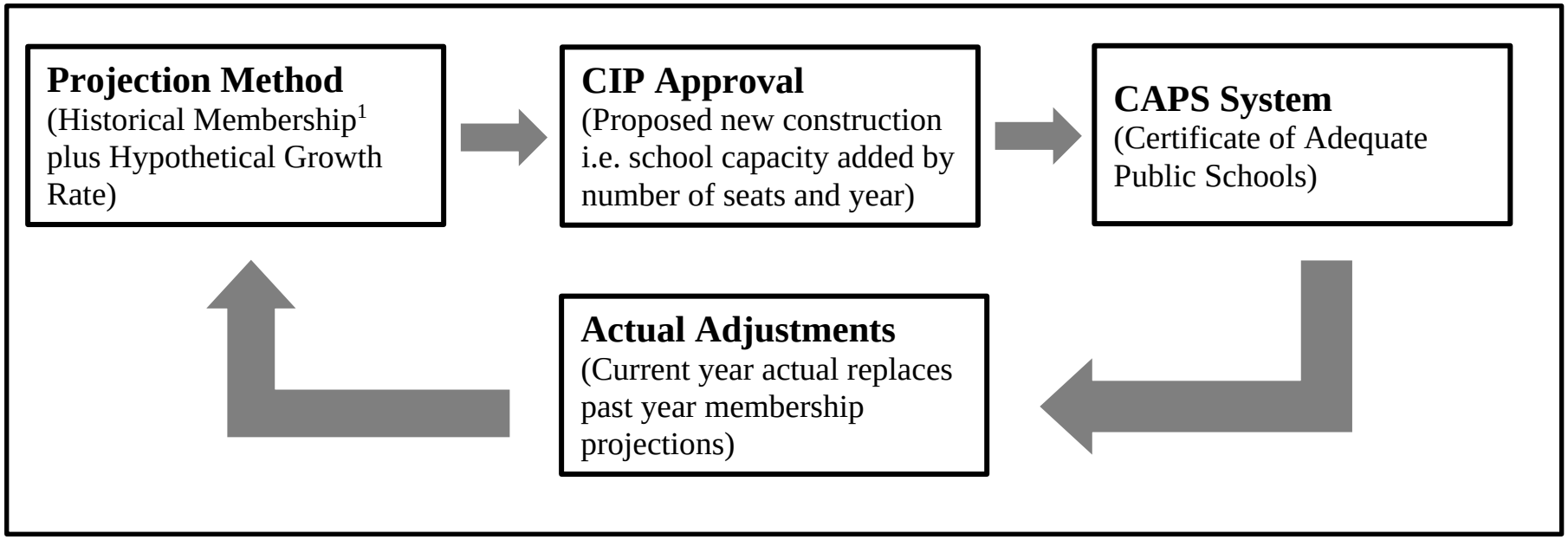
Timeframe: In November of each year, Student Membership and Building Capacity is transmitted from the school districts to the Orange County Board of Commissioners for consideration and approval and used in the following years CIP (e.g. November 15, 2020 membership numbers used to develop a CIP to be considered for adoption in June 2021).

Process Framework

1. SAPFOTAC projects future student membership from historical data, current membership and hypothetical growth rates from established methodologies.
2. School Districts and BOCC compare projections to existing capacity and proposed Capital Investment Plan.
3. SAPFOTAC forwards data and projections to all SAPFO partners.
4. School Districts develop Capital Investment Plan Needs Assessment during this process
5. The Capital Investment Plan work sessions and Public Hearings are conducted by the BOCC in the spring of each year.
6. The adoption of CIP that sets forth monies and timeframe for school construction (future capacity) by BOCC.

School Adequate Public Facilities Ordinance

Process 1 - Capital Investment Planning (CIP)



[1]Historical Membership is a product of students generated from: (1) pre-existing/approved undeveloped lots where new housing is built, (2) existing housing stock with new families/children, and (3) newly approved housing development (in the future this component will be known as CAPS approved development).

[2]The only part of the CAPS System (i.e., computer spreadsheet subdivision tracking) that receives data from the Process 1 CIP includes the actual membership (November 15 of preceding CIP year) and new school capacity amount (seats) in a specific year pursuant to the CIP.

B. Schools Adequate Public Facilities Ordinance Certificate of Adequate Public Schools (CAPS) Update (Process 2)

Timeframe: The CAPS system is updated approximately November 15 of each year when the school districts report actual membership and 'pre-certified' capacity, whether it is CIP associated or prior 'joint action' agreement. 'Joint action' determinations of changes in capacity due to State rules or other non-construction related items are anticipated to be done prior to the November 15 capacity and membership reporting date. This update may reflect the Board of County Commissioners action on the earlier year Capital Investment Plan (CIP) as it affects capacity and addition of new actual fall membership. The Schools Adequate Public Facilities Ordinance Certificate of Adequate Public Schools (CAPS) stays in effect until the following year – (e.g.: November 15, 2005 to November 14, 2006).

New development is originally logged for a certain year. As the CAPS system is updated, each CAPS projection year is 'absorbed' by the actual estimate of a given year. Later year CAPS projections of the same development remain in the future year CAPS system accordingly. For example, if a 50-lot subdivision is issued a CAPS, 15 lots may be assigned to "Year 1," 10 lots to "Year 2," 10 lots to "Year 3," 10 lots to "Year 4," and 5 lots to "Year 5." When "Year 1" is updated, the students generated from the 15 lots are absorbed by the actual estimate. The students generated in "Years 2, 3, 4, and 5" are held in the CAPS system and added to the appropriate year when the CAPS system is updated.

As previously noted in Section II.C, The City of Mebane is not a party to the SAPFO and does not require that CAPS be issued prior to approving development activities. Increasing development within this area of the county has the potential to encumber a significant portion of the available capacity within the Orange County School District. Although the SAPFO system is not formally regulated in Mebane, staff monitors development activity and when students enter the school system their enrollment is calculated and used in future school projection needs.

Please note that the two processes (CIP and CAPS) are on separate, but parallel tracks. However, the CIP does create a crossover of capacity information between the two processes. For example, the SAPFO system for both school districts that will be established / initiated /

certified each year in November and is based on prior year created and/or planned CIP capacity and current school year membership. The SAPFOTAC report including new current year membership and projections are to be used for upcoming CIP development as noted in Process 1.

CIP Process 1 (for CIP 2021 - 2031)
November 2019 – June 2020 (using 2020 SAPFOTAC Report)

SAPFO CAPS Process 2 (for SAPFO System 2021 – 2022)
November 2020 - November 2021

School Adequate Public Facilities Ordinance

Process 2 - Certificate of Adequate Public Schools (CAPS) Allocation

2021 CAPS system is effective November 15, 2020 through November 14, 2021.

The system is updated with new membership, CIP capacity changes, and any other BOCC/School District joint action approved capacity prior to November 15, 2020. This information is received within 5 days of November 15 and posted within the next 15 days. This CAPS system recalibration is retroactive to November 15, 2020.

CAPS Allocation System

1. Certified Capacity
2 LOS Capacity
3. Actual Membership
4. Year Start Available Capacity
5. Ongoing Current Available Capacity (includes available capacity decreases from approved CAPS development by year)
6. CAPS approved development
   a. Total units
   b. Single Family[1]
   c. Other Housing[1]

CAPS System[2]

AC = SC – (ADM+ND1+ND2+…)

AC≥0 - Issue CAPS
AC<0 - Defer CAPS to later date

[1] Student Generation Rates from CAPS housing type create future membership estimate. Please note that this CAPS membership future estimate is different than the projection based on historical data and projection models used in the CIP process 1. This estimate only captures new development impact, which is the component that the SAPFO can regulate.

[2] AC – Available Capacity - Starts at Annual Update Capacity and reduces as CAPS approved development is entered into the system.
SC – Certified School Level Capacity
ADM – Average Daily Membership
ND – New Development; ND1 means first approved CAPS approved development

REVISED 12/30/2020

Attachment 3

OCS Student Projections (1) (4)

Elementary

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	3,211	3,285	3,348	3,403	3,433	3,259	3,318	3,293	3,183	3,205	3,232	3,047										
Tischler (2)													3,036	3,024	3,013	3,002	2,990	2,979	2,967	2,956	2,945	2,933
OC Planning													3,128	3,144	3,156	3,168	3,180	3,192	3,205	3,217	3,230	3,249
10 Year Growth													2,968	2,943	2,927	2,897	2,881	2,910	2,939	2,968	2,998	3,028
5 Year Growth													2,966	2,938	2,917	2,883	2,863	2,891	2,920	2,949	2,979	3,009
3 Year Growth													2,960	2,923	2,897	2,858	2,831	2,859	2,888	2,917	2,946	2,976
Average													**3,011**	**2,994**	**2,982**	**2,962**	**2,949**	**2,966**	**2,984**	**3,002**	**3,019**	**3,039**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	**46**	**74**	**63**	**55**	**30**	**(174)**	**59**	**(25)**	**(110)**	**22**	**27**	**(185)**	**(36)**	**(17)**	**(12)**	**(20)**	**(13)**	**17**	**18**	**18**	**18**	**20**
Capacity - 100% Level of Service	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,694**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**	**3,361**
Number of Students, Actual and Projected, Over (Under) 100% LOS	**(483)**	**(409)**	**(346)**	**(291)**	**(261)**	**(435)**	**(376)**	**(401)**	**(178)**	**(156)**	**(129)**	**(314)**	**(350)**	**(367)**	**(379)**	**(399)**	**(412)**	**(395)**	**(377)**	**(359)**	**(342)**	**(322)**
105% Level of Service	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,879**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**	**3,529**
Number of Students, Actual and Projected, Over (Under) 105% LOS	**(668)**	**(594)**	**(531)**	**(476)**	**(446)**	**(620)**	**(561)**	**(586)**	**(346)**	**(324)**	**(297)**	**(482)**	**(518)**	**(535)**	**(547)**	**(568)**	**(580)**	**(563)**	**(545)**	**(528)**	**(510)**	**(490)**
Actual - % Level of Service	86.9%	88.9%	90.6%	92.1%	92.9%	88.2%	89.8%	89.1%	94.7%	95.4%	96.2%	90.7%										
Average - % Level of Service													89.6%	89.1%	88.7%	88.1%	87.7%	88.3%	88.8%	89.3%	89.8%	90.4%
Annual Student Growth Rate (3)	**1.45%**	**2.30%**	**1.92%**	**1.64%**	**0.88%**	**-5.07%**	**1.81%**	**-0.75%**	**-3.34%**	**0.69%**	**0.84%**	**-5.72%**	**-1.17%**	**-0.56%**	**-0.42%**	**-0.68%**	**-0.42%**	**0.59%**	**0.59%**	**0.59%**	**0.60%**	**0.65%**

Capacity decrease due to change in class size ratios per House Bill 13 (K-3 average class size ratios are 1:20 as directed by State legislative action)

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 20011-12 through 2020-21 and average membership for years 2021-22 through 2029-

(4) Class sizes for grades K-3 = 1:23 for school years 2000 through 2007-08. In accordance with 2005 School Collaboration Work Group direction, effective the 2008-2009 school year with the opening of CHCCS Elementary #10, K-3 class sizes are 1:21 as directed by past State legislative action.

OCS Student Projections(1)

Middle

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	1,665	1,698	1,704	1,684	1,747	1,762	1,739	1,724	1,730	1,779	1,763	1,654										
Tischler (2)													1,648	1,642	1,635	1,629	1,623	1,617	1,611	1,605	1,598	1,592
OC Planning													1,683	1,699	1,715	1,730	1,746	1,762	1,778	1,780	1,781	1,783
10 Year Growth													1,630	1,595	1,602	1,565	1,571	1,540	1,494	1,463	1,478	1,493
5 Year Growth													1,613	1,569	1,570	1,536	1,542	1,507	1,459	1,424	1,439	1,453
3 Year Growth													1,598	1,548	1,541	1,507	1,510	1,471	1,419	1,379	1,393	1,407
Average													**1,634**	**1,611**	**1,613**	**1,593**	**1,598**	**1,579**	**1,552**	**1,530**	**1,538**	**1,545**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	**64**	**33**	**6**	**(20)**	**63**	**15**	**(23)**	**(15)**	**6**	**49**	**(16)**	**(109)**	**(20)**	**(24)**	**2**	**(19)**	**5**	**(19)**	**(27)**	**(22)**	**8**	**8**
Capacity - 100% Level of Service	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**	**2,166**
Number of Students, Actual and Projected, Over (Under) 100% LOS	**(501)**	**(468)**	**(462)**	**(482)**	**(419)**	**(404)**	**(427)**	**(442)**	**(436)**	**(387)**	**(403)**	**(512)**	**(532)**	**(555)**	**(553)**	**(573)**	**(568)**	**(587)**	**(614)**	**(636)**	**(628)**	**(621)**
107% Level of Service	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**	**2,318**
Number of Students, Actual and Projected, Over (Under) 107% LOS	**(653)**	**(620)**	**(614)**	**(634)**	**(571)**	**(556)**	**(579)**	**(594)**	**(588)**	**(539)**	**(555)**	**(664)**	**(683)**	**(707)**	**(705)**	**(724)**	**(719)**	**(738)**	**(765)**	**(787)**	**(780)**	**(772)**
Actual - % Level of Service	76.9%	78.4%	78.7%	77.7%	80.7%	81.3%	80.3%	79.6%	79.9%	82.1%	81.4%	76.4%										
Average - % Level of Service													75.5%	74.4%	74.4%	73.6%	73.8%	72.9%	71.7%	70.6%	71.0%	71.4%
Annual Student Growth Rate (3)	**4.00%**	**1.98%**	**0.35%**	**-1.17%**	**3.74%**	**0.86%**	**-1.31%**	**-0.86%**	**0.35%**	**2.83%**	**-0.90%**	**-6.18%**	**-1.18%**	**-1.46%**	**0.13%**	**-1.18%**	**0.31%**	**-1.20%**	**-1.71%**	**-1.42%**	**0.50%**	**0.50%**

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 20011-12 through 2020-21 and average membership for years 2021-22 through 2029-

OCS Student Projections (1)

High

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2019-20	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	2,217	2,222	2,283	2,315	2,421	2,502	2,469	2,446	2,445	2,349	2,397	2,381										
Tischler (2)													2,372	2,363	2,354	2,345	2,337	2,328	2,319	2,310	2,301	2,292
OC Planning													2,306	2,310	2,318	2,326	2,334	2,342	2,350	2,373	2,396	2,412
10 Year Growth													2,387	2,406	2,313	2,325	2,248	2,212	2,232	2,190	2,149	2,119
5 Year Growth													2,372	2,369	2,252	2,233	2,143	2,101	2,115	2,077	2,034	2,001
3 Year Growth													2,389	2,387	2,266	2,237	2,135	2,081	2,089	2,051	2,000	1,962
Average													**2,365**	**2,367**	**2,301**	**2,293**	**2,239**	**2,213**	**2,221**	**2,200**	**2,176**	**2,157**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	**(25)**	**5**	**61**	**32**	**106**	**81**	**(33)**	**(23)**	**(1)**	**(96)**	**48**	**(16)**	**(16)**	**2**	**(66)**	**(7)**	**(54)**	**(26)**	**8**	**(21)**	**(24)**	**(19)**
Capacity - 100% Level of Service	**2,558**	**2,558**	**2,558**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,439**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**	**2,939**
Number of Students, Actual and Projected, Over (Under) 100% LOS	**(341)**	**(336)**	**(275)**	**(124)**	**(18)**	**63**	**30**	**7**	**6**	**(90)**	**(42)**	**(58)**	**(574)**	**(572)**	**(638)**	**(646)**	**(700)**	**(726)**	**(718)**	**(739)**	**(763)**	**(782)**
110% Level of Service	**2,814**	**2,814**	**2,814**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**2,683**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**	**3,233**
Number of Students, Actual and Projected, Over (Under) 110% LOS	**(597)**	**(592)**	**(531)**	**(368)**	**(262)**	**(181)**	**(214)**	**(237)**	**(238)**	**(334)**	**(286)**	**(302)**	**(868)**	**(866)**	**(932)**	**(939)**	**(994)**	**(1,020)**	**(1,012)**	**(1,033)**	**(1,057)**	**(1,076)**
Actual - % Level of Service	86.7%	86.9%	89.2%	94.9%	99.3%	102.6%	101.2%	100.3%	100.2%	96.3%	98.3%	97.6%										
Average - % Level of Service													80.5%	80.5%	78.3%	78.0%	76.2%	75.3%	75.6%	74.9%	74.0%	73.4%
Annual Student Growth Rate (3)	**-1.12%**	**0.23%**	**2.75%**	**1.40%**	**4.58%**	**3.35%**	**-1.32%**	**-0.93%**	**-0.04%**	**-3.93%**	**2.04%**	**-0.67%**	**-0.66%**	**0.09%**	**-2.80%**	**-0.32%**	**-2.36%**	**-1.18%**	**0.37%**	**-0.94%**	**-1.10%**	**-0.86%**

Orange High capacity decreased, per DPI study

Cedar Ridge High School adding 500 seats.

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 20011-12 through 2020-21 and average membership for years 2021-22 through 2029-31

CHCCS Student Projections (1) (4)

Elementary

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	5,219	5,296	5,464	5,543	5,554	5,541	5,501	5,567	5,522	5,471	5,363	4,893										
Tischler (2)													4,885	4,877	4,869	4,862	4,854	4,846	4,838	4,830	4,822	4,814
OC Planning													5,085	5,122	5,158	5,195	5,231	5,268	5,305	5,343	5,356	5,345
10 Year Growth													4,732	4,586	4,569	4,532	4,500	4,545	4,590	4,636	4,683	4,729
5 Year Growth													4,695	4,524	4,483	4,424	4,381	4,425	4,469	4,513	4,559	4,604
3 Year Growth													4,644	4,431	4,347	4,262	4,204	4,246	4,288	4,331	4,374	4,418
Average													**4,808**	**4,708**	**4,685**	**4,655**	**4,634**	**4,666**	**4,698**	**4,731**	**4,759**	**4,782**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	(83)	77	168	79	11	(13)	(40)	66	(45)	(51)	(108)	(470)	(85)	(100)	(23)	(30)	(21)	32	32	33	28	24
Capacity - 100% Level of Service (LOS)	**5,244**	**5,244**	**5,244**	**5,244**	**5,829**	**5,829**	**5,829**	**5,829**	**5,664**	**5,664**	**5,664**	**5,664**	**5,664**	**5,664**	**5,664**	**5,664**	**5,664**	**5,664**	**5,664**	**5,664**	**5,664**	**5,664**
Number of Students, Actual and Projected, Over (Under) 100% LOS	(25)	52	220	299	(275)	(288)	(328)	(262)	(142)	(193)	(301)	(771)	(856)	(956)	(979)	(1,009)	(1,030)	(998)	(966)	(933)	(905)	(882)
Capacity - 105% Level of Service (LOS)	**5,506**	**5,506**	**5,506**	**5,506**	**6,120**	**6,120**	**6,120**	**6,120**	**5,947**	**5,947**	**5,947**	**5,947**	**5,947**	**5,947**	**5,947**	**5,947**	**5,947**	**5,947**	**5,947**	**5,947**	**5,947**	**5,947**
Number of Students, Actual and Projected, Over (Under) 105% LOS	(287)	(210)	(42)	37	(566)	(579)	(619)	(553)	(425)	(476)	(584)	(1,054)	(1,139)	(1,239)	(1,262)	(1,292)	(1,313)	(1,281)	(1,249)	(1,217)	(1,188)	(1,165)
Actual - % Level of Service	99.5%	101.0%	104.2%	105.7%	95.3%	95.1%	94.4%	95.5%	97.5%	96.6%	94.7%	86.4%										
Average - % Level of Service													84.9%	83.1%	82.7%	82.2%	81.8%	82.4%	82.9%	83.5%	84.0%	84.4%
Annual Student Growth Rate (3)	**-1.57%**	**1.48%**	**3.17%**	**1.45%**	**0.20%**	**-0.23%**	**-0.72%**	**1.20%**	**-0.81%**	**-0.92%**	**-1.97%**	**-8.76%**	**-1.73%**	**-2.09%**	**-0.48%**	**-0.65%**	**-0.45%**	**0.69%**	**0.69%**	**0.69%**	**0.59%**	**0.49%**

Elementary School #11 opens with 585 seats

Capacity decrease due to change in class size ratios per House Bill 13 (K-3 average class size ratios are 1:20 as directed by State legislative action)

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance. It does not include CHCCS students attending the Hospital School.

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 20011-12 through 2020-21 and average membership for years 2021-22 through 2030-31

(4) Class sizes for grades K-3 = 1:23 for school years 2000 through 2007-08. In accordance with 2005 School Collaboration Work Group direction, effective the 2008-2009 school year with the opening of CHCCS Elementary #10, K-3 class sizes are 1:21 as directed by past State legislative action.

CHCCS Student Projections (1)

Middle

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	2,708	2,722	2,753	2,785	2,858	2,861	2,844	2,829	2,833	2,933	3,044	2,917										
Tischler (2)													2,912	2,908	2,903	2,898	2,894	2,889	2,884	2,880	2,875	2,870
OC Planning													2,890	2,885	2,881	2,876	2,871	2,867	2,886	2,905	2,924	2,944
10 Year Growth													2,860	2,797	2,669	2,562	2,467	2,427	2,367	2,311	2,334	2,358
5 Year Growth													2,859	2,793	2,659	2,538	2,428	2,365	2,283	2,216	2,238	2,260
3 Year Growth													2,846	2,766	2,622	2,480	2,347	2,241	2,134	2,054	2,074	2,095
Average													**2,874**	**2,830**	**2,747**	**2,671**	**2,601**	**2,558**	**2,511**	**2,473**	**2,489**	**2,505**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	**11**	**14**	**31**	**32**	**73**	**76**	(17)	(15)	**4**	**100**	**111**	(127)	(43)	(44)	(83)	(76)	(70)	(44)	(47)	(38)	**16**	**16**
Capacity - 100% Level of Service	**2,840**	**2,840**	**2,840**	**2,840**	**2,840**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**	**2,944**
Number of Students, Actual and Projected, Over (Under) 100% LOS	(132)	(118)	(87)	(55)	**18**	(83)	(100)	(115)	(111)	(11)	**100**	(27)	(70)	(114)	(197)	(273)	(343)	(386)	(433)	(471)	(455)	(439)
107% Level of Service	**3,039**	**3,039**	**3,039**	**3,039**	**3,039**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**	**3,150**
Number of Students, Actual and Projected, Over (Under) 107% LOS	(331)	(317)	(286)	(254)	(181)	(289)	(306)	(321)	(317)	(217)	(106)	(233)	(276)	(320)	(403)	(479)	(549)	(593)	(639)	(677)	(661)	(645)
Actual - % Level of Service	95.4%	95.8%	96.9%	98.1%	100.6%	97.2%	96.6%	96.1%	96.2%	99.6%	103.4%	99.1%										
Average - % Level of Service													97.6%	96.1%	93.3%	90.7%	88.4%	86.9%	85.3%	84.0%	84.5%	85.1%
Annual Student Growth Rate (3)	**0.41%**	**0.52%**	**1.14%**	**1.16%**	**2.62%**	**0.10%**	**-0.59%**	**-0.53%**	**0.14%**	**3.53%**	**3.78%**	**-4.17%**	**-1.49%**	**-1.52%**	**-2.94%**	**-2.76%**	**-2.61%**	**-1.68%**	**-1.83%**	**-1.51%**	**0.65%**	**0.65%**

Additional 104 new seats at Culbreth Middle School

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance. It does not include CHCCS students attending the Hospital Scho

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 20011-12 through 2020-21 and average membership for years 2021-22 through 2030-

CHCCS Student Projections (1)

High

School Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Actual	3,606	3,640	3,714	3,796	3,764	3,730	3,701	3,762	3,927	3,932	3,940	3,932										
Tischler (2)													3,926	3,919	3,913	3,907	3,900	3,894	3,888	3,881	3,875	3,869
OC Planning													3,796	3,794	3,792	3,789	3,787	3,784	3,758	3,731	3,729	3,750
10 Year Growth													3,925	3,950	3,942	3,932	3,866	3,671	3,563	3,463	3,298	3,260
5 Year Growth													3,939	3,966	3,959	3,947	3,870	3,668	3,552	3,426	3,233	3,171
3 Year Growth													3,933	3,944	3,927	3,890	3,794	3,585	3,442	3,285	3,056	2,952
Average													**3,904**	**3,915**	**3,906**	**3,893**	**3,844**	**3,721**	**3,641**	**3,557**	**3,438**	**3,401**
Annual Change - Increase (Decrease) in Actual & Projected Membership)	(24)	**34**	**74**	**82**	(32)	(66)	(29)	**61**	**165**	**5**	**8**	(8)	(28)	**11**	(8)	(14)	(49)	(123)	(80)	(83)	(119)	(38)
Capacity - 100% Level of Service	**3,835**	**3,875**	**3,875**	**3,875**	**3,875**	**3,875**	**3,875**	**3,875**	**3,875**	**3,875**	**3,875**	**3,975**	**3,975**	**3,975**	**3,975**	**3,975**	**3,975**	**3,975**	**3,975**	**3,975**	**3,975**	**3,975**
Number of Students, Actual and Projected, Over (Under) 100% LOS	(229)	(235)	(161)	(79)	(111)	(145)	(174)	(113)	**52**	**57**	**65**	(43)	(71)	(60)	(69)	(82)	(131)	(254)	(334)	(418)	(537)	(574)
110% Level of Service	**4,219**	**4,263**	**4,263**	**4,263**	**4,263**	**4,263**	**4,263**	**4,263**	**4,263**	**4,263**	**4,263**	**4,373**	**4,373**	**4,373**	**4,373**	**4,373**	**4,373**	**4,373**	**4,373**	**4,373**	**4,373**	**4,373**
Number of Students, Actual and Projected, Over (Under) 110% LOS	(613)	(623)	(549)	(467)	(499)	(533)	(562)	(501)	(336)	(331)	(323)	(441)	(469)	(458)	(466)	(480)	(529)	(652)	(732)	(815)	(934)	(972)
Actual - % Level of Service	94.0%	93.9%	95.8%	98.0%	97.1%	96.3%	95.5%	97.1%	101.3%	101.5%	101.7%	98.9%										
Average - % Level of Service													98.2%	98.5%	98.3%	97.9%	96.7%	93.6%	91.6%	89.5%	86.5%	85.5%
Annual Student Growth Rate (3)	**-0.66%**	**0.94%**	**2.03%**	**2.21%**	**-0.84%**	**-0.90%**	**-0.78%**	**1.65%**	**4.39%**	**0.13%**	**0.20%**	**-0.20%**	**-0.72%**	**0.28%**	**-0.21%**	**-0.35%**	**-1.27%**	**-3.20%**	**-2.15%**	**-2.29%**	**-3.35%**	**-1.10%**

Phoenix Academy High School becomes official high school starting 2010-11 school year with 40 student capacity

100 seats added to CHHS for the 2020-2021 school year

(1) It is important to note that this reflects the November 15, 2020 date of membership as outlined in by the Schools Adequate Public Facilities Ordinance. It does not include CHCCS students attending the Hospital Scho

(2) The Tischler Model provides for the "Linear Method" of projections for both CHCCS and OCS. Original projections used in prior years projection models included the "Linear Extrapolation Method" for CHC

(3) Annual growth rate calculated using actual membership for years 20011-12 through 2020-21 and average membership for years 2021-22 through 2030-31

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-i

SUBJECT: Contract Approval for Interior Renovations at Multiple Facilities

DEPARTMENT: Asset Management Services (AMS)

ATTACHMENT(S):

INFORMATION CONTACT:
Angel Barnes, Capital Projects Manager, 919-245-2628
Steven Arndt, AMS Director, 919-245-2658

PURPOSE: To:

1) Approve a construction contract with C.T. Wilson Construction Company, Inc. for the renovations to the Orange County Justice Facility First Floor, Criminal Justice Resource Department, Court Street Annex Second Floor, Richard E. Whitted Health Department Waiting Room and Window Replacements for the Second and Third Floor Connectors between A and B Buildings, and

2) Authorize the County Manager to execute the Agreement and to execute any subsequent amendments for contingent and unforeseen requirements up to the approved budget amount on behalf of the Board, upon final County Attorney review.

BACKGROUND: In Fiscal year (FY) 2019-2020 the Orange County Board of County Commissioners (BOCC) approved multiple capital projects for interior renovations for Orange County facilities.

These renovations include renovating the first floor of the Justice Facility to replace the recessed lighting fixtures in the Mural Courtroom with LED lighting; install a counter in the Juvenile Section of the Clerk of Court's Office to increase security; install glass partitions at the Clerk of Courts' counter to enhance security; and improve the furniture within the Probate Office to ensure more privacy.

The Criminal Justice Resource Department (CJRD) is currently located within the lower level of the 1954 Courthouse. The program's expansion prompted the need for more functional and consolidated office space. The Sheriff's office space next to the existing CJRD office has excess capacity and will be renovated along with existing CJRD staff offices to provide the function space needed.

The Court Street Annex Facility houses the Juvenile Justice and Adult Probation Offices. The renovation includes flooring replacement, interior relocations, painting, facility upgrades to meet accessibility needs, security and more effective use of the space.

The Richard E. Whitted Building Health Department medical clinic waiting room is an underutilized space that could be converted into (4) offices. This work includes the installation of walls, adding carpet tiles and installing white noise / gray machines to ensure privacy. An underutilized storage room in the Whitted Medical clinic would replace the current waiting area. The new waiting area will be next to the entry to the clinic and would improve way-finding, clinic flow and security of medical supplies and control access to employee areas.

The 2nd and 3rd floor connectors between the Richard E Whitted building A and B windows are past their end of life expectancy and are leaking. This project will replace the windows and shades which will increase energy efficiency and moisture control.

FINANCIAL IMPACT: The construction contract with C.T. Wilson Construction Company, Inc. is a not to exceed amount of $740,867. Budget Amendment #13 will be included as part of the June 1, 2021 Regular Business Meeting agenda, and will include the amended budget ordinances for the re-purposing of funds between existing capital projects. There is no additional funding needed to cover the not to exceed contract cost.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goals are applicable to this item:

- **GOAL: CREATE A SAFE COMMUNITY**
  The reduction of risks from vehicle/traffic accidents, childhood and senior injuries, gang activity, substance abuse and domestic violence.
- **GOAL: ENABLE FULL CIVIC PARTICIPATION**
  Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

ENVIRONMENTAL IMPACT: The following Orange County Environmental Responsibility Goal impact is applicable to this item:

- **ENERGY EFFICIENCY AND WASTE REDUCTION**
  Initiate policies and programs that: 1) conserve energy; 2) reduce resource consumption; 3) increase the use of recycled and renewable resources; and 4) minimize waste stream impacts on the environment.

RECOMMENDATION(S): The Manager recommends that the Board:

1) Authorize Orange County to enter into a Construction Agreement with C.T. Wilson Construction Company, Inc. for a not to exceed amount of $740,867 for the renovations to the Orange County Justice Facility First Floor, Criminal Justice Resource Department, Court Street Annex Second Floor, Richard E. Whitted Health Department Waiting Room and Window Replacements for the Second and Third Floor Connectors between A and B Buildings, and

2) Authorize the County Manager to execute the Agreement and to execute any subsequent amendments for contingent and unforeseen requirements up to the approved budget amount on behalf of the Board, upon final County Attorney review.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda
Item No. 8-j

SUBJECT: Renewal of Lease for 115 E. King Street

DEPARTMENT: Asset Management Services

ATTACHMENT(S):
1.) Lease Amendment
2.) Original Lease

INFORMATION CONTACT:
Steve Arndt, 919-245-2658
Alan Dorman, 919-245-2627

PURPOSE: To review an amendment to the lease for 115 E. King Street to house the Public Defender's Office, extending its terms for another three years, and authorize the Manager to sign upon final review by the County Attorney.

BACKGROUND: The County originally leased 115 E. King Street in October of 2019 for the Public Defender's Office, whose offices had been located in the John M. Link, Jr. Government Services Center. The original lease was for 18 months. This amendment will extend the lease term for another three years, ending May 31, 2024. The cost for the lease in the first year is $50,286 and includes a 3% escalation in years 2 and 3 of the term.

FINANCIAL IMPACT: The cost of the lease in FY 2021-22 will be $50,411.and has been included in the FY 2021-22 Manager's recommended budget.

SOCIAL JUSTICE IMPACT: There is no Orange County Social Justice Goal impact associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board review an amendment to the lease for 115 E. King Street, extending its terms for another three years, and authorizing the Manager to sign upon final review by the County Attorney.

Lease Amendment

This Lease Amendment is hereby made and entered into by and between C3 Hillsborough LLC ("Landlord") and the following tenants (the "Tenant") (collectively the "Parties") on _____:

Orange County, Office of the Public Defender

BACKGROUND:

Landlord and Tenant have previously entered into a Lease Agreement ("the Lease"**)** dated October 23, 2019 whereby Orange County, Office of the Public Defender leased Premises from C3 Hillsborough LLC located at 115 East King Street, Hillsborough, Orange County, North Carolina 27278, more specifically described in the Lease**;** and Landlord and Tenant desire to amend the Lease as described in this agreement.

AGREED TERMS:

For and in consideration of the mutual covenants and promises in this agreement, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. Landlord and Tenant both acknowledge and agree that the Lease is currently in effect and that neither party is in breach or default of the Lease.

2. Landlord and Tenant amend the Lease as follows:

Replace the first sentence of TERM 2 on page 1 with: "The term of this Lease shall commence on **June 1, 2021**("Lease Commencement Date"), and shall end at 11:59 p.m. (based on the time at the locale of the Premises) on **May 30, 2024**, unless sooner terminated as herein provided."

Replace the first sentence of RENTAL 3 on page 3 with: "Beginning on May 1st, 2021 ("Rent Commencement Date"), Tenant agrees to pay Landlord (or its Agent as directed by Landlord), without notice, demand, deduction or setoff, an annual rent of **$ 50,286.66**, payable in equal monthly installments of **$4,190.56**, in advance on the first day of each calendar month during the term hereof."

3. Except as specifically amended above, the original terms and provisions of the Lease remain in full force and effect, and both Landlord and Tenant affirm and consent to the Lease, as amended in this agreement, and agree to be bound accordingly.

4. This Lease Amendment can be recorded at the discretion of the Parties, or the Parties can prepare a short form memorandum of this Lease Amendment which can be properly executed and recorded in the Register's Office for Orange, North Carolina.

5. All of the terms, covenants and conditions of the Lease as amended to date shall continue in full force and effect, and the same are reaffirmed, remade and rewritten, except to the extent that any such terms, covenants or conditions have been nullified or conflict or are inconsistent with the terms of this Amendment to Lease, in which event the terms of this Amendment to Lease shall, in all respects, govern and prevail.

6. This Amendment to Lease shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns. No reference in the preceding sentence to assigns shall be deemed to authorize any assignment or other transfer, in whole or in part, of the interest of Tenant in violation of any of the provisions of the Lease.

IN WITNESSD WHEREOF, this Lease Amendment has been executed on the day and date first above written.

Landlord:

By:_____ Date:_____
C3 Hillsborough, LLC

Tenant:

By:_____ Date:_____
Orange County

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REALTOR® North Carolina Association of REALTORS®

COMMERCIAL LEASE AGREEMENT
(Single Tenant Facility)

(Note: This form is not intended to be used as a Sublease and SHOULD NOT be used in Sublease circumstances)

THIS COMMERCIAL LEASE AGREEMENT, including any and all addenda attached hereto ("Lease"), is by and between C3 Hillsborough LLC,
a(n) North Carolina LLC ("Landlord"),
(individual *or* State of formation and type of entity)
whose address is 128 North Churton Street, Hillsborough. NC. 27278, and
Orange County, Office of the Public Defender,
a(n) _____ ("Tenant").
(individual *or* State of formation and type of entity)
whose address is _____

☐ If this box is checked, the obligations of Tenant under this Lease are secured by the guaranty of _____ (name(s) of guarantor(s)) attached hereto and incorporated herein by reference.
(Note: Any guaranty should be prepared by an attorney at law.)

For and in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

PREMISES

1. Landlord leases unto Tenant, and Tenant hereby leases and takes upon the terms and conditions which hereinafter appear, the following described property, including any improvements located thereon (herein after called the "Premises"), to wit:

(Address): 115 East King Street. Hillsborough, NC. 27278

☐ All ☐ A portion of the property in Deed Reference: Book _____, Page No. _____, _____ County; consisting of approximately _____ acres.

Plat Reference: Lot(s) _____, Block or Section _____, as shown on Plat Book or Slide _____ at Page(s) _____, _____ County, consisting of _____ acres.

☑ If this box is checked, Premises shall mean that property described on **Exhibit A** attached hereto and incorporated herewith by reference.

(For information purposes only, the tax parcel number of the Premises is: _____)

☐ **Occupancy Limitation:** If this box is checked, notwithstanding any greater occupancy of the Premises which may be permitted by any law, statute, ordinance, regulation, rule (including rules enacted pursuant to any private use restrictions), as the same may be amended from time to time, Tenant shall not allow occupancy of the Premises to exceed _____ persons per _____ square feet in the Premises at any one time.

TERM

2. The term of this Lease shall commence on October 23,2019, _____ ("Lease Commencement Date"), and shall end at 11:59 p.m. (based upon the time at the locale of the Premises) on April 22, 2021, unless sooner terminated as herein provided. The first Lease Year Anniversary shall be the date twelve (12) calendar months after the first day of the first full month immediately following the Lease Commencement Date and successive Lease Year Anniversaries shall be the date twelve (12) calendar months from the previous Lease Year Anniversary.

☑ If this box is checked, Tenant shall have the option of renewing this Lease, upon written notice given to Landlord at least 90 days prior to the end of the then expiring term of this Lease, for One additional term(s) of Six months ~~years~~ each.

North Carolina Association of REALTORS®, Inc.
REALTOR®

Tenant Initials BH _____ Landlord Initials GJP _____

EQUAL HOUSING OPPORTUNITY

STANDARD FORM 592-T
Revised 7/2019
© 7/2019

☐ If this box is checked, Tenant shall have the option of renewing this Lease, upon written notice given to Landlord at least _____ days prior to the end of the then expiring term of this Lease, for additional term(s) as specified on **Exhibit B.**

☐ **Option to Lease-** If this box is checked, Tenant, upon the payment of the sum of $ _____ (which sum is not rental or security deposit hereunder, but is consideration for this Option to Lease and is non-refundable under any circumstances) shall have a period of _____ days prior to the Lease Commencement Date ("Option Period") in which to inspect the Premises and make inquiry regarding such sign regulations, zoning regulations, utility availability, private restrictions or permits or other regulatory requirements as Tenant may deem appropriate to satisfy itself as to the use of the Premises for Tenant's intended purposes. Tenant shall conduct all such on-site inspections, examinations, inquiries and other review of the Premises in a good and workman like manner, shall repair any damage to the Premises caused by Tenant's entry and on-site inspections and shall conduct same in a manner that does not unreasonably interfere with Landlord's or any tenant's use and enjoyment of the Premises. In that respect, Tenant shall make reasonable efforts to undertake on-site inspections outside of the hours any tenant's business is open to the public and shall give prior notice to the tenant at the Premises of any entry onto the Premises for the purpose of conducting inspections. Upon Landlord's request, Tenant shall provide to Landlord evidence of general liability insurance. Tenant shall also have a right to review and inspect all contracts or other agreements affecting or related directly to the Premises and shall be entitled to review such books and records of Landlord that relate directly to the operation and maintenance of the Premises, provided, however, that Tenant shall not disclose any information regarding the Premises (or any tenant therein) unless required by law and the same shall be regarded as confidential, to any person, except to its attorneys, accountants, lenders and other professional advisors, in which case Tenant shall obtain their agreement to maintain such confidentiality. Tenant assumes all responsibility for the acts of itself, its agents or representatives in exercising its rights under this Option to Lease and agrees to indemnify and hold Seller harmless from any damages resulting therefrom. This indemnification obligation of Tenant shall survive the termination of this Option to Lease or this Lease. Tenant shall, at Tenant's expense, promptly repair any damage to the Premises caused by Tenant's entry and on-site inspections. **IF TENANT CHOOSES NOT TO LEASE THE PREMISES, FOR ANY REASON OR NO REASON, AND PROVIDES WRITTEN NOTICE TO LANDLORD THEREOF PRIOR TO THE EXPIRATION OF THE OPTION PERIOD, THEN THIS LEASE SHALL TERMINATE AND NEITHER PARTY SHALL HAVE ANY FURTHER OBLIGATIONS HEREUNDER AND LANDLORD SHALL RETURN TO TENANT ANY RENTAL OR SECURITY DEPOSIT PAID TO LANDLORD HEREUNDER.** Tenant shall be deemed to have exercised its Option to Lease and to be bound under the terms of this Lease if (i) Tenant shall occupy the Premises prior to the expiration of the Option Period, whereupon the date of occupancy shall be deemed the Lease Commencement Date, or (ii) Tenant shall not provide written notice to Landlord of its termination of this Lease prior to the expiration of the Option Period.

RENTAL

3. Beginning on October 23, 2019 ("Rent Commencement Date"), Tenant agrees to pay Landlord (or its Agent as directed by Landlord), without notice, demand, deduction or set off, an annual rental of $ 47,400.00, payable in equal monthly installments of $ 3,950.00, in advance on the first day of each calendar month during the term hereof. Upon execution of this Lease, Tenant shall pay to Landlord the first monthly installment of rent due hereunder. Rental for any period during the term hereof which is less than one month shall be the pro-rated portion of the monthly installment of rental due, based upon a 30 day month.

☑ If this box is checked, the annual rental payable hereunder (and accordingly the monthly installments) shall be adjusted every ONE Lease Year Anniversary by Three % over the amount then payable hereunder. In the event renewal of this Lease is provided for in paragraph 2 hereof and effectively exercised by Tenant, the rental adjustments provided herein shall apply to the term of the Lease so renewed, or

☐ If this box is checked, the annual rental payable hereunder (and accordingly the monthly installments) shall be adjusted every _____ Lease Year Anniversary by the greater of: (i) _____ percent (_____ %) over the amount then payable hereunder, or, (ii) the percentage increase (but not any decrease) in the numerical index of the "Consumer Price Index for All Urban Consumers" (1982-84 = 100) published by the Bureau of Labor Statistics of the United States Department of Labor ("CPI") for the immediately preceding twelve (12) month period over the amount then payable hereunder.

☐ If this box is checked, the annual rental payable hereunder (and accordingly the monthly installments) shall be adjusted every _____ Lease Year Anniversary by $ _____ over the amount then payable hereunder. In the event renewal of this Lease is provided for in paragraph 2 hereof and effectively exercised by Tenant, the rental adjustments provided herein shall apply to the term of the Lease so renewed.

☐ If this box is checked, the annual rental payable hereunder (and accordingly the monthly installments) shall be adjusted as provided on **Exhibit B.**

☐ If this box is checked, Tenant shall pay all rental to Landlord's Agent at the following address:

_____

_____

_____

LATE CHARGES

4. If Landlord fails to receive full rental payment within Ten (10) days after it becomes due, Tenant shall pay Landlord, as additional rental, a late charge equal to Ten (10) percent (%) of the overdue amount or $ 395.00 whichever is greater, plus any actual bank fees incurred for dishonored payments. The parties agree that such a late charge represents a fair and reasonable estimate of the cost Landlord will incur by reason of such late payment.

SECURITY DEPOSIT

5. Upon the execution of this Lease, Tenant shall deposit with Landlord the sum of $ 3,950.00 as a security deposit which shall be held by Landlord as security for the full and faithful performance by Tenant of each and every term, covenant and condition of this Lease. The security deposit does not represent payment of and Tenant shall not presume application of same as payment of the last monthly installment of rental due under this Lease. Landlord shall have no obligation to segregate or otherwise account for the security deposit except as provided in this paragraph 5. If any of the rental or other charges or sums payable by Tenant shall be over-due and unpaid or should payments be made by Landlord on behalf of Tenant, or should Tenant fail to perform any of the terms of this Lease, then Landlord may, at its option, appropriate and apply the security deposit, or so much thereof as may be necessary, to compensate toward the payment of the rents, charges or other sums due from Tenant, or towards any loss, damage or expense sustained by Landlord resulting from such default on the part of the Tenant; and in such event Tenant upon demand shall restore the security deposit to the amount set forth above in this paragraph 5. In the event Tenant furnishes Landlord with proof that all utility bills and other bills of Tenant related to the Premises have been paid through the date of Lease termination, and performs all of Tenant's other obligations under this Lease, the security deposit shall be returned to Tenant within sixty (60) days after the date of the expiration or sooner termination of the term of this Lease and the surrender of the Premises by Tenant in compliance with the provisions of this Lease.

☐ If this box is checked, Agent shall hold the security deposit in trust and shall be entitled to the interest, if any, thereon.

UTILITY BILLS/SERVICE CONTRACTS

6. Landlord and Tenant agree that utility bills and service contracts ("Service Obligations") for the Premises shall be paid by the party indicated below as to each Service Obligation. In each instance, the party undertaking responsibility for payment of a Service Obligation covenants that they will pay the applicable bills prior to delinquency. The responsibility to pay for a Service Obligation shall include all metering, hook-up fees or other miscellaneous charges associated with establishing, installing and maintaining such utility or contract in said party's name. Within thirty (30) days of the Lease Commencement Date, Tenant shall provide Landlord with a copy of any requested Tenant Service Obligation information.

Service Obligation	Landlord	Tenant	Not Applicable
Sewer/Septic		✓	
Water		✓	
Electric		✓	
Gas		✓	
Telephone		✓	
HVAC (maintenance/service contract)	✓		
Elevator (including phone line)			✓
Security System		✓	
Fiber Optic		✓	
Janitor/Cleaning		✓	
Trash/Dumpster		✓	
Landscaping/Maintenance		✓	
Sprinkler System (including phone line)		✓	
Pest Control		✓	
ROOF	✓		

STANDARD FORM 592-T
Revised 7/2019
© 7/2019

Tenant Initials BA _____ Landlord Initials GJP _____

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Pasley

Landlord shall not be liable for injury to Tenant's business or loss of income therefrom or for damage that may be sustained by the person, merchandise or personal property of Tenant, its employees, agents, invitees or contractors or any other person in or about the Premises, caused by or resulting from fire, steam, electricity, gas, water or rain, which may leak or flow from or into any part of the Premises, or from the breakage, leakage, obstruction or other defects of any utility installations, air conditioning system or other components of the Premises, except to the extent that such damage or loss is caused by Landlord's gross negligence or willful misconduct. Landlord represents and warrants that the heating, ventilation and air conditioning system(s) and utility installations existing as of the Lease Commencement Date shall be in good order and repair. Subject to the provisions of this paragraph 6, Landlord shall not be liable in damages or otherwise for any discontinuance, failure or interruption of service to the Premises of utilities or the heating, ventilation and air conditioning system(s) and Tenant shall have no right to terminate this Lease or withhold rental because of the same.

RULES AND REGULATIONS

7. ☐ If this box is checked, the rules and regulations attached hereto ("Rules and Regulations") are made a part of this Lease. Tenant agrees to comply with all Rules and Regulations of Landlord in connection with the Premises which are in effect at the time of the execution of the Lease or which may be from time to time promulgated by Landlord in its reasonable discretion, provided notice of such new Rules and Regulations is given to Tenant in writing and the same are not in conflict with the terms and conditions of this Lease.

PERMITTED USES

8. The permitted use of the Premises shall be: OFFICE ("Permitted Use"). The Premises shall be used and wholly occupied by Tenant solely for the purposes of conducting the Permitted Use, and the Premises shall not be used for any other purposes unless Tenant obtains Landlord's prior written approval of any change in use. Landlord makes no representation or warranty regarding the suitability of the Premises for or the legality (under zoning or other applicable ordinances) of the Permitted Use for the Premises, provided however, that Landlord does represent that it has no contractual obligations with other parties which will materially interfere with or prohibit the Permitted Use of Tenant at the Premises. At Tenant's sole expense, Tenant shall procure, maintain and make available for Landlord's inspection from time to time any governmental license(s) or permit(s) required for the proper and lawful conduct of Tenant's business in the Premises. Tenant shall not cause or permit any waste to occur in the Premises and shall not overload the floor, or any mechanical, electrical, plumbing or utility systems serving the Premises. Tenant shall keep the Premises, and every part thereof, in a clean and wholesome condition, free from any objectionable noises, loud music, objectionable odors or nuisances.

TAXES AND INSURANCE

9. Landlord shall pay all taxes (including but not limited to, ad valorem taxes, special assessments and any other governmental charges) on the Premises and shall procure and pay for such commercial general liability, broad form fire and extended and special perils insurance with respect to the Premises as Landlord in its reasonable discretion may deem appropriate. Tenant shall reimburse Landlord for all taxes and insurance as provided herein within fifteen (15) days after receipt of notice from Landlord as to the amount due. Tenant shall be solely responsible for insuring Tenant's personal and business property and for paying any taxes or governmental assessments levied thereon. Tenant shall reimburse Landlord for taxes and insurance during the term of this Lease, and any extension or renewal thereof. **If boxes are checked below, the manner of reimbursement shall be as indicated:**

Taxes

☐ The amount by which all taxes (including but not limited to, ad valorem taxes, special assessments and any other governmental charges) on the Premises for each tax year exceed all taxes on the Premises for the tax year _____ ; or

☐ All taxes (including but not limited to, ad valorem taxes, special assessments and any other governmental charges) on the Premises for each tax year.

If the final Lease Year of the term fails to coincide with the tax year, then any excess for the tax year during which the term ends shall be reduced by the pro rata part of such tax year beyond the Lease term. If such taxes for the year in which the Lease terminates are not ascertainable before payment of the last month's rental, then the amount of such taxes assessed against the Premises for the previous tax year shall be used as a basis for determining the pro rata share, if any, to be paid by Tenant for that portion of the last Lease Year.

☐ If this box is checked, Tenant shall reimburse Landlord for taxes by paying to Landlord, beginning on the Rent Commencement Date and on the first day of each calendar month during the term hereof, an amount equal to one-twelfth (1/12) of the then current tax payments for the Premises. Upon receipt of bills, statements or other evidence of taxes due, Landlord shall pay or cause to be paid the taxes. If at any time the reimbursement payments by Tenant hereunder do not equal the amount of taxes paid by Landlord, Tenant shall upon demand pay to Landlord an amount equal to the deficiency or Landlord shall refund to Tenant any overpayment (as applicable) as documented by

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Landlord. Landlord shall have no obligation to segregate or otherwise account for the tax reimbursements paid hereunder except as provided in this paragraph 9.

Insurance

☐ the excess cost of commercial general liability, broad form fire and extended and special perils insurance with respect to the Premises over the cost of the first year of the Lease term for each subsequent year during the term of this Lease; or

☐ the cost of all commercial general liability, broad form fire and extended and special perils insurance with respect to the Premises.

☐ If this box is checked, Tenant shall reimburse Landlord for insurance by paying to Landlord, beginning on the Rent Commencement Date and on the first day of each calendar month during the term hereof, an amount equal to one-twelfth (1/12) of the then current insurance premiums for the Premises. Upon receipt of bills, statements or other evidence of insurance premiums due, Landlord shall pay or cause to be paid the insurance premiums. If at any time the reimbursement payments by Tenant hereunder do not equal the amount of insurance premiums paid by Landlord, Tenant shall upon demand pay to Landlord an amount equal to the deficiency or Landlord shall refund to Tenant any overpayment (as applicable) as documented by Landlord. Landlord shall have no obligation to segregate or otherwise account for the insurance premium reimbursements paid here under except as provided in this paragraph 9.

(Note: The following box should only be checked if there are no boxes checked above in this paragraph 9.)
☑ If this box is checked, Tenant shall have no responsibility to reimburse Landlord for taxes or insurance.

Provided however, notwithstanding any provision of the foregoing, that in the event Tenant's use of the Premises results in an increase in the rate of insurance on the Premises, Tenant shall pay to Landlord, upon demand and as additional rental, the amount of any such increase.

INSURANCE; WAIVER; INDEMNITY

10. (a) During the term of this Lease, Tenant shall maintain commercial general liability insurance coverage (occurrence coverage) with broad form contractual liability coverage and with coverage limits of not less than _____ combined single limit, per occurrence, specifically including liquor liability insurance covering consumption of alcoholic beverages by customers of Tenant should Tenant choose to sell alcoholic beverages. Such policy shall insure Tenant's performance of the indemnity provisions of this Lease, but the amount of such insurance shall not limit Tenant's liability nor relieve Tenant of any obligation hereunder. All policies of insurance provided for herein shall name as "additional insureds" Landlord, Landlord's Agent, all mortgagees of Landlord and such other individuals or entities as Landlord may from time to time designate upon written notice to Tenant. Tenant shall provide to Landlord, at least thirty (30) days prior to expiration, certificates of insurance to evidence any renewal or additional insurance procured by Tenant. Tenant shall provide evidence of all insurance required under this Lease to Landlord prior to the Lease Commencement Date.

(b) Landlord (for itself and its insurer) waives any rights, including rights of subrogation, and Tenant (for itself and its insurer) waives any rights, including rights of subrogation, each may have against the other for compensation of any loss or damage occasioned to Landlord or Tenant arising from any risk generally covered by the "all risks" insurance required to be carried by Landlord and Tenant. The foregoing waivers of subrogation shall be operative only so long as available in the State of North Carolina. The foregoing waivers shall be effective whether or not the parties maintain the insurance required to be carried pursuant to this Lease.

~~(c) Except as otherwise provided in paragraph 10(b), Tenant indemnifies Landlord for damages proximately caused by the negligence or wrongful conduct of Tenant and Tenant's employees, agents, invitees or contractors. Except as otherwise provided in paragraph 10(b), Landlord indemnifies Tenant for damages proximately caused by the negligence or wrongful conduct of Landlord and Landlord's employees, agents, invitees or contractors. The indemnity provisions in this paragraph 10 cover personal injury and property damage and shall bind the employees, agents, invitees or contractors of Landlord and Tenant (as the case may be). The indemnity obligations in this paragraph 10 shall survive the expiration or earlier termination of this Lease.~~

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REPAIRS BY LANDLORD

11. Landlord agrees to keep in good repair the roof, foundation, structural supports and exterior walls of the buildings located on the Premises (exclusive of all glass and exclusive of all exterior doors) and, except as may be specifically allocated to Tenant in paragraph 12 herein, Landlord agrees to be responsible for capital replacements on the Premises; provided that Landlord shall not be responsible for repairs or capital replacements rendered necessary by the negligence or intentional wrongful acts of Tenant, its employees, agents, invitees or contractors. Tenant shall promptly report in writing to Landlord any defective condition known to it which Landlord is required to repair or replace and failure to report such conditions shall make Tenant responsible to Landlord for any liability incurred by Landlord by reason of such conditions.

(Note: Should Landlord and Tenant need to further detail the allocation of responsibility hereunder, the Special Stipulations box at the end of the Lease should be checked and such allocation should be specified on an Exhibit B.)

REPAIRS BY TENANT

12. (a) Tenant accepts the Premises in their present condition and as suited for the Permitted Use and Tenant's intended purposes. Tenant, throughout the initial term of this Lease, and any extension or renewal thereof, at its expense, shall maintain in good order and repair the Premises, (except those repairs expressly required to be made by Landlord hereunder), specifically including but not limited to any building and other improvements located thereon, all light bulb and ballast replacements, plumbing fixtures and systems repairs within the Premises and water heater repairs. Tenant further agrees to care for the grounds around the building, including the mowing of grass, care of shrubs and general landscaping. Tenant shall use only licensed contractors for repairs where such license is required. Landlord shall have the right to approve the contract or as to any repairs in excess of $ _____.

☐ If this box is checked, Tenant, at its expense, shall maintain the heating, ventilation and air conditioning system(s) in good order and repair, including but not limited to replacement of parts, compressors, air handling units and heating units. Provided that Tenant shall have obtained Landlord's prior written approval of the contractor and the repair or replacement expenses for heating, ventilation and air conditioning equipment, Tenant shall not be liable for more than $ _____ (per occurrence) or $ _____ (annually), and Landlord shall reimburse Tenant for the amount in excess of the stated amount upon the written request of Tenant.

☑ If this box is checked, Landlord, at its expense, shall maintain the heating, ventilation and air conditioning system(s) in good order and repair, including but not limited to replacement of parts, compressors, air handling units and heating units. Provided that, Tenant shall reimburse Landlord an amount up to $ NA (per occurrence) or $ NA (annually), and Landlord shall be responsible for the amount in excess of the stated amount. Tenant shall reimburse Landlord for the amount of Tenant's obligation hereunder upon the written request of Landlord.

(b) Tenant, Tenant's employees, agents, invitees or contractors shall take no action which may void any manufacturers or installers warranty with relation to the Premises. Tenant shall indemnify and hold Landlord harmless from any liability, claim, demand or cause of action arising on account of Tenant's breach of the provisions of this paragraph 12.

ALTERATIONS

13. Tenant shall not make any alterations, additions, or improvements to the Premises without Landlord's prior written consent, which consent shall not be unreasonably withheld, conditioned or delayed. Landlord, in connection with Landlord's consent to same, may designate any such alterations, additions, or improvements to the Premises as subject to removal upon the expiration or earlier termination of this Lease, in which case, upon Landlord's written notice to Tenant to remove same at the expiration or earlier termination of this Lease, Tenant shall do so and restore the Premises to the condition that existed prior to such alterations, additions, or improvements being made. Tenant shall promptly remove any alterations, additions, or improvements constructed in violation of this paragraph 13 upon Landlord's written request. All approved alterations, additions, and improvements will be accomplished in a good and workmanlike manner, in conformity with all applicable laws and regulations, and by a contractor approved by Landlord, free of any liens or encumbrances. Tenant has no authority to allow, will not permit, and will indemnify Landlord and hold it harmless from, any contractors', laborers', mechanics', or materialmen's liens, or any other similar liens filed against the Premises in connection with any alterations, additions, or improvements to the Premises.

SURRENDERING THE PREMISES

14. Tenant shall schedule its move date with Landlord, in writing, in advance of the expiration or earlier termination of this Lease. Tenant agrees to return the Premises to Landlord at the expiration or earlier termination of this Lease, broom clean and in as good condition and repair as on the Lease Commencement Date, natural wear and tear, damage by storm, fire, lightning, earthquake or other casualty alone excepted. By written notice to Tenant, Landlord may require Tenant to remove any alterations, additions or improvements at the expiration or earlier termination of this Lease (whether or not made with Landlord's consent and whether or not designated via paragraph 13 as subject to removal) and to restore the Premises to its prior condition as of the Lease Commencement

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Date, all at Tenant's expense. All alterations, additions and improvements which Landlord has not required Tenant to remove shall become Landlord's property and shall be surrendered to Landlord upon the termination of this Lease, except that Tenant may remove any of Tenant's personal property or trade fixtures which can be removed without material damage to the Premises. Tenant shall repair, at Tenant's expense, any damage to the Premises caused by the removal of any such personal property or trade fixtures.
(Note: Should Landlord and Tenant need to further enumerate their intent/understanding as to the status of items or property as fixtures, trade fixtures, or personal property hereunder, the Special Stipulations box at the end of the Lease should be checked and such enumeration should be specified by listing same by category on an Exhibit B.)

DESTRUCTION OF OR DAMAGE TO PREMISES

15. (a) If the Premises are totally destroyed by storm, fire, lightning, earthquake or other casualty, Landlord shall have the right to terminate this Lease on written notice to Tenant within thirty (30) days after such destruction and this Lease shall terminate as of the date of such destruction and rental shall be accounted for as between Landlord and Tenant as of that date.

(b) If the Premises are damaged but not wholly destroyed by any such casualties or if the Landlord does not elect to terminate the Lease under paragraph 15(a) above, Landlord shall commence (or shall cause to be commenced) reconstruction of the Premises within one hundred twenty (120) days after such occurrence and prosecute the same diligently to completion, not to exceed two hundred seventy (270) days from the date upon which Landlord receives applicable permits and insurance proceeds. In the event Landlord shall fail to substantially complete reconstruction of the Premises within said two hundred seventy (270) day period, Tenant's sole remedy shall be to terminate this Lease.

(c) In the event of any casualty at the Premises during the last one (1) year of the Lease Term, Landlord and Tenant each shall have the option to terminate this Lease on written notice to the other of exercise thereof within sixty (60) days after such occurrence.

(d) In the event of reconstruction of the Premises, Tenant shall continue the operation of its business in the Premises during any such period to the extent reasonably practicable from the standpoint of prudent business management, and the obligation of Tenant to pay annual rental and any other sums due under this Lease shall remain in full force and effect during the period of reconstruction. The annual rental and other sums due under this Lease shall be abated proportionately with the degree to which Tenant's use of the Premises is impaired, commencing from the date of destruction and continuing during the period of such reconstruction. Tenant shall not be entitled to any compensation or damages from Landlord for loss of use of the whole or any part of the Premises, Tenant's personal property, or any inconvenience or annoyance occasioned by such damage, reconstruction or replacement.

(e) In the event of the termination of this Lease under any of the provisions of this paragraph 15, both Landlord and Tenant shall be released from any liability or obligation under this Lease arising after the date of termination, except as otherwise provided for in this Lease.

GOVERNMENTAL ORDERS

16. Tenant, at its own expense, agrees to comply with: (a) any law, statute, ordinance, regulation, rule, requirement, order, court decision or procedural requirement of any governmental or quasi-governmental authority having jurisdiction over the Premises; (b) the rules and regulations of any applicable governmental insurance authority or any similar body, relative to the Premises and Tenant's activities therein; (c) provisions of or rules enacted pursuant to any private use restrictions, as the same may be amended from time to time and (d) the Americans with Disabilities Act (42 U.S.C.S. §12101, et seq.) and the regulations and accessibility guidelines enacted pursuant thereto, as the same may be amended from time to time. Landlord and Tenant agree, however, that if in order to comply with such requirements the cost to Tenant shall exceed a sum equal to one (1) year's rent, then Tenant may terminate this Lease by giving written notice of termination to Landlord in accordance with the terms of this Lease, which termination shall become effective sixty (60) days after receipt of such notice and which notice shall eliminate the necessity of compliance with such requirements, unless, within thirty (30) days of receiving such notice, Landlord agrees in writing to be responsible for such compliance, at its own expense, and commences compliance activity, in which case Tenant's notice given hereunder shall not terminate this Lease.

CONDEMNATION

17. (a) If the entire Premises shall be appropriated or taken under the power of eminent domain by any governmental or quasi-governmental authority or under threat of and in lieu of condemnation (hereinafter, "taken" or "taking"), this Lease shall terminate as of the date of such taking, and Landlord and Tenant shall have no further liability or obligation arising under this Lease after such date, except as otherwise provided for in this Lease.

(b) If more than twenty-five percent (25%) of the floor area of any building of the Premises is taken, or if by reason of any taking, regardless of the amount so taken, the remainder of the Premises is not one undivided space or is rendered unusable for the Permitted Use, either Landlord or Tenant shall have the right to terminate this Lease as of the date Tenant is required to vacate the portion of the Premises taken, upon giving notice of such election within thirty (30) days after receipt by Tenant from Landlord of written notice that said Premises have been or will be so taken. In the event of such termination, both Landlord and Tenant shall be released from any liability or obligation under this Lease arising after the date of termination, except as otherwise provided for in this Lease.

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(c) Landlord and Tenant, immediately after learning of any taking, shall give notice thereof to each other.

(d) If this Lease is not terminated on account of a taking as provided herein above, then Tenant shall continue to occupy that portion of the Premises not taken and the parties shall proceed as follows: (i) at Landlord's cost and expense and as soon as reasonably possible, Landlord shall restore (or shall cause to be restored) the Premises remaining to a complete unit of like quality and character as existed prior to such appropriation or taking, and (ii) the annual rent provided for in paragraph 3 and other sums due under the Lease shall be reduced on an equitable basis, taking into account the relative values of the portion taken as compared to the portion remaining. Tenant waives any statutory rights of termination that may arise because of any partial taking of the Premises.

(e) Landlord shall be entitled to the entire condemnation award for any taking of the Premises or any part thereof. Tenant's right to receive any amounts separately awarded to Tenant directly from the condemning authority for the taking of its merchandise, personal property, relocation expenses and/or interests in other than the real property taken shall not be affected in any manner by the provisions of this paragraph 17, provided Tenant's award does not reduce or affect Landlord's award and provided further, Tenant shall have no claim for the loss of its leasehold estate.

ASSIGNMENT AND SUBLETTING

18. Tenant shall not assign this Lease or any interest hereunder or sublet the Premises or any part thereof, or permit the use of the Premises by any party other than the Tenant, without Landlord's prior written consent, which consent shall not be unreasonably withheld, conditioned or delayed. Tenant shall pay to Landlord, concurrently with any request for consent to assignment or sublet, a non-refundable fee of $ 750.00 as payment to Landlord for its review and processing of the request. In addition, Tenant shall pay to Landlord any legal fees and expenses incurred by Landlord in connection with the proposed assignment or sublet, to the extent such amounts exceed $ 750.00 . Consent to any assignment or sublease shall not impair this provision and all later assignments or subleases shall be made likewise only on the prior written consent of Landlord. No sublease or assignment by Tenant shall relieve Tenant of any liability hereunder.

EVENTS OF DEFAULT

19. The happening of any one or more of the following events (hereinafter any one of which may be referred to as an "Event of Default") during the term of this Lease, or any renewal or extension thereof, shall constitute a breach of this Lease on the part of the Tenant: (a) Tenant fails to pay when due the rental or any other monetary obligation as provided for herein; (b) Tenant abandons or vacates the Premises; (c) Tenant fails to comply with or abide by and perform any non-monetary obligation imposed upon Tenant under this Lease within thirty (30) days after written notice of such breach; (d) Tenant is adjudicated bankrupt; (e) A permanent receiver is appointed for Tenant's property and such receiver is not removed within sixty (60) days after written notice from Landlord to Tenant to obtain such removal; (f) Tenant, either voluntarily or involuntarily, takes advantage of any debt or relief proceedings under any present or future law, whereby the rent or any part thereof is, or is proposed to be, reduced or payment thereof deferred and such proceeding is not dismissed within sixty (60) days of the filing thereof; (g) Tenant makes an assignment for benefit of creditors; or (h) Tenant's effects are levied upon or attached under process against Tenant, which is not satisfied or dissolved within thirty (30) days after written notice from Landlord to Tenant to obtain satisfaction thereof.

REMEDIES UPON DEFAULT

20. Upon the occurrence of Event of Default, Landlord may pursue any one or more of the following remedies separately or concurrently, without prejudice to any other remedy herein provided or provided by law: (a) Landlord may terminate this Lease by giving written notice to Tenant and upon such termination shall be entitled to recover from Tenant damages as may be permitted under applicable law; or (b) Landlord may terminate this Lease by giving written notice to Tenant and, upon such termination, shall be entitled to recover from the Tenant damages in an amount equal to all rental which is due and all rental which would otherwise have become due throughout the remaining term of this Lease, or any renewal or extension thereof (as if this Lease had not been terminated); or (c) Landlord, as Tenant's agent, without terminating this Lease, may enter upon and rent the Premises, in whole or in part, at the best price obtainable by reasonable effort, without advertisement and by private negotiations and for any term Landlord deems proper, with Tenant being liable to Landlord for the deficiency, if any, between Tenant's rent hereunder and the price obtained by Landlord on reletting, provided however, that Landlord shall not be considered to be under any duty by reason of this provision to take any action to mitigate damages by reason of Tenant's default and expressly shall have no duty to mitigate Tenant's damages. No termination of this Lease prior to the normal ending thereof, by lapse of time or otherwise, shall affect Landlord's right to collect rent for the period prior to termination thereof. Tenant acknowledges and understands that Landlord's acceptance of partial rental will not waive Tenant's breach of this Lease or limit Landlord's rights against Tenant hereunder or Landlord's right to evict Tenant through a summary ejectment proceeding, whether filed before or after Landlord's acceptance of any such partial rental.

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EXTERIOR SIGNS

21. Tenant shall place no signs upon the outside walls, doors or roof of the Premises, except with the express written consent of the Landlord in Landlord's sole discretion. Any consent given by Landlord shall expressly not be a representation of or warranty of any legal entitlement to signage at the Premises. Any and all signs placed on the Premises by Tenant shall be maintained in compliance with governmental rules and regulations governing such signs and Tenant shall be responsible to Landlord for any damage caused by installation, use or maintenance of said signs, and all damage incident to removal thereof.

LANDLORD'S ENTRY OF PREMISES

22. Landlord may advertise the Premises "For Rent" 90 days before the termination of this Lease. Landlord may enter the Premises upon prior notice at reasonable hours to exhibit same to prospective purchasers or tenants, to make repairs required of Landlord under the terms hereof, for reasonable business purposes and otherwise as may be agreed by Landlord and Tenant. Landlord may enter the Premises at any time without prior notice, in the event of an emergency or to make emergency repairs to the Premises. Upon request of Landlord, Tenant shall provide Landlord with a functioning key to the Premises and shall replace such key if the locks to the Premises are changed.

QUIET ENJOYMENT

23. So long as Tenant observes and performs the covenants and agreements contained herein, it shall at all times during the Lease term peacefully and quietly have and enjoy possession of the Premises, subject to the terms hereof.

HOLDING OVER

24. If Tenant remains in possession of the Premises after expiration of the term hereof, Tenant shall be a tenant at sufferance and there shall be no renewal of this Lease by operation of law. In such event, commencing on the date following the date of expiration of the term, the monthly rental payable under Paragraph 3 above shall for each month, or fraction thereof during which Tenant so remains in possession of the Premises, be **twice** the monthly rental otherwise payable under Paragraph 3 above.

ENVIRONMENTAL LAWS

25. (a) Tenant covenants that with respect to any Hazardous Materials (as defined below) it will comply with any and all federal, state or local laws, ordinances, rules, decrees, orders, regulations or court decisions relating to hazardous substances, hazardous materials, hazardous waste, toxic substances, environmental conditions on, under or about the Premises or soil and ground water conditions, including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980, the Resource Conservation and Recovery Act, the Hazardous Materials Transportation Act, any other legal requirement concerning hazardous or toxic substances, and any amendments to the foregoing (collectively, all such matters being "Hazardous Materials Requirements"). Tenant shall remove from the Premises, all Hazardous Materials that were placed on the Premises by Tenant or Tenant's employees, agents, invitees or contractors, either after their use by Tenant or upon the expiration or earlier termination of this Lease, incompliance with all Hazardous Materials Requirements.

(b) Tenant shall be responsible for obtaining all necessary permits in connection with its use, storage and disposal of Hazardous Materials, and shall develop and maintain, and where necessary file with the appropriate authorities, all reports, receipts, manifest, filings, lists and invoices covering those Hazardous Materials and Tenant shall provide Landlord with copies of all such items upon request. Tenant shall provide within five (5) days after receipt thereof, copies of all notices, orders, claims or other correspondence from any federal, state or local government or agency alleging any violation of any Hazardous Materials Requirements by Tenant, or related in any manner to Hazardous Materials. In addition, Tenant shall provide Landlord with copies of all responses to such correspondence at the time of the response.

(c) Tenant hereby indemnifies and holds harmless Landlord, its successors and assigns from and against any and all losses, liabilities, damages, injuries, penalties, fines, costs, expenses and claims of any and every kind whatsoever (including attorney's fees and costs) paid, incurred or suffered by, or asserted against Landlord as a result of any claim, demand or judicial or administrative action by any person or entity (including governmental or private entities) for, with respect to, or as a direct or indirect result of, the presence on or under or the escape, seepage, leakage, spillage, discharge, emission or release from the Premises of any Hazardous Materials caused by Tenant or Tenant's employees, agents, invitees or contractors. This indemnity shall also apply to any release of Hazardous Materials caused by a fire or other casualty to the Premises if such Hazardous Materials were stored on the Premises by Tenant, its agents, employees, invitees or successors in interest.

(d) For purposes of this Lease, "Hazardous Materials" means any chemical, compound, material, substance or other matter that: (i) is defined as a hazardous substance, hazardous material or waste, or toxic substance pursuant to any Hazardous Materials Requirements, (ii) is regulated, controlled or governed by any Hazardous Materials Requirements, (iii) is petroleum or a petroleum product, or (iv) is asbestos, formaldehyde, a radioactive material, drug, bacteria, virus, or other injurious or potentially injurious material (by itself or in combination with other materials).

(e) The warranties and indemnities contained in this paragraph 25 shall survive the termination of this Lease.

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SUBORDINATION; ATTORNMENT; ESTOPPEL

26. (a) This Lease and all of Tenant's rights hereunder are and shall be subject and subordinate to all currently existing and future mortgages affecting the Premises. Within ten (10) days after the receipt of a written request from Landlord or any Landlord mortgagee, Tenant shall confirm such subordination by executing and delivering Landlord and Landlord's mortgagee a recordable subordination agreement and such other documents as may be reasonably requested, in form and content satisfactory to Landlord and Landlord's mortgagee. Provided, however, as a condition to Tenant's obligation to execute and deliver any such subordination agreement, the applicable mortgagee must agree that mortgagee shall not unilaterally, materially alter this Lease and this Lease shall not be divested by foreclosure or other default proceedings thereunder so long as Tenant shall not be in default under the terms of this Lease beyond any applicable cure period set forth herein. Tenant acknowledges that any Landlord mortgagee has the right to subordinate at any time its interest in this Lease and the leasehold estate to that of Tenant, without Tenant's consent.

(b) If Landlord sells, transfers, or conveys its interest in the Premises or this Lease, or if the same is foreclosed judicially or nonjudicially, or otherwise acquired, by a Landlord mortgagee, upon the request of Landlord or Landlord's successor, Tenant shall attorn to said successor, provided said successor accepts the Premises subject to this Lease. Tenant shall, upon the request of Landlord or Landlord's successor, execute an attornment agreement confirming the same, in form and substance acceptable to Landlord or Landlord's successor and Landlord shall thereupon be released and discharged from all its covenants and obligations under this Lease, except those obligations that have accrued prior to such sale, transfer or conveyance; and Tenant agrees to look solely to the successor in interest of Landlord for the performance of those covenants accruing after such sale, transfer or conveyance. Such agreement shall provide, among other things, that said successor shall not be bound by (a) any prepayment of more than one (1) month's rental (except the Security Deposit) or (b) any material amendment of this Lease made after the later of the Lease Commencement Date or the date that such successor's lien or interest first arose, unless said successor shall have consented to such amendment.

(c) Within ten (10) days after request from Landlord, Tenant shall execute and deliver to Landlord an estoppel certificate (to be prepared by Landlord and delivered to Tenant) with appropriate facts then in existence concerning the status of this Lease and Tenant's occupancy, and with any exceptions thereto noted in writing by Tenant. Tenant's failure to execute and deliver the Estoppel Certificate within said ten (10) day period shall be deemed to make conclusive and binding upon Tenant in favor of Landlord and any potential mortgagee or transferee the statements contained in such estoppel certificate without exception.

ABANDONMENT

27. Tenant shall not abandon the Premises at any time during the Lease term. If Tenant shall abandon the Premises or be dispossessed by process of law, any personal property belonging to Tenant and left on the Premises, at the option of Landlord, shall be deemed abandoned, and available to Landlord to use or sell to offset any rent due or any expenses incurred by removing same and restoring the Premises.

NOTICES

28. All notices required or permitted under this Lease shall be in writing and shall be personally delivered or sent by U.S. certified mail, return receipt requested, postage prepaid. Notices to Tenant shall be delivered or sent to the address shown at the beginning of this Lease, except that upon Tenant taking possession of the Premises, then the Premises shall be Tenant's address for such purposes. Notices to Landlord shall be delivered or sent to the address shown at the beginning of this Lease and notices to Agent, if any, shall be delivered or sent to the address set forth in Paragraph 3 hereof. All notices shall be effective upon delivery. Any party may change its notice address upon written notice to the other parties, given as provided herein.

BROKERS

29. Except as expressly provided herein, Tenant and Landlord agree to indemnify and hold each other harmless from any and all claims of brokers, consultants or real estate agents by, through or under the indemnifying party for fees or commissions arising out of the lease of the Property to Tenant. Tenant and Landlord represent and warrant to each other that: (i) except as to the brokers designated below ("Brokers"), they have not employed nor engaged any brokers, consultants or real estate agents to be involved in this transaction and (ii) that the compensation of the Brokers is established by and shall be governed by separate agreements entered into as amongst the Brokers, the Tenant and/or the Landlord.

_____ ("Listing Agency"),
_____ ("Listing Agent" - License # _____)
Acting as: ☐ Landlord's Agent; ☐ Dual Agent
and ~~Charton Street Realty~~ _____ (Leasing Agency"),
~~Scott Pasley~~ _____ ("Leasing Agent" - License # _____)
Acting as: ☐ Tenant's Agent; ☐ Landlord's (Sub)Agent; ☐ Dual Agent

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GENERAL TERMS

30. (a) "Landlord" as used in this Lease shall include the undersigned, its heirs, representatives, assigns and successors in title to the Premises. "Agent" as used in this Lease shall mean the party designated as same in Paragraph 3, its heirs, representatives, assigns and successors. "Tenant" shall include the undersigned and its heirs, representatives, assigns and successors, and if this Lease shall be validly assigned or sublet, shall include also Tenant's assignees or sublessees as to the Premises covered by such assignment or sublease. "Landlord", "Tenant", and "Agent" include male and female, singular and plural, corporation, partnership or individual, as may fit the particular parties.

(b) No failure of Landlord to exercise any power given Landlord hereunder or to insist upon strict compliance by Tenant of its obligations hereunder and no custom or practice of the parties at variance with the terms hereof shall constitute a waiver of Landlord's right to demand exact compliance with the terms hereof. All rights, powers and privileges conferred hereunder upon parties hereto shall be cumulative and not restrictive of those given by law.

(c) **Time is of the essence in this Lease.**

(d) This Lease may be executed in one or more counterparts, which taken together, shall constitute one and the same original document. Copies of original signature pages of this Lease may be exchanged via facsimile or e-mail, and any such copies shall constitute originals. This Lease constitutes the sole and entire agreement among the parties hereto and no modification of this Lease shall be binding unless in writing and signed by all parties hereto. The invalidity of one or more provisions of this Lease shall not affect the validity of any other provisions hereof and this Lease shall be construed and enforced as if such invalid provisions were not included.

(e) Each signatory to this Lease represents and warrants that he or she has full authority to sign this Lease and such instruments as may be necessary to effectuate any transaction contemplated by this Lease on behalf of the party for whom he or she signs and that his or her signature binds such party. The parties acknowledge and agree that: (i) the initials lines at the bottom of each page of this Lease are merely evidence of their having reviewed the terms of each page, and (ii) the complete execution of such initials lines shall not be a condition of the effectiveness of this Lease.

(f) Upon request by either Landlord or Tenant, the parties hereto shall execute a short form lease (memorandum of lease) in recordable form, setting forth such provisions hereof (other than the amount of annual rental and other sums due) as either party may wish to incorporate. The cost of recording such memorandum of lease shall be borne by the party requesting execution of same.

(g) If legal proceedings are instituted to enforce any provision of this Lease, the prevailing party in the proceeding shall be entitled to recover from the non-prevailing party reasonable attorneys fees and court costs incurred in connection with the proceeding.

SPECIAL STIPULATIONS

☑ If this box is checked, additional terms of this Lease are set forth on **Exhibit A and B** attached hereto and incorporated herein by reference. **(Note: Under North Carolina law, real estate agents are not permitted to draft lease provisions.)**

Exhibit A: The entire building, front yard, stairs, sidewalks located at 115 East King Street in Hillsborough NC, and six (6) designated parking spaces.

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Tenant Initials _____ _____ Landlord Initials GJP _____

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THIS DOCUMENT IS A LEGAL DOCUMENT. EXECUTION OF THIS DOCUMENT HAS LEGAL CONSEQUENCES THAT COULD BE ENFORCEABLE IN A COURT OF LAW. THE NORTH CAROLINA ASSOCIATION OF REALTORS® MAKES NO REPRESENTATIONS CONCERNING THE LEGAL SUFFICIENCY, LEGAL EFFECT OR TAX CONSEQUENCES OF THIS DOCUMENT OR THE TRANSACTION TO WHICH IT RELATES AND RECOMMENDS THAT YOU CONSULT YOUR ATTORNEY.

IN WITNESS WHEREOF, the parties hereto have hereunto caused this Lease to be duly executed.

LANDLORD:

Individual

_____

Date: _____

_____

Date: _____

Business Entity

C3 Hillsborough LLC
(Name of Firm)

By: [signature]

Title: Managing Member

Date: 10/23/19

TENANT:

Individual

[signature]

Date: 10/24/19

_____

Date: _____

Business Entity

_____
(Name of Firm)

By: _____

Title: _____

Date: _____

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EXHIBIT B

Addendum to Lease

The parties hereby acknowledge that as of the date of execution of this document, the tenant has requested that the landlord abate asbestos contamination in areas as directed by the tenant. The landlord shall cause such work to be performed as directed by the tenant by a licensed asbestos abatement contractor, and said contractor shall be paid by the landlord at no expense to the tenant. Asbestos abatement contamination work shall be fully completed on or before 11-8-2019. The parties acknowledge that time is of the essence in the completion of the work mentioned in this addendum and in the event the work mentioned in this addendum is not completed on or before 11-8-2019_, the failure to complete such work on or before the date stated constitutes a material breach of this lease by the landlord. Should work not be completed on or before 11-8-2019, the landlord agrees and acknowledges the tenant reserves the right to unilaterally cancel this lease without incurring any further obligations to the landlord.

Tenants Initials: _____

Landlord's Initials: GJP

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/24/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
SEAGROVES AGENCY, INC PO BOX 1280 PITTSBORO NC 27312	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : NATIONWIDE GENERAL INSURANCE COMPANY	23760
INSURED FPP 128, LLC C3 Hillsborough, LLC 128 N Chrurton St HILLSBOROUGH NC 27278	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☒ LOC ☐ OTHER:			ACP BPOG 3037759560	06/30/2019	06/30/2020	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 300,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	$
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION $						EACH OCCURRENCE	$
							AGGREGATE	$
								$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N ☐ (Mandatory in NH) N / A If yes, describe under DESCRIPTION OF OPERATIONS below						☐ PER STATUTE ☐ OTH-ER	
							E.L. EACH ACCIDENT	$
							E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

Orange County
PO Box 8181
Hillsborough NC 27278

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Jean M Droese

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ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda
Item No. 8-k

SUBJECT: Extension of Little River Regional Park Interlocal Agreement

DEPARTMENT: DEAPR

ATTACHMENT(S):
Proposed Extension
Current Interlocal Agreement

INFORMATION CONTACT:
David Stancil, 919-245-2510

PURPOSE: To adopt a six-month extension of the existing interlocal agreement between Orange County and Durham County for the operation of Little River Regional Park and Natural Area. The current agreement term was previously set by extension to June 30, 2021.

BACKGROUND: In 2000, Orange County and Durham County jointly purchased 391 acres straddling the Orange/Durham county line east of Guess Road for the purpose of a joint regional park and natural area. The two counties were named Local Government Conservationists of the Year by the Conservation Trust for NC for this effort. Orange County owns 136 acres on its side of the county line, and Durham County owns 255 acres on its side.

In 2004, the two counties opened Little River Regional Park and Natural Area under an interlocal agreement that addressed master planning, a management plan and operating guidelines for the park, as well as budget and operating provisions. Orange County operates the park on behalf of both counties (Durham County did not have a parks system), and the two counties each fund 50% of the cost of the park's capital, personnel and operating needs.

The interlocal agreement for the park was last adopted in the spring of 2014. Some of the plans and internal working documents for the park were not developed in the park's early years, and then other pressing matters kept those components from creation and adoption.

For the last two years, staff from the two counties have been working to complete the master plan (only a site plan for the developed area of the park was created and adopted at the time of park opening), management plan and operating guidelines. While much progress was made, the updates needed to the interlocal agreement were not able to be completed in time and an extension to June 30, 2021 was sought and approved by both counties.

Unfortunately, the continued COVID-19 pandemic impacts through the rest of 2020 and into 2021 have again delayed completion of these documents and the needed changes to the interlocal

agreement. The documents are now nearing completion, but will not be ready by the June 30 deadline.

The attached extension would continue the existing interlocal agreement in place for an additional six months through December 31, 2021. The park continues to operate under the existing agreement, and would be able do so during the upcoming extension without difficulty.

FINANCIAL IMPACT: There is no financial impact associated with the adoption of the proposed interlocal agreement extension. The park operates under an annual budget approved and funded by the two counties (50% each), and this would continue to be the case under the extension. The proposed FY 2021-22 budget for the park is included in the Manager-recommended budgets from both counties.

SOCIAL JUSTICE IMPACT: There is no Social Justice impact associated with the proposed agreement extension.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impacts associated with the extension of the interlocal agreement.

It is worth noting that the 391-acre park includes many areas of natural resource significance that are protected by the park.

RECOMMENDATION(S): The Manager recommends that the Board adopt the six-month extension of the interlocal agreement between Orange County and Durham County for Little River Regional Park and Natural Area, and authorize the Manager to sign.

EXTENSION OF INTERLOCAL AGREENMENT

This Extension of the interlocal agreement between Orange County, North Carolina and Durham County, North Carolina (both corporate entities of the state of North Carolina), governing Little River Regional Park and Natural Area, serves to extend the expiration of the existing Agreement by six (6) months, to a new termination date of December 31, 2021.

The Agreement referenced herein for extension (provided here as Attachment 1) is formally titled "INTERLOCAL AGREEMENT FOR THE OPERATION AND MAINTENANCE OF LITTLE RIVER REGIONAL PARK AND NATURAL AREA," last adopted by Orange County on May 20, 2014, and by Durham County on June 23, 2014, and extended for one year until June 30, 2021 by Orange County on ____ and by Durham County on June 8, 2020.

A. For the purposes of Notice, the addresses of the parties to this Extension are:

DURHAM COUNTY:	**ORANGE COUNTY:**
Durham County Attorney's Office	Orange County Attorney
200 East Main Street	P. O. Box 8181
Durham, NC 27701	Hillsborough, NC 27278

B. The parties referenced above wish to extend the term of the said Interlocal Agreement (Attachment 1) for the purposes of additions and modifications of the Agreement, to be completed between this date and December 31, 2021.

C. For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby agree to extend the duration of the "INTERLOCAL AGREEMENT FOR THE OPERATION AND MAINTENANCE OF LITTLE RIVER REGIONAL PARK AND NATURAL AREA" by six (6) months, with a modified termination date of said Agreement of December 31, 2021.

D. All other terms and conditions of the Interlocal Agreement referenced herein remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the Parties have hereunto set their hands and seal, or if corporate, have caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its duly elected Board, the day and year first above written.

FOR DURHAM COUNTY:

Attest:

By:_____ _____
Wendell M. Davis, County Manager Clerk to the Board

Date:_____

FOR ORANGE COUNTY:

Attest:

By:_____ _____
Bonnie B. Hammersley, County Manager Clerk to the Board

Date:_____

STATE OF NORTH CAROLINA
COUNTY OF ORANGE
and
COUNTY OF DURHAM

INTERLOCAL AGREEMENT FOR THE OPERATION AND MAINTENANCE OF LITTLE RIVER REGIONAL PARK AND NATURAL AREA

This INTERLOCAL AGREEMENT, hereinafter referred to as "Agreement," is hereby made and entered into this the 23rd day of June 2014 , by and between ORANGE COUNTY, hereinafter referred to as "Orange County," and DURHAM COUNTY, hereinafter referred to as "Durham County," pursuant to N.C. Gen. Statute 160A-460 *et seq*., and other applicable laws.

WITNESSETH:

WHEREAS, Orange County and Durham County own certain adjacent property known collectively as Little River Regional Park and Natural Area, (hereinafter referred to as "Park"), of which 136 acres are located in Orange County and 255 acres are located in Durham County, a map of which property is attached hereto as Exhibit A; and

WHEREAS, Orange County and Durham County have agreed to make the Park available for low-impact outdoor recreational purposes, including picnic areas, play meadows, nature study, walking trails, and other recreational uses; and

WHEREAS, Orange County and Durham County have agreed to monitor and protect sensitive natural and cultural resources known to exist on the Park property; and

WHEREAS, Orange County and Durham County desire to share revenues and expenses equally for the joint use and mutual benefit of the citizens of both counties; and

WHEREAS, Orange County and Durham County agree that Orange County should operate and maintain the park to the mutual benefit of citizens of both counties during the term of this Agreement and any subsequent extended term thereof, pursuant to N.C. Gen. Statute 160A-355, N.C. Gen. Statute 160A-460 *et seq*., and other applicable law.

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements contain herein, the parties hereto agree as follows:

I. General

1. Park Name. The official name of the Park shall be "Little River Regional Park and Natural Area." Orange County will install a prominent sign, consistent with Orange County zoning regulations, at the entrance to the park indicating that name as approved by both counties and included in the Park Master Plan. In some instances, the name may be shortened to the "Little River Park".

2. Master Plan. A park Master Plan shall be developed jointly by Orange and Durham counties so as to incorporate all property and facilities within the Park, both existing and proposed. The Master Plan, when amended shall be presented to both boards of county commissioners (hereinafter collectively referred to as "Boards") for approval.

   The Master Plan shall include adopted functional uses, a general land use map that depicts existing site constraints and locations for proposed phasing of Park improvements and general programming. The Master Plan shall acknowledge and incorporate existing park development.

3. Management Plan. A Management Plan will be developed jointly by Orange and Durham counties. This document will accompany the Master Plan and will also be presented to both Boards for approval.

   The Management Plan is a long-term stewardship and general programmatic usage document detailing management of the natural, biological, cultural and man-made features of the park, in keeping with the Master Plan goals.

4. Names on Park Facilities. Any formal naming of park amenities (e.g., trails, shelters, etc.) or acknowledgment of people or entities on signage (e.g., project partners, monetary contributors, etc.) will be in accordance with a joint naming policy to be developed and approved by both Boards as a part of the Management Plan.

5. Ownership. The land shall continue to be owned as separate parcels with Orange County owning the 136 acres located in Orange County and Durham County owning the 255 acres located in Durham County.

   a) Conservation Easements. Both counties recognize that the Park was acquired with grants from the NC Clean Water Management Trust Fund and NC Parks and Recreation Trust Fund and that there are conservation easements in place encumbering the property as a result of those grants. The conservation easements are recorded at the Orange County Register of Deeds, Book 2198 Page 256 and at the Durham County Register of Deeds, Book 3027 Page 194.

   b) Access Easements. Any access easements acquired for the public use of adjacent private property shall be approved by both Boards.

   c) Additional Land. As opportunities develop in the future, additional land areas may be considered by the two counties for potential acquisition to expand the park boundaries. Amendments to the Master Plan to include the additional land will be initiated through the joint county staff with recommendations to both Boards for approval. If the proposed additional land requires additional costs for maintenance and/or operations, then the additional cost shall be negotiated and approved by both Boards. If, however, the additional land is located in only one of the counties, and its acquisition would have no financial impact on costs associated with Park operations and maintenance, then the purchase of the proposed land may be made by the county in which the land is located. If the land

is located in both counties, both Boards must approve the purchase and must approve the manner in which title to the land is conveyed.

II. Park Management

1. Allowed Uses. The Park shall be open and available to the general public regardless of race, gender, color, creed, age, disability, familial status, marital status, veteran status, political or religious affiliation or national origin. Orange County and Durham County, through their respective Boards, with input from a citizen advisory committee and other members of the public, have agreed on what uses will and will not be allowed in the Park. Modification of the approved uses will be considered through the joint county staff and recommended for consideration and approval by the Boards.

2. Annual Objectives. Operations at the Park shall be guided by a jointly approved set of priorities and actions developed by fiscal year in conjunction with the annual budget. The Annual Objectives may be modified as needed throughout the year based on agreement from both counties. The Annual Objectives should specify major new capital projects, major maintenance or operational issues, general programming and other activities. Orange and Durham staff will meet twice annually to discuss the budget and objectives. Annual objectives shall be consistent with the approved Management Plan and park Master Plan.

3. Park Policies and Regulations. Orange County and Durham County, through their Boards, shall approve all rules, regulations, ordinances, policies, and fees, contained in Operational Guidelines to be implemented by Orange County and where necessary by Orange County and Durham County in the operation and management of the Park, unless specifically otherwise provided for in this Agreement. The policies and regulations may be amended from time to time by mutual agreement and approval of the Boards.

4. Budget. The Orange and Durham County Managers, or their designees shall meet to consider and make recommendations regarding an annual budget for the operation of the Park, and a capital budget for periodic capital expenditures. The annual budget should be based on proposed Annual Objectives as detailed above. The capital budget shall include proposed capital improvements to be made to the Park within the next fiscal year. However, donations of monies received for Little River Park, or other earrmarked funds for park capital and operating expenses may be deposited into a special account to allow for accumulation of said funds and expenditures as needed over a period of multiple fiscal years. The recommendations of the County Managers shall be submitted to their respective Boards. The Boards shall each consider such budget recommendations and take such action as deemed appropriate. If the Boards do not both agree to the annual budget as submitted by the County Managers, the County Managers shall meet again to try to create another budget proposal, and the Boards shall again attempt to come to agreement. The failure of the respective Boards to agree upon an annual budget after a second attempt shall be grounds for terminating this Agreement. Transfers between FY budgetary line items of up to $1,000 may be made administratively by Orange County; transfers over $1,000 require the consent from the Durham County Manager or his designee.

5. Annual Reports. Reports on the activities in the park may be prepared annually (or as otherwise needed) for presentation by Durham and/or Orange counties. Any reports prepared for presentation by one county should be shared with the other county.

III. Park Funding.

1. Annual Operations. All operating and maintenance costs of the Park shall be shared equally by both counties (Orange County 50% and Durham County 50%). Orange County shall be responsible for operating and maintaining the Park and shall invoice Durham County twice annually for 50% of the actual operating and maintenance costs, including building and grounds maintenance, personnel costs, indirect costs, property insurance and any other costs incurred to properly operate and maintain the Park. Notwithstanding the foregoing, Durham County shall not share in the cost to repair damage to the Park and its facilities caused by the intentional or gross negligent acts and omissions of Orange County personnel or its contractors in the performance of their obligations rendered pursuant to this Agreement. Orange County shall not share in the cost to repair damage to the Park and its facilities caused by the intentional or gross negligent acts and omissions of Durham County personnel or its contractors in the performance of their obligations rendered pursuant to this Agreement. In no event shall the amount invoiced exceed the budgeted amount for the Park in the then current fiscal year.

2. Emergency Expenses. Amounts budgeted for the Park as part of each county's annual budget may be increased to cover unforeseen and unbudgeted expenses. Such unforeseen and unbudgeted expenses shall be invoiced as provided here but only after it is approved by both County Managers and both Boards as an amendment to the applicable Park budget. Provided, however, emergency repairs (as defined herein) needed may be undertaken after their cost is approved in writing by both County Managers. For purposes of this Agreement, the term "emergency repair(s)" shall mean those repairs made necessary as the result of natural occurrences that cannot be postponed for approval of a budget amendment by both Boards. After the costs are approved by the County Managers, both Boards shall be presented with said emergency repair costs as an amendment to the applicable Park budget at the next regularly scheduled meeting of each Board. Each county will provide to the other county detailed accounting of both direct and indirect costs for reconciliation purposes. Insurance reimbursement for repairs shall be accounted for in the applicable Park budget and made a part of the reconciliation.

3. Alternate County Expenses.
    a. Single County Expenses. Notwithstanding the foregoing, either county may budget and/or expend funds for Park activities which the other county will not or cannot approve, so long as such expenditure or any portion thereof is not invoiced to the other county for reimbursement or charged against the other county as an expenditure. Such unshared expenditures shall not be considered a part of the Park budget and shall not become a cost to be reimbursed. Any such activities financed by one county must still be an approved as an activity by both counties, and shall be in accordance with the Master Plan.

b. Alternate County Funding. By mutual agreement, any activity(ies) may be funded by the two counties using a cost-sharing ratio other than 50/50 if mutually agreed to in writing in advance of the activity.

4. Capital Costs. Capital costs of the Park shall be shared equally by both counties (Orange County 50% and Durham County 50%) and paid for as provided in Section III.6. of this Agreement. Notwithstanding the foregoing, either county may budget and/or expend funds for jointly approved capital investment projects for the Park, for which the other County will not or cannot approve funding for, so long as such expenditure or any portion thereof is in accordance with the Master Plan, and not invoiced to the other county for reimbursement or charged against the other county as an expenditure. Such unshared expenditures shall not be considered a part of the Park budget and shall not become a cost to be reimbursed in the event of termination.

5. Park Revenues. Except as otherwise provided for, all revenues generated from operation of the Park shall be shared equally by the two counties (Orange County 50% and Durham County 50%). Revenues shall be collected, when due, by Orange County, netted against operating and maintenance costs of the Park and designated as a set off on the invoice from Orange County to Durham County provided for in Section III of this Agreement.

6. Review and Reconciliation. At the end of each fiscal year, the Finance Directors of both counties shall conduct a review and reconciliation of amounts paid and payable under this Agreement. Such adjustments or payments as may be necessary to effectuate the reconciliation agreed upon by the Finance Directors of both counties shall be made promptly. Reconciliation shall be completed prior to October 15 of each year.

IV. Park Operations

1. Park Operation and Maintenance. During the term of this Agreement, Orange County shall manage the Park according to the terms of this Agreement, jointly-approved Operating Guidelines, and jointly-approved Annual Objectives, and shall provide operation and maintenance services customarily provided for in the management of a park. Orange County shall do and perform any and all things reasonably necessary for the pleasure, comfort, service and convenience of those who use the Park, as well as to protect and preserve the natural resources and facilities within the Park.

   a) Maintenance of Grounds. Maintenance of the Park grounds shall be performed by employees of Orange County or contractors as necessary to ensure proper and adequate maintenance. All contract maintenance costs shall be documented and accounted for as provided in Section III of this Agreement.

   b) Maintenance of Buildings. Maintenance of all buildings and structures located on Park property shall be performed by employees of Orange County or contractors as necessary to ensure proper and adequate maintenance.

c) Personnel. Personnel at the Park will be Orange County employees or independent contractors employed by Orange County under the jurisdiction of Orange County and, if Orange County employees, will fall under the personnel rules and policies governing the hiring, discipline, dismissal, pay and any other procedures established by Orange County affecting its employees.

2. Contracts. Orange County shall contract with engineers, consultants, contractors and other parties as necessary to operate the Park in accordance with the Master Plan, Management Plan, Annual Objectives, Operational Guidelines, and Annual Budget. In all cases, Orange County will comply with both counties' shared goals of enabling minority-owned firms to participate as contractors and sub-contractors in contracts for the development of the Plan. Orange County shall also comply with bidding procedures set forth by general statute and shall not exceed budgeted amounts by either county. Durham County agrees that the engineers, consultants, contractors and other parties as necessary may access so much of the Park owned by Durham County as necessary to accomplish the contracted work for the purposes outlined above.

   Those contracts required by State law to be approved by a county board, shall be approved by the Orange County Board. Those contracts not requiring board approval by State law shall be approved in accordance with Orange County fiscal policy.

3. Insurance. Both counties will share equally the cost of property insurance pursuant to Section III.1. of this Agreement. The cost of liability insurance maintained by either party, if any, shall not be shared.

4. Park Security and Public Safety. Orange County and Durham County shall coordinate their efforts in providing for safety and security of users of the Park, Park staff, and adjacent landowners in the most effective and efficient manner possible. Orange County and Durham County agree to enter into a mutual aid agreement providing for response to fire and emergency medical services.

5. Park Caretaker Residence. Orange County shall contract with engineers, consultants, contractors and other parties as necessary to establish and maintain a Park caretaker residence near the main entrance to the Park in a manner mutually agreed upon by both Boards. Rent may be charged for the caretaker residence as agreed upon by both Counties, and such funds collected may be deposited into a special account to allow for accumulation of said funds and expenditures as needed over a period of multiple fiscal years.

6. General Provisions.

   a) Relationship of Parties. Durham County and Orange County shall not have the power to bind or obligate the other party.

   b) Assignments. This agreement is not assignable by either party without the written consent of the other.

c) Notices. All notices provided for in this agreement shall be in writing, addressed to the respective county managers.

d) Governing Law. This agreement shall be construed under the provisions of the law of the State of North Carolina.

e) Good Faith. The parties mutually agree to deal in good faith one with the other in all respects in performing their duties under this Agreement. All actions recommended and implemented in the Plan will require joint approval by both Boards.

7. Entire Agreement. Except as otherwise provided in this Agreement, this Agreement contains the entire agreement between the parties. Amendments, if any, shall be in writing and signed by both parties.

8. Duration. This Agreement shall be effective as of the above date and will expire June 30, 2019, unless terminated or extended as provided herein. Orange County and Durham County will discuss, prior to January 1, 2019, whether either county intends to assume or make other arrangements for operation of the Park upon the expiration of the term of this Agreement, or whether Orange County and Durham County desires to continue a contractual relationship for operation of the Park and upon what terms. In the event that this Agreement has not been terminated, renewed or amended prior to the expiration date listed above, it will remain in effect until such time as both Boards have adopted a new agreement, but no longer than a 12-month period.

9. Termination.

a) This agreement shall be subject to annual review and may be terminated at the end of the fiscal year upon one (1) year advance written notice by one party to the other party.

b) Upon the expiration or termination of this Agreement, park amenities and the costs associated therewith will be distributed as follows:

i) Real Property: The land shall continue to be owned as separate parcels with Orange County owning the 136 acres located in Orange County and Durham County owning the 255 acres located in Durham County. With respect to additional land area(s) acquired during the term of this Agreement and any extensions thereof, the additional land shall be owned in the manner acquired, as provided for in Section I.V. of this Agreement.

ii) Costs of Improvements: The counties agree to share equally in the value of the improvements made to the Park, including but not limited to picnic shelters, campsite facilities, restroom structures, and the park caretaker residence. (For example, if the value of the improvements made to the portion of the Park that sits in Orange County equals $20,000 and the value of improvements made in Durham County equals $10,000, then Orange

County will reimburse Durham County the amount of $5,000.) The value of said improvements shall be determined at the time of termination.

iii) Grant Funds: The parties acknowledge that grant funding has and may be awarded to Durham and Orange counties for the development of the Park. Orange County administers said grants and shall continue to do so for the joint benefit of both counties. Upon termination, Durham County shall be reimbursed by Orange County in an amount equal to 50% of the total grant funds received, not yet expended and not subject to being returned to the granting authority, which have been planned for expenditure on amenities situated or to be situated in the Park.

iv) This Agreement shall survive termination for the purposes of reconciliation or payment of any amount due and unpaid at the time of termination.

IN WITNESS WHEREOF, the parties have caused this Interlocal Agreement to be executed as of the day and year first written above.

ATTEST:

Clerk to the Board

FOR ORANGE COUNTY

By: _____
Bonnie B. Hammersley
Orange County Manager

ATTEST:

Clerk to the Board

FOR DURHAM COUNTY

By: _____
Wendell Davis,
Durham County Manager

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Orange County Attorney

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

Orange County Financial Services Director

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

Durham County Chief Financial Officer

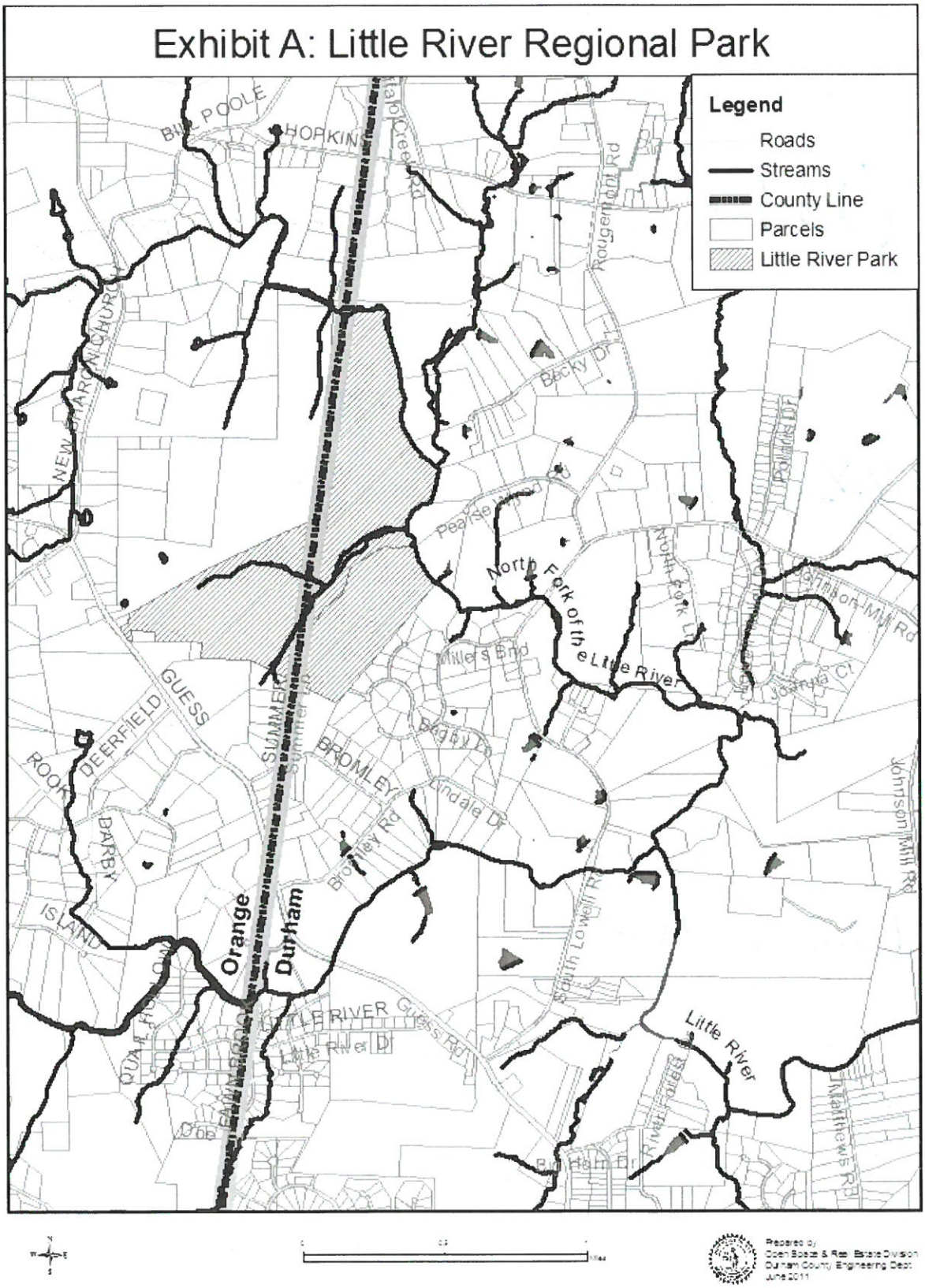


Exhibit A: Little River Regional Park
Legend
Roads
Streams
County Line
Parcels
Little River Park
Orange
Durham
North Fork of the Little River
Little River
Prepared by
Open Space & Real Estate Division
Durham County Engineering Dept.
June 2011

ORANGE COUNTY
BOARD OF COMMISSIONERS

AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-I

SUBJECT: Bike Month Proclamation

DEPARTMENT: Planning and Inspections

ATTACHMENT(S):

1. Draft Proclamation

INFORMATION CONTACT:

Nishith Trivedi, Transportation Planner, 919-245-2582
Tom Altieri, Comprehensive Planning Supervisor, 919-245-2579
Craig Benedict, Planning Director, 919-245-2592

PURPOSE: To consider approval of a proclamation recognizing May 2021 as Bike Month.

BACKGROUND: May is National Bike Month, promoted by the League of American Bicyclists and celebrated in communities from coast to coast. National Bike Month was first celebrated in 1956. The overall goals of National Bike Month are to showcase the many benefits of bicycling and to encourage more people to try bicycling.

The Orange Unified Transportation Board (OUTBoard) continues to advocate for multimodal travel throughout Orange County. Over the past few years, it has conducted numerous education events informing the public about bicycle opportunities. Considerable research and other articles have been published demonstrating the health benefits of bicycling as a commute mode to work, including:

- Forbes Magazine - New Research Indicates Cycling To Work Has Extraordinary Health Benefits
- Harvard Medical School - 5 Benefits-of-cycling
- PubMed Central (PMC) US National Library of Medicine - Cycling: Health Benefits and Risks

The OUTBoard and Orange County Transportation Planning Staff have provided a proclamation recognizing May 2021 as Bike Month.

OUTBoard – April 21, 2021

- Recommended the BOCC consider the Proclamation.

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: ESTABLISH SUSTAINABLE AND EQUITABLE LAND-USE AND ENVIRONMENTAL POLICIES**
  The creation and preservation of infrastructure, policies, programs and funding necessary for residents to provide shelter, food, clothing and medical care for themselves and their dependents.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends the Board approve the proclamation and authorize the Chair to sign.

ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION
BIKE MONTH – May 2021

Whereas, the bicycle is a viable and environmentally sound form of transportation and active transportation is an important part of addressing our climate emergency; and

Whereas, thousands of North Carolinians experience the joys of bicycling year-round, but especially during the month of May through educational programs, races, commuting events, trail work days, charity events, or just getting out and going for a ride; and

Whereas, bicycling is an inexpensive form of travel that can be utilized by all ages, and

Whereas, bicycling activities and attractions have great potential to have a positive impact on Orange County's economy and tourism industry and to stimulate economic development by making the state attractive to businesses and residents who enjoy the outdoors and healthy lifestyles; and

Whereas, creating bicycle-friendly communities improves health, well-being, and quality of life, to boost community spirit, to improve traffic safety, and to reduce pollution and congestion; and

Whereas, May has been declared National Bike Month by the League of American Bicyclists every year since 1956; and

Whereas, communities throughout Orange County and North Carolina will be promoting bicycling as a leisure activity and as an environmentally-friendly alternative to the automobile during the month of May 2021; and

Whereas, the education of bicyclists and motorists as to the proper and safe operation of bicycles is important to ensure the safety and comfort of all road users; and

Whereas, Orange County funded and completed a Bicycle Safety Campaign to raise awareness of how motorists and bicyclists can best coexist safely on the road, and

Whereas, Orange County encourages bicycling and has marked bicycle routes through the county; and

Whereas. Bike to Work Day is always the third Friday in May, Bike to Work Week is the week of Bike to Work Day, and May is National Bicycle Month;

Now, therefore, be it proclaimed that the Board of Orange County Commissioners hereby recognizes the month of May 2021 as Bike Month and Bicycle Safety Month;

Be it further proclaimed that the Board of Orange County Commissioners recognizes May as Bicycle Month and urges all who support bicycling to support locally planned bicycling events and urges all road users to share the road safely.

This, the 18th Day of May, 2021.

_____
Renee Price, Chair
Orange County Board of Commissioners

ATTEST:

_____
Laura Jensen, Clerk to the Board

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda
Item No. 8-m

SUBJECT: Acceptance of Chapel Hill-Carrboro City Schools and Orange County Schools Department of Public Instruction (DPI) Facility Needs Survey Reports

DEPARTMENT: County Manager and Finance and Administrative Services

ATTACHMENT(S):
1) Chapel Hill-Carrboro City Schools DPI Facility Needs Survey Memo
2) Chapel Hill-Carrboro City Schools DPI Facility Needs Survey Report
3) Orange County Schools DPI Facility Needs Survey Memo
4) Orange County Schools DPI Facility Needs Survey Report

INFORMATION CONTACT:
Bonnie Hammersley, (919) 245-2300
Travis Myren, (919) 245-2308
Gary Donaldson, (919) 245-2453
Paul Laughton, (919) 245-2152

PURPOSE: To accept Chapel Hill-Carrboro City Schools and Orange County Schools Department of Public Instruction (DPI) Facility Needs Survey Reports prior to the Districts' submission of the reports to the State Board of Education.

BACKGROUND: Every 5 years, local boards of education are required by North Carolina General Statutes to submit a Facility Needs Assessment to the State Board of Education. This long range plan, developed by the State, is used as a uniform reporting system and can assist local units in preparing their capital needs. The survey's software includes a list of all district schools and requires information to be input regarding each school's size, age, capacity, energy use, and general condition. Additionally, the district is asked to project the need for new schools and capital projects required at existing schools. The survey specifies construction costs associated with different aspects of work. As an example, new construction is calculated at $260 per square foot, while current local market estimates are somewhat higher at $300 square foot.

For Chapel Hill-Carrboro City Schools, in completing the survey, data was utilized from the most recent (2014) Facilities Assessment of the District's nine (9) oldest facilities. The assessment's scope of work and budget costs for seven (7) of the nine (9) facility schools have been input into the State survey, along with other items in the Capital Investment Plan (CIP). Work on Chapel Hill High has been completed, and the survey does not include a mechanism for reporting on the needs of the Lincoln Center.

The resulting school need summaries reflect the fact that over the next ten years many of these schools will be 25-37 years old. Buildings of this age normally incur large capital investments in infrastructure replacements.

The survey's cost are summarized in two reports. "Cost Summary 0-5 Years" total $362.7 million, and "Cost Summary 6-10 Years" totals $9.1 million, representing a ten-year cost of $371.8 million. Cost Summary Reports varied widely from the costs in the CIP and Facilities Assessment, reflecting the difference between costs as calculated by the state and in the Facilities Assessment. Costs as tabulated in the Facilities Assessment were added to the reports as notes, but are not included in the final report.

This ten-year cost can be broken down as follows: Seven oldest schools: $331.1 million. Seven other district schools: $31.6 million. Middle School #5 was not included in the report because the need is not projected by Orange County Schools Adequate Public Facilities Ordinance (SAPFO) during the next ten years.

Note: This report does not reflect the Supplemental Deferred Maintenance capital improvement allocation of $17,997,000 as included in the CIP. Projects completed using this supplemental funding will be reflected in the 2025 DPI Facility Needs Survey.

For Orange County Schools, in completing the survey, data was utilized from the most recent (2013) Facilities Assessment of the District's Facilities. The assessment's scope of work and budget costs for the facilities have been input into the state survey, along with other items in the CIP.

The survey's costs are summarized in two reports. "Cost Summary 0-5 Years" totals $77.5 million, and "Cost Summary 6-10 Years" totals $30.2 million, representing a ten-year cost of $107.7 million.

The process to file the State surveys include approval by the Board of Education, co-signed by the Chair of the Orange County Commissioners. This does not constitute endorsement of or commitment to fund the Facility Needs Survey Reports by the Board of County Commissioners.

FINANCIAL IMPACT: There is no financial impact with the Board of County Commissioners accepting the Districts' DPI Facility Needs Survey Reports. This does not constitute endorsement of or commitment to fund the Facility Needs Survey Reports by the Board of County Commissioners.

SOCIAL JUSTICE IMPACT: There are no Orange County Social Justice Goals associated with this item.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board review and accept the Districts' DPI Facility Needs Survey Reports so both Districts can submit them to the State Board of Education.

Attachment 1

Date: April 14, 2021

To: Paul Laughton, Deputy Director, Financial Services, Orange County NC

From: Patrick Abele, Assistant Superintendent for Support Services

Re: 2020-2021 DPI Facility Needs Survey

Enclosed is the DPI Facility Needs Survey for the Chapel Hill-Carrboro City Schools that was approved by the Board of Education on April 8, 2021. The district is required to submit the survey report to the Board of County Commissioners prior to submission of the report to the State Board of Education. This does not constitute endorsement of or commitment to fund the Facility Needs Survey by the BOCC.

Background: Every 5 years, local boards of education are required by NCGS to submit a Facility Needs Assessment to the State Board of Education. This long range plan, developed by the State, is used as a uniform reporting system and can assist local units in preparing their capital needs. The survey's software includes a list of all district schools and requires information to be input regarding each school's, size, age, capacity, energy use, and general condition. Additionally, the district is asked to project the need for new schools and capital projects required at existing schools. The survey specifies construction costs associated with different aspects of work. As an example, new construction is calculated at $260 per sf while current local market estimates are somewhat higher at $300 per sf.

District Survey: In completing the survey, data was utilized from the most recent (2014) Facilities Assessment of the District's Nine Oldest Facilities. The assessment's scopes of work and budget costs for seven of the nine facilities schools have been input into the state survey, along with other items in the CIP. Work on Chapel Hill High has been completed, and the survey does not include a mechanism for reporting on the needs of Lincoln Center.

The resulting school need summaries reflect the fact that over the next ten years many of these schools will be 25-37 years old. Buildings of this age normally incur large capital investments in infrastructure replacements.

The survey's costs are summarized in two reports. “Cost Summary 0-5 Years” totals $362.7 million, and “Cost Summary 6-10 Years” totals $9.1 million, representing a ten-year cost of $371.8 million. Cost Summary Reports varied widely from the costs in the CIP and Facilities Assessment, reflecting the difference between costs as calculated by the state and in the Facilities Assessment. Costs as tabulated in the Facilities Assessment were added to the reports as notes, but are not included in the final reports.

This ten-year cost can be broken down as follows: Seven oldest schools: $ 331.1 million, Seven other district schools: $ 31.6 million. Middle School # 5 was not included in the report because the need is not projected by Orange County SAPFO during the next ten years.

The process to file the State survey includes approval by the Board of Education, co-signed by the Chair of the Orange County Commissioners. The County Manger is aware that the report will be sent and that it must be returned to the State DPI office.

This report does not reflect the new Deferred Maintenance capital improvement allocation by the Board of County Commissioners for $17,997,000. Projects completed using the above supplemental funding will be reflected in the 2025 DPI Facility Needs Survey.

Attachment 2

2020-21 DPI Facility Needs Survey

Chapel Hill Carrboro Schools Long Range Plan

Administrative Unit: Chapel Hill Carrboro Schools (Unit 681)

I. Certification of Board of Education

The Chapel Hill Carrboro Schools Board of Education hereby submits its Facility Needs Survey dated 3/31/2021 listing all improvements and additional facilities needed to accomodate projected enrollments through the 2020-21 school year and improvements to existing facilities to provide safe, comfortable environments that support the educational programs.

We do hereby certify that the needs identified herein are a true representation of our situation. Alternatives were considered and this plan provides the best balance between cost and benefit to our students. We understand that costs have been standardized to statewide averages to provide uniform comparisons.

Lia Deriso, Chairman — 4/11/2021 Date

NdHamlett, Secretary, Ex-officio — 4/9/2021 Date

2. Certification of Board of County Commissioners

The Orange County Board of Commissioners has received and reviewed a copy of this survey prior to submission to the State Board of Education. This does not necessarily constitute endorsement of or committment to fund the Facility Needs Survey.

_____, Chairman _____ Date

_____, County Manager or Clerk _____ Date

2020-21 DPI Facility Needs Survey

Capacity Summary
0 to 5 Years

Chapel Hill Carrboro Schools Capacity Summary & Plan (0 to 5 years)

UNIT: 681			ADM 2019-20	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
681	300	Northside Elementary	466	36	516	0	0	516	0	0	None Needed	36	516	0	0	516
681	304	Carrboro Elementary	513	54	464	0	0	464	1	0	Addition/Renovation	54	637	0	0	637
681	305	Carrboro High	855	0	0	0	800	800	0	0	Renovations	0	0	0	800	800
681	308	Chapel Hill High	1,499	0	0	0	1,620	1,620	14	0	Renovations	0	0	0	1,620	1,620
681	309	McDougle Middle	693	0	0	732	0	732	2	1	Addition/Renovation	0	0	732	0	732
681	310	Seawell Elementary	518	0	377	0	0	377	6	0	Addition/Renovation	54	637	0	0	637
681	311	Ephesus Elementary	393	0	400	0	0	400	7	2	Addition/Renovation	54	637	0	0	637
681	312	Estes Hills Elementary	441	0	440	0	0	440	2	0	Addition/Renovation	54	637	0	0	637
681	314	East Chapel Hill High	1,509	0	0	0	1,515	1,515	8	8	Renovations	0	0	0	1,515	1,515
681	316	FPG Elementary	583	36	449	0	0	449	2	0	Addition/Renovation	54	516	0	0	516
681	320	Glenwood Elementary	456	0	379	0	0	379	5	4	Addition/Renovation	36	516	0	0	516
681	322	Culbreth Middle	801	0	0	774	0	774	0	0	Addition/Renovation	0	0	774	0	774
681	324	Phillips Middle	754	0	0	706	0	706	0	0	Addition/Renovation	0	0	706	0	706
681	326	McDougle Elementary	552	18	500	0	0	500	2	0	Renovations	18	500	0	0	500
681	330	Scroggs Elementary	428	36	490	0	0	490	2	0	Addition/Renovation	36	490	0	0	490
681	332	Morris Grove Elementar	550	18	516	0	0	516	0	0	None Needed	18	516	0	0	516
681	334	Rashkis Elementary	486	36	516	0	0	516	0	0	None Needed	36	516	0	0	516
681	336	Smith Middle	799	0	0	732	0	732	0	0	Renovations	0	0	732	0	732
681	338	Phoenix Academy High	28	0	0	0	50	50	1	1	None Needed	0	0	0	50	50
		Totals:	**12,324**	**234**	**5,047**	**2,944**	**3,985**	**11,976**	**52**	**16**	**450**	**6,118**	**2,944**	**3,985**	**13,047**	

	K-5	Middle	High	K-12
Current Capacity:	5,047	2,944	3,985	11,976
ADM 2019-20:	5,386	3,047	3,891	12,324
Difference:	(339)	(103)	94	(348)

	K-5	Middle	High	K-12
Total Capacity:	6,118	2,944	3,985	13,047
Proj Enrollment 2024-25:	4,875	2,815	4,174	11,864
Difference:	1,243	129	(189)	1,183

2020-21 DPI Facility Needs Survey

Capacity Summary
6 to 10 Years

Chapel Hill Carrboro Schools Capacity Summary & Plan (6 to 10 years)

UNIT: 681			ADM 2019-20	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
681	300	Northside Elementary	466	36	516	0	0	516	0	0	None Needed	36	516	0	0	516
681	304	Carrboro Elementary	513	54	464	0	0	464	0	1	None Needed	54	637	0	0	637
681	305	Carrboro High	855	0	0	0	800	800	0	0	Renovations	0	0	0	800	800
681	308	Chapel Hill High	1,499	0	0	0	1,620	1,620	0	14	None Needed	0	0	0	1,620	1,620
681	309	McDougle Middle	693	0	0	732	0	732	1	2	None Needed	0	0	732	0	732
681	310	Seawell Elementary	518	0	377	0	0	377	0	6	None Needed	54	637	0	0	637
681	311	Ephesus Elementary	393	0	400	0	0	400	2	7	None Needed	54	637	0	0	637
681	312	Estes Hills Elementary	441	0	440	0	0	440	0	2	None Needed	54	637	0	0	637
681	314	East Chapel Hill High	1,509	0	0	0	1,515	1,515	8	8	Renovations	0	0	0	1,515	1,515
681	316	FPG Elementary	583	36	449	0	0	449	0	2	None Needed	54	516	0	0	516
681	320	Glenwood Elementary	456	0	379	0	0	379	4	5	None Needed	36	516	0	0	516
681	322	Culbreth Middle	801	0	0	774	0	774	0	0	Renovations	0	0	774	0	774
681	324	Phillips Middle	754	0	0	706	0	706	0	0	None Needed	0	0	706	0	706
681	326	McDougle Elementary	552	18	500	0	0	500	0	2	None Needed	18	500	0	0	500
681	330	Scroggs Elementary	428	36	490	0	0	490	0	2	None Needed	36	490	0	0	490
681	332	Morris Grove Elementar	550	18	516	0	0	516	0	0	Renovations	18	516	0	0	516
681	334	Rashkis Elementary	486	36	516	0	0	516	0	0	Addition/Renovation	36	516	0	0	516
681	336	Smith Middle	799	0	0	732	0	732	0	0	Renovations	0	0	732	0	732
681	338	Phoenix Academy High	28	0	0	0	50	50	1	1	None Needed	0	0	0	50	50
		Totals:	**12,324**	**234**	**5,047**	**2,944**	**3,985**	**11,976**	**52**	**16**		**450**	**6,118**	**2,944**	**3,985**	**13,047**

	K-5	Middle	High	K-12
Current Capacity:	5,047	2,944	3,985	11,976
ADM 2019-20:	5,386	3,047	3,891	12,324
Difference:	(339)	(103)	94	(348)

	K-5	Middle	High	K-12
Total Capacity:	6,118	2,944	3,985	13,047
Proj Enrollment 2029-30:	5,097	2,530	3,800	11,427
Difference:	1,021	414	185	1,620

2020-21 DPI Facility Needs Survey

ADM

Chapel Hill Carrboro Schools — Average Daily Membership

UNIT: 681

	Name	2019-20 Average Daily Membership * Elem	Middle	High	Total
300	Northside Elementary	466	0	0	466
304	Carrboro Elementary	513	0	0	513
305	Carrboro High	0	0	855	855
308	Chapel Hill High	0	0	1,499	1,499
309	McDougle Middle	0	693	0	693
310	Seawell Elementary	518	0	0	518
311	Ephesus Elementary	393	0	0	393
312	Estes Hills Elementary	441	0	0	441
314	East Chapel Hill High	0	0	1,509	1,509
316	FPG Elementary	583	0	0	583
320	Glenwood Elementary	456	0	0	456
322	Culbreth Middle	0	801	0	801
324	Phillips Middle	0	754	0	754
326	McDougle Elementary	552	0	0	552
330	Scroggs Elementary	428	0	0	428
332	Morris Grove Elementary	550	0	0	550
334	Rashkis Elementary	486	0	0	486
336	Smith Middle	0	799	0	799
338	Phoenix Academy High	0	0	28	28
	Total:	**5,386**	**3,047**	**3,891**	**12,324**
	2024-25 Projected:	4,875	2,815	4,174	11,864

* ADM is based on NCDPI data for 5th Month 2019-20

2020-21 DPI Facility Needs Survey

Projected ADM by Year and Grade

Chapel Hill Carrboro Schools — Average Daily Membership

unit	year	K	1	2	3	4	5	6	7	8	9	10	11	12
681	2020-2021	795	858	870	836	956	932	970	1,031	1,030	1,083	1,001	939	978
681	2021-2022	751	807	864	886	857	954	949	992	1,041	1,110	1,073	940	911
681	2022-2023	784	762	813	880	908	855	971	971	1,002	1,122	1,100	1,008	912
681	2023-2024	758	796	767	828	902	906	870	993	981	1,080	1,112	1,033	978
681	2024-2025	774	769	802	781	849	900	922	890	1,003	1,058	1,070	1,044	1,002
681	2025-2026	812	786	774	816	801	847	916	943	899	1,081	1,048	1,005	1,013
681	2026-2027	822	824	792	788	836	799	862	937	952	969	1,071	984	975
681	2027-2028	831	834	830	806	808	834	813	882	946	1,026	960	1,006	954
681	2028-2029	840	843	840	845	826	806	849	832	891	1,020	1,017	901	976
681	2029-2030	850	853	849	855	866	824	821	869	840	960	1,011	955	874

2020-21 DPI Facility Needs Survey

Cost Summary
0 to 5 Years

Chapel Hill Carrboro Schools Cost Summary (0 to 5 years)

Unit: 681		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
304	Carrboro Elementary	1	27,031,353	20,810,476	4,969,111	1,827,734	0	$54,638,674
305	Carrboro High	2	0	0	601,856	0	0	$601,856
308	Chapel Hill High	2	0	0	118,500	0	0	$118,500
309	McDougle Middle	1	0	0	12,034,297	0	0	$12,034,297
310	Seawell Elementary	1	27,049,602	24,184,208	1,556,526	2,102,167	0	$54,892,503
311	Ephesus Elementary	1	0	13,794,846	4,749,851	1,214,666	0	$19,759,363
312	Estes Hills Elementary	1	26,957,692	24,718,168	3,379,819	2,146,324	0	$57,202,003
314	East Chapel Hill High	2	0	0	9,564,994	0	0	$9,564,994
316	FPG Elementary	2	0	15,360,229	5,883,859	1,398,414	0	$22,642,502
320	Glenwood Elementary	1	26,883,315	22,690,170	747,859	1,969,623	0	$52,290,967
322	Culbreth Middle	2	0	2,278,125	12,240,330	357,750	0	$14,876,205
324	Phillips Middle	2	40,274,077	5,880,530	8,065,756	503,277	0	$54,723,640
326	McDougle Elementary	1	0	0	3,969,750	0	0	$3,969,750
330	Scroggs Elementary	2	0	0	2,932,282	0	0	$2,932,282
336	Smith Middle	1	0	0	2,477,610	0	0	$2,477,610
		Totals:	**148,196,039**	**129,716,752**	**73,292,400**	**11,519,955**	**0**	**$362,725,146**

2020-21 DPI Facility Needs Survey

Cost Summary
6 to 10 Years

Chapel Hill Carrboro Schools Cost Summary (6 - 10 years)

Unit: 681		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
305	Carrboro High	4	0	0	3,288,375	0	0	$3,288,375
314	East Chapel Hill High	4	0	0	2,903,250	0	0	$2,903,250
322	Culbreth Middle	3	0	0	639,900	0	0	$639,900
332	Morris Grove Elementary	4	0	0	770,250	0	0	$770,250
334	Rashkis Elementary	4	0	0	639,900	0	0	$639,900
336	Smith Middle	3	0	0	888,750	0	0	$888,750
	Totals:		**0**	**0**	**9,130,425**	**0**	**0**	**$9,130,425**

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Admin Building	1957	15821	Poor	Unsatisfactory
Elementary	1957	9019	Poor	Unsatisfactory
Primary Wing/300 Wing	1964	19101	Poor	Unsatisfactory
Multipurpose Building	1990	16891	Fair	Partial Compliance

School Total Area	SF	60832	*Enter the total square feet area of school.*
School Site Acreage	Acreage	21	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
76546	6175	14230	0	0

ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
942	8071	1021000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	1
Mega-module	
Total from Above	1

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms	3	54

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	4			72		
Grade 1	4			64		
Grades 2-3	8			136		
Grades 4-5	7			182		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	1			10		
Resource	1					
4+ Computers in each room?	☑ Yes?					
Computer Rooms						

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

Scroll Down

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**464**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**464**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	2,615		sq.ft. / 4 =	654
Media Support Area:	(•) Sm ( ) OK ( ) Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	2,081		sq.ft. / 4 =	520
Kitchen Area:	(•) Small ( ) OK ( ) Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			520

Auditorium	Facilities
Auditorium:	☑ Yes?
# of Seats:	490
Admin/Guidance Area:	( ) Small (•) OK ( ) Good

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1972	41127	Poor	Unsatisfactory
Addition 2	1991	25825	Poor	Unsatisfactory

School Total Area	SF	66952	*Enter the total square feet area of school.*
School Site Acreage	Acreage	13	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
52321	15157	7577	0	0

UTILITY CONSUMPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
634	26380	307000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	7
Mega-module	
Total from Above	7

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations	2	
Total Teaching Stations		
Total from Above	2	40

Total from Capacity and Needs Plan	2

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

Academic	Classrooms/Spaces			Capacity		
	Elem	Middle	High	Elem	Middle	High
Kindergartens	3			54		
Grade 1	3			48		
Grades 2-3	6			102		
Grades 4-5	6			156		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	4			40		
Resource						
4+ Computers in each room?	☑ Yes?					
Computer Rooms						

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**400**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**400**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	2,334		sq.ft. / 4 =	584
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	2,010		sq.ft. / 4 =	502
Kitchen Area:	◉ Small ○ OK ○ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			58

Auditorium	Facilities
Auditorium:	☐ Yes?
# of Seats:	
Admin/Guidance Area:	○ Small ○ OK ◉ Good

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1958	26137	Poor	Unsatisfactory
Classroom Wing	1962	13432	Poor	Unsatisfactory
Multipurpose Building	1986	12930	Fair	Partial Compliance
Classroom Addition	1998	3800	Good	In Compliance

School Total Area	SF	56299	***Enter the total square feet area of school.***
School Site Acreage	Acreage	10	***Enter the total site acreage of school.***

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
55150	5975	7239	0	0

UTILITY CONSUMPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
627	10251	423000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	2
Mega-module	
Total from Above	2

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	3			54		
Grade 1	3			48		
Grades 2-3	5			85		
Grades 4-5	11			286		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	1			10		
Resource	2					
4+ Computers in each room?	☑ Yes?					
Computer Rooms						

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

Scroll Down

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**483**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**440**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	2,277		sq.ft. / 4 =	569
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	1,920		sq.ft. / 4 =	480
Kitchen Area:	◉ Small ○ OK ○ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			

Auditorium	Facilities	
Auditorium:	☐ Yes?	
# of Seats:		
Admin/Guidance Area:	◉ Small ○ OK ○ Good	

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building (Primary, A	1963	42782	Poor	Unsatisfactory
Multipurpose Building	1978	6041	Poor	Unsatisfactory
Media Building	1990	14718	Fair	Partial Compliance
Primary Additions	2006	3148	Poor	Partial Compliance

School Total Area	SF	66689	*Enter the total square feet area of school.*
School Site Acreage	Acreage	11	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
61130	17278	4362	0	0
UTILITY CONSUMPTION			**SOLAR ENERGY CONSUMPTION**	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
717	35208	201000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	2
Double Wide	
Mega-module	
Total from Above	2

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms	2	36

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	4			72		
Grade 1	4			64		
Grades 2-3	8			136		
Grades 4-5	7			182		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	2			20		
Resource						
4+ Computers in each room?	☑ Yes?					
Computer Rooms						

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**474**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**449**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	1,849		sq.ft. / 4 =	462
Media Support Area:	○ Sm	○ OK ◉ Good		

Dining and Kitchen	Facilities		Capacity	
Dining Area	1,710		sq.ft. / 4 =	428
Kitchen Area:	◉ Small	○ OK ○ Good		
# of Serving Lines:	1			
	Minimum Core Capacity:			428

Auditorium	Facilities	
Auditorium:	☐ Yes?	
# of Seats:		
Admin/Guidance Area:	◉ Small	○ OK ○ Good

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/31/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1952	18489	Poor	Unsatisfactory
Classroom Addition	1954	7471	Poor	Unsatisfactory
Primary Addition	1959	11640	Poor	Unsatisfactory
Multipurpose Addition	1986	12200	Fair	Partial Compliance
Media Center Addition	1996	964	Fair	Partial Compliance

School Total Area	SF	51722	*Enter the total square feet area of school.*
School Site Acreage	Acreage	10	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
44406	5497	8425	0	0

UTILITY CONSUMPTION			SOLAR ENERGY GENERATION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
529	10,310	513000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	5
Mega-module	
Total from Above	**5**

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations	4	
Total Teaching Stations		
Total from Above	4	80

Total from Capacity and Needs Plan	4

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	3			54		
Grade 1	3			48		
Grades 2-3	5			85		
Grades 4-5	7			182		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	1			10		
Resource						
4+ Computers in each room?	☑ Yes?					
Computer Rooms						
Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					
Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

Scroll Down

2020-21 DPI Facility Needs Survey — Capacity Calculator

Sample

3/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				379	0	0
Capacity Totals (sum from Capacity Plan form):				379	0	0

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	1,696		sq.ft. / 4 =	424
Media Support Area:	◉ Sm ○ OK ○ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	1,941		sq.ft. / 4 =	485
Kitchen Area:	◉ Small ○ OK ○ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			424

Auditorium	Facilities
Auditorium:	☐ Yes?
# of Seats:	
Admin/Guidance Area:	◉ Small ○ OK ○ Good

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/31/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1996	98000	Good	In Compliance

School Total Area	SF	98000	*Enter the total square feet area of school.*
School Site Acreage	Acreage	12	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
234	0	0	0	0

UTILITY CONSUMPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
.013				

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	2
Mega-module	
Total from Above	2

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Date: 3/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms	1	18

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	4			72		
Grade 1	4			64		
Grades 2-3	8			136		
Grades 4-5	8			208		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	2			20		
Resource						
4+ Computers in each room?	☑ Yes?					
Computer Rooms						
Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					
Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

Scroll Down

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**500**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**500**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	3,032		sq.ft. / 4 =	758
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	588		sq.ft. / 4 =	147
Kitchen Area:	◉ Small ○ OK ○ Good			
# of Serving Lines:	2			
	Minimum Core Capacity:			

Consider adding a new cafeteria

Auditorium	Facilities	
Auditorium:	☐ **Yes?**	
# of Seats:		
Admin/Guidance Area:	○ Small ◉ OK ○ Good	

2020-21 DPI Facility Needs Survey — Capacity Calculator

[redacted] School [redacted] Date: 03/31/2021

General Building Information

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

Building Construction History

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	2008	90221	Excellent	In Compliance

School Total Area	SF	90221	*Enter the total square feet area of school.*
School Site Acreage	Acreage	19	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
72195	5389	8778	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
988	7,916	531000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms	1	18

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	4			72		
Grade 1	5			80		
Grades 2-3	8			136		
Grades 4-5	8			208		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	2			20		
Resource						
4+ Computers in each room?	☑ Yes?					
Computer Rooms						

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**516**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**516**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

[redacted] 03/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	3,240		sq.ft. / 4 =	810
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,150		sq.ft. / 4 =	788
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			788

Auditorium	Facilities	
Auditorium:	☐ Yes?	
# of Seats:		
Admin/Guidance Area:	○ Small ○ OK ◉ Good	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Date: 03/31/2021

General Building Information

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building Construction History

Building	Year Built	SF Area	Condition	Accessibility
Original Building	2013	97423	Excellent	In Compliance

School Total Area	SF	97423	*Enter the total square feet area of school.*
School Site Acreage	Acreage	8	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
81892	19070	29476	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1081	48,121	2050000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms	2	36

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	4			72		
Grade 1	5			80		
Grades 2-3	8			136		
Grades 4-5	8			208		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	2			20		
Resource						
4+ Computers in each room?	☑ Yes?					
Computer Rooms						
Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					
Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

Scroll Down

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**516**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**516**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	3,031		sq.ft. / 4 =	758
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,180		sq.ft. / 4 =	795
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			758

Auditorium	Facilities
Auditorium:	☐ Yes?
# of Seats:	
Admin/Guidance Area:	○ Small ○ OK ◉ Good

2020-21 DPI Facility Needs Survey — Capacity Calculator

Reedsburg Elementary | 03/31/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	2003	95729	Excellent	In Compliance

School Total Area	SF	95729	*Enter the total square feet area of school.*
School Site Acreage	Acreage	22	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
83973	16319	12101	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1085	38,732	836000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms	2	36

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	4			72		
Grade 1	5			80		
Grades 2-3	8			136		
Grades 4-5	8			208		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	2			20		
Resource						
4+ Computers in each room?	☑ Yes?					
Computer Rooms						

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**516**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**516**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	3,240		sq.ft. / 4 =	810
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,150		sq.ft. / 4 =	788
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			788

Auditorium	Facilities	
Auditorium:	☐ Yes?	
# of Seats:		
Admin/Guidance Area:	○ Small ○ OK ◉ Good	

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/31/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1969	24404	Poor	Unsatisfactory
Classroom Addition	1976	8234	Poor	Unsatisfactory
Lawlor Building	1989	29317	Good	Partial Compliance

School Total Area	SF	61955	*Enter the total square feet area of school.*
School Site Acreage	Acreage	11	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
84439	9028	10102	0	0

UTILITY CONSUMPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1065	17,619	643000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	6
Mega-module	
Total from Above	6

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Date: 3/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	4			72		
Grade 1	4			64		
Grades 2-3	8			136		
Grades 4-5	5			130		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C						
Resource						
4+ Computers in each room?	☑ Yes?					
Computer Rooms						
Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					
Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

Scroll Down

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**402**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**377**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	2,452		sq.ft. / 4 =	613
Media Support Area:	◉ Sm ○ OK ○ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,468		sq.ft. / 4 =	867
Kitchen Area:	◉ Small ○ OK ○ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			613

Auditorium	Facilities	
Auditorium:	☐ Yes?	
# of Seats:		
Admin/Guidance Area:	◉ Small ○ OK ○ Good	

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Main	1969	91734	Poor	Unsatisfactory
Classroom Addition 1	1988	5650	Poor	Partial Compliance
Classroom Addition 2	1989	7414	Poor	Partial Compliance
Auditorium Addition	2001	3260	Good	In Compliance
Science Wing Addition	2014	14409	Excellent	In Compliance

School Total Area	SF	122467	*Enter the total square feet area of school.*
School Site Acreage	Acreage	36	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
75540	13956	15858	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1004	29,940	643000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

County: [redacted] School No.: [redacted] Date: 3/29/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	**Elem**	**Middle**	**High**	**Elem**	**Middle**	**High**
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms		30			780	
Math / Science Classrooms						
Science Labs		6			156	
Science Classrooms					936	
Exception S/C	1				10	
Resource	1					
4+ Computers in each room?	☑ Yes?					
Computer Rooms						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts	1					
Dance / Drama	1					
General Music						
Instrumental Music (Band)		2				
Vocal Music (Chorus)		1				
Subtotal - Arts	5					
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs		1				
Prevocational Labs		2				
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

Scroll Down

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☑	☐			
Gym Seating		672				
Auxilliary Gym		☐	☐			
Health / P.E.		1			(25)	
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				0	921	0
Capacity Totals (sum from Capacity Plan form):				0	774	0

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	4,084		sq.ft. / 4 =	1,021
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,544		sq.ft. / 4 =	886
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	2			
		Minimum Core Capacity:		886

Auditorium	Facilities
Auditorium:	☑ Yes?
# of Seats:	314
Admin/Guidance Area:	○ Small ○ OK ◉ Good

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

General Building Information

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

Building Construction History

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1994	136221	Very Good	In Compliance

School Total Area	SF	136221	*Enter the total square feet area of school.*
School Site Acreage	Acreage	28	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
150468	15795	49109	0	0

UTILITY CONSUMPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
526	81760	3376000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	2
Mega-module	
Total from Above	2

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations	1	
Total Teaching Stations		
Total from Above	1	20

Total from Capacity and Needs Plan	1

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	**Elem**	**Middle**	**High**	**Elem**	**Middle**	**High**
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms		21			546	
Math / Science Classrooms						
Science Labs		6			156	
Science Classrooms					702	
Exception S/C		2			20	
Resource		1				
4+ Computers in each room?		☑ Yes?				
Computer Rooms						

Scroll Down

Arts Education	**Elem**	**Middle**	**High**			
Visual Arts		1				
Dance / Drama		1				
General Music						
Instrumental Music (Band)		1				
Vocal Music (Chorus)		1				
Subtotal - Arts		4				

Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs		1				
Prevocational Labs		2				
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☑	☐			
Gym Seating		300				
Auxilliary Gym		☐	☐			
Health / P.E.					(25)	
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				0	697	0
Capacity Totals (sum from Capacity Plan form):				0	732	0

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	10,000		sq.ft. / 4 =	2,500
Media Support Area:	○ Sm ◉ OK ○ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,581		sq.ft. / 4 =	895
Kitchen Area:	◉ Small ○ OK ○ Good			
# of Serving Lines:	2			
	Minimum Core Capacity:			895

Auditorium	Facilities	
Auditorium:	☐ Yes?	
# of Seats:		
Admin/Guidance Area:	○ Small ◉ OK ○ Good	

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

General Building Information

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

Building Construction History

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1962	83851	Poor	Unsatisfactory
Auditorium Addition	1978	8424	Fair	Unsatisfactory
Media Center Addition	1990	17223	Fair	Partial Compliance

School Total Area	SF	109498	***Enter the total square feet area of school.***
School Site Acreage	Acreage	33	***Enter the total site acreage of school.***

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
85412	5232	18344	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1102	6,987	1111000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Phillips Middle | 6 - 8 | School Number 1525 | Date: 03/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms		23			598	
Math / Science Classrooms						
Science Labs		6			156	
Science Classrooms					754	
Exception S/C		1			10	
Resource		2				
4+ Computers in each room?		☑ Yes?				
Computer Rooms						

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama	1					
General Music						
Instrumental Music (Band)		2				
Vocal Music (Chorus)		1				
Subtotal - Arts	5					

Vocational	Elem	Middle	High			
Keyboarding Labs		1				
Prevocational Labs		2				
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☑	☐			
Gym Seating		704				
Auxilliary Gym		☐	☐			
Health / P.E.					(50)	
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				0	714	0
Capacity Totals (sum from Capacity Plan form):				0	706	0

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	3,613		sq.ft. / 4 =	903
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	2,856		sq.ft. / 4 =	714
Kitchen Area:	◉ Small ○ OK ○ Good			
# of Serving Lines:	2			
	Minimum Core Capacity:			714

Auditorium	Facilities
Auditorium:	☑ Yes?
# of Seats:	297
Admin/Guidance Area:	◉ Small ○ OK ○ Good

2020-21 DPI Facility Needs Survey — Capacity Calculator

Date: 3/29/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	2001	128764	Very Good	In Compliance
UNC Addition	2004	7290	Very Good	In Compliance

School Total Area	SF	136054	*Enter the total square feet area of school.*
School Site Acreage	Acreage	20	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
102990	15988	9507	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1404	24864	627000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms		23			598	
Math / Science Classrooms						
Science Labs		6			156	
Science Classrooms					754	
Exception S/C	1				10	
Resource	2					
4+ Computers in each room?	☑ Yes?					
Computer Rooms						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts	2					
Dance / Drama	1					
General Music						
Instrumental Music (Band)		1				
Vocal Music (Chorus)		1				
Subtotal - Arts	5					
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs		1				
Prevocational Labs		1				
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

Scroll Down

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☑	☐			
Gym Seating		550				
Auxilliary Gym		☐	☐			
Health / P.E.		1			(25)	
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				0	739	0
Capacity Totals (sum from Capacity Plan form):				0	732	0

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	4,300		sq.ft. / 4 =	1,075
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,160		sq.ft. / 4 =	790
Kitchen Area:	○ Small ◉ OK ○ Good			
# of Serving Lines:	3			
	Minimum Core Capacity:			

Auditorium	Facilities
Auditorium:	☑ Yes?
# of Seats:	250
Admin/Guidance Area:	○ Small ○ OK ◉ Good

2020-21 DPI Facility Needs Survey — Capacity Calculator

[redacted] School No: 631305 [redacted] Date: 3/29/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Main	2007	148023	Excellent	In Compliance
Cultural Arts Addition	2011	14897	Excellent	In Compliance
Athletic Fields Building	2012	3056	Excellent	In Compliance

School Total Area	SF	165976	*Enter the total square feet area of school.*
School Site Acreage	Acreage	62	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
73923	24120	35441	0	0

UTILITY CONSUMPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1,512,960	39,260	2168000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	**Elem**	**Middle**	**High**	**Elem**	**Middle**	**High**
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms			25			600
Math / Science Classrooms						
Science Labs			6			144
Science Classrooms						
Exception S/C		2				20
Resource		1				
4+ Computers in each room?		☑ Yes?				
Computer Rooms						

Scroll Down

Arts Education	**Elem**	**Middle**	**High**			
Visual Arts			2			44
Dance / Drama			1			22
General Music						
Instrumental Music (Band)			1			22
Vocal Music (Chorus)			1			22
Subtotal - Arts			5			

Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.			1			20
Service / Marketing			1			15
Technology Labs			2			30
Agri / Trade + Ind			1			15

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☐	☑			50
Gym Seating			1,100			
Auxilliary Gym		☐	☐			
Health / P.E.			1			22
Weight Room		1				
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				0	0	1,026
Capacity Totals (sum from Capacity Plan form):				0	0	800

2020-21 DPI Facility Needs Survey — Capacity Calculator

[redacted] Date: 3/29/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	5,494		sq.ft. / 4 =	1,374
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	5,040		sq.ft. / 4 =	1,260
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	4			
	Minimum Core Capacity:			

Auditorium	Facilities
Auditorium:	☑ Yes?
# of Seats:	483
Admin/Guidance Area:	○ Small ○ OK ◉ Good

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Cultural Arts Addition (B Buil	1977	36766	Fair	Partial Compliance
Building D (Gym, Cafeteria)	1977	64243	Fair	Partial Compliance
New Main A Building	2021	106187	Excellent	In Compliance
New Vocational E Building	2021	8145	Excellent	In Compliance
New C Building	2021	63167	Excellent	In Compliance

School Total Area	SF	278508	*Enter the total square feet area of school.*
School Site Acreage	Acreage	87	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
126114	42076	83978	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1571	68,777	6389000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	14
Mega-module	
Total from Above	**14**

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	**Elem**	**Middle**	**High**	**Elem**	**Middle**	**High**
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms			47			1,128
Math / Science Classrooms						
Science Labs			14			336
Science Classrooms						
Exception S/C		3				30
Resource		3				
4+ Computers in each room?		☑ Yes?				
Computer Rooms						

Scroll Down

Arts Education	**Elem**	**Middle**	**High**			
Visual Arts			3			66
Dance / Drama			2			44
General Music						
Instrumental Music (Band)			1			22
Vocal Music (Chorus)			1			22
Subtotal - Arts			7			

Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.			1			20
Service / Marketing			1			15
Technology Labs			4			60
Agri / Trade + Ind			3			45

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☐	☑			50
Gym Seating			900			
Auxilliary Gym		☐	☑			25
Health / P.E.			1			22
Weight Room		1				
Wrestling		1				
ROTC						
Capacity Totals (sum from the capacity above):				0	0	1,885
Capacity Totals (sum from Capacity Plan form):				0	0	1,620

2020-21 DPI Facility Needs Survey — Capacity Calculator

3/29/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	4,814		sq.ft. / 4 =	1,204
Media Support Area:	○ Sm ○ OK ◉ Good			

Consider an addition to the media center

Dining and Kitchen	Facilities		Capacity	
Dining Area	7,955		sq.ft. / 4 =	1,989
Kitchen Area:	◉ Small ○ OK ○ Good			
# of Serving Lines:	4			
	Minimum Core Capacity:			

Auditorium	Facilities
Auditorium:	☑ Yes?
# of Seats:	764
Admin/Guidance Area:	◉ Small ○ OK ○ Good

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

General Building Information

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building Construction History

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1996	170200	Good	In Compliance
Phase 2 Addition	1999	85748	Good	In Compliance
Athletic Facilities	1999	3921	Good	In Compliance

School Total Area	SF	259869	*Enter the total square feet area of school.*
School Site Acreage	Acreage	75	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
205707	14811	6064748	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
2731	75,450	4528000		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	8
Mega-module	
Total from Above	**8**

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations	8	
Total Teaching Stations		
Total from Above	8	160

Total from Capacity and Needs Plan	8

2020-21 DPI Facility Needs Survey — Capacity Calculator

East Upper High School — School No. 6613 — 03/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms			39			936
Math / Science Classrooms						
Science Labs			12			288
Science Classrooms						
Exception S/C		3				30
Resource		2				
4+ Computers in each room?		☑ Yes?				
Computer Rooms						
Arts Education	Elem	Middle	High			
Visual Arts			3			66
Dance / Drama			1			22
General Music						
Instrumental Music (Band)			1			22
Vocal Music (Chorus)			1			22
Subtotal - Arts			6			
Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.			1			20
Service / Marketing			1			15
Technology Labs			3			45
Agri / Trade + Ind			3			45

Scroll Down

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☐	☑			50
Gym Seating			880			
Auxilliary Gym		☐	☑			25
Health / P.E.			1			22
Weight Room		1				
Wrestling		1				
ROTC						
Capacity Totals (sum from the capacity above):				0	0	1,608
Capacity Totals (sum from Capacity Plan form):				0	0	1,515

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	5,191		sq.ft. / 4 =	1,298
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	7,235		sq.ft. / 4 =	1,809
Kitchen Area:	○ Small ◉ OK ○ Good			
# of Serving Lines:	4			
		Minimum Core Capacity:		

Auditorium	Facilities	
Auditorium:	☑ Yes?	
# of Seats:	500	
Admin/Guidance Area:	○ Small ◉ OK ○ Good	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Preceptor Academy High — School No. 464XXX — 03/31/2021

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	2006	5207	Fair	In Compliance

School Total Area	SF	0	*Enter the total square feet area of school.*
School Site Acreage	Acreage	0	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			SOURCES OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
5527	0	0	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
57				

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	1
Mega-module	
Total from Above	1

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations	1	
Total Teaching Stations		
Total from Above	1	20

Total from Capacity and Needs Plan	1

2020-21 DPI Facility Needs Survey — Capacity Calculator

School Name: [redacted] Date: 03/31/2021

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

Academic	Classrooms/Spaces			Capacity		
	Elem	Middle	High	Elem	Middle	High
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms			4			96
Math / Science Classrooms						
Science Labs			1			24
Science Classrooms						
Exception S/C						
Resource		1				
4+ Computers in each room?		☑ Yes?				
Computer Rooms						

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts						
Dance / Drama						
General Music						
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts						

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

03/31/2021

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				0	0	120
Capacity Totals (sum from Capacity Plan form):				0	0	50

2020-21 DPI Facility Needs Survey — Capacity Calculator

Date: 03/31/2021

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:			sq.ft. / 4 =	
Media Support Area:	○ Sm ○ OK ○ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area			sq.ft. / 4 =	
Kitchen Area:	○ Small ○ OK ○ Good			
# of Serving Lines:				
	Minimum Core Capacity:			

Auditorium	Facilities	
Auditorium:	☐ **Yes?**	
# of Seats:		
Admin/Guidance Area:	◉ Small ○ OK ○ Good	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Carrboro Elementary

Additions

Date: 3 /29/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:	3			3,600	s.f. X $237.50 per sq. ft. =	855,000
Kindergartens:	4			4,800	s.f. X $237.50 per sq. ft. =	1,140,000
Grades 1 Clrms:	4			4,000	s.f. X $225.00 per sq. ft. =	900,000
Grades 2-3 Clrms:	4			4,000	s.f. X $225.00 per sq. ft. =	900,000
Grades 4-5* Clrms:	4			3,400	s.f. X $225.00 per sq. ft. =	765,000
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):	1			1,200	s.f. X $275.00 per sq. ft. =	330,000
Resource:	2			900	s.f. X $237.50 per sq. ft. =	213,750
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:	1			1,200	s.f. X $250.00 per sq. ft. =	300,000
General Music:	1			1,200	s.f. X $250.00 per sq. ft. =	300,000
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☑	☐	☐	**4,200**	s.f. X $325.00 per sq. ft. =	1,365,000
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☑	☐	☐	**3,004**	s.f. X $287.50 per sq. ft. =	863,650
Media Support Area:				**1,200**	s.f. X $275.00 per sq. ft. =	330,000
Dining Area:		☑		**2,548**	s.f. X $375.00 per sq. ft. =	955,500
Kitchen Area:				**1,938**	s.f. X $375.00 per sq. ft. =	726,750
# of Serving Lines:	2			640	s.f. X $300.00 per sq. ft. =	192,000
Auditorium:		☐				
Admin/Guidance Area:				**2,403**	s.f. X $250.00 per sq. ft. =	600,750
Other/misc. Area:				**11,383**	s.f. X $250.00 per sq. ft. =	2,845,750
Subtotals:				51,616	s.f.	13,583,150
Bldg. Support/Circulation:				18,066	s.f. X $250.00 per sq. ft. =	4,516,500
Total Area (s.f.) Added:				**69,682**	Const. Cost ($259.75/s.f.):	**$18,099,650**
Demolition of Existing Buildings:				**27,592**	s.f. X $16.25 per sq. ft. =	448,370
Contingency:					(5% of Const. Cost)	904,983
Admin. and Design Fees:					(7.5% of Const. Cost)	1,357,474
					Total for Additions:	**$20,810,476**

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Carrboro Elementary

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$	654,900	Parking, lane configuration	654,900
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$	231,800	Stormwater Management	231,800
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	37,750	Sidewalks, landscaping, fencing	37,750
Building/ Exterior/ Structure			
Roof Replacement:	49,537	s.f. X $25.15 per sq. ft. =	1,245,955
Structural Repairs:$			
Window Replacement:	75	s.f. X $20.00 per sq. ft. =	1,500
Masonry/ Ext. Wall Repairs:$	254,400	Re-point masonry, soffit repair	254,400
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:	35,000	s.f. X $2.50 per sq. ft. =	87,500
Flooring:	35,000	s.f. X $3.25 per sq. ft. =	113,750
Painting:	35,000	s.f. X $2.50 per sq. ft. =	87,500
Other Bldg/Interior (describe):$	10,700	Replace tackstrips and wall base	10,700
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$	151,200	Renovate existing bathrooms, add new	151,200
Other Plbg/HVAC/Elec.(describe):$	108,704	Relocate IT racks	108,704
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$	605,400	Energy efficiency	605,400
ADA Ramps/H.C. Access:$	46,380	Ramp, hand rails, door hardware, grab bars	46,380
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:	60,832	s.f. X $1.79 per sq. ft. =	108,704
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$	20,000		20,000
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	427,200	Chillers, boilers	427,200
2.$			
3.$			
		Subtotal:	**4,193,343**
		Contingency (10% of renovation cost):	419,334
		Admin. and Design Fees (8.5% of renovation cost):	356,434
		Total Renovation Cost:	**$4,969,111**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Carrboro Elementary

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:		$17,236,000 x 0.094. =	**1,620,184**
Kitchen Equipment:	☑	Included for new cafeteria	**153,700**
Media Center Furnishings*:	☑	Included for new media center	**53,850**
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	**$1,827,734**

Total Cost of Additions and Renovations: $27,607,321

Notes/Comments:

2014 Facilities Needs Survey by Moseley Architects had a cost of $540,000 for the renovation and $20,904,600 for the addition. Total + contingency=$33,344,752

Justifications

Why are these improvements needed?

1. Replace obsolete facilities
2. Building Code / Life Safety

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Dependent on sucessful 2024 School Bond

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Ephesus Elementary

Additions

Date: 3 /30/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:	2			2,400	s.f. X $237.50 per sq. ft. =	570,000
Kindergartens:	2			2,400	s.f. X $237.50 per sq. ft. =	570,000
Grades 1 Clrms:	2			2,000	s.f. X $225.00 per sq. ft. =	450,000
Grades 2-3 Clrms:	2			2,000	s.f. X $225.00 per sq. ft. =	450,000
Grades 4-5* Clrms:	2			1,700	s.f. X $225.00 per sq. ft. =	382,500
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):	1			1,200	s.f. X $275.00 per sq. ft. =	330,000
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:	1			1,200	s.f. X $250.00 per sq. ft. =	300,000
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☑	☐	☐	**3,004**	s.f. X $287.50 per sq. ft. =	863,650
Media Support Area:				**1,200**	s.f. X $275.00 per sq. ft. =	330,000
Dining Area:		☑		**2,548**	s.f. X $375.00 per sq. ft. =	955,500
Kitchen Area:				**1,938**	s.f. X $375.00 per sq. ft. =	726,750
# of Serving Lines:	2			640	s.f. X $300.00 per sq. ft. =	192,000
Auditorium:			☐			
				Admin/Guidance Area: **7,003**	s.f. X $250.00 per sq. ft. =	1,750,750
				Other/misc. Area: **3,403**	s.f. X $250.00 per sq. ft. =	850,750
				Subtotals: 32,636	s.f.	8,721,900
				Bldg. Support/Circulation: 11,423	s.f. X $250.00 per sq. ft. =	2,855,750
				Total Area (s.f.) Added: **44,059**	Const. Cost ($262.78/s.f.):	**$11,577,650**
				Demolition of Existing Buildings: **47,384**	s.f. X $16.25 per sq. ft. =	769,990
				Contingency:	(5% of Const. Cost)	578,883
				Admin. and Design Fees:	(7.5% of Const. Cost)	868,324
*Base-line Cost/ sq.ft.: $250					**Total for Additions:**	**$13,794,846**

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Ephesus Elementary

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$	30,185	Reconfigure and repair	30,185
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$	180,900	Grading parking area	180,900
Canopy (cov. walk):	460	s.f. X $60.00 per sq. ft. =	27,600
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$	82,200	Window, soffit, and door repair	82,200
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$	800		800
Other Bldg/Exterior (describe):$	678,800	Lighting and signage	678,800
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:	20,000	s.f. X $2.50 per sq. ft. =	50,000
Flooring:	75	s.f. X $16.00 per sq. ft. =	1,200
Painting:	6,600	s.f. X $2.50 per sq. ft. =	16,500
Other Bldg/Interior (describe):$	247,800	Replace skylights and repair water damag	247,800
Plumbing/ HVAC/ Electrical			
Air Conditioning:	66,952	s.f. X $25.00 per sq. ft. =	1,673,800
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$	33,600	Renovate bathroom	33,600
Other Plbg/HVAC/Elec.(describe):$	68,064	Install new panelboards & gear	68,064
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$	14,400	Replace handrails and guardrails	14,400
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:	117,144	s.f. X $6.09 per sq. ft. =	712,864
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	189,600	Replace chillers/boilers; integrate to system	189,600
2.$			
3.$			
		Subtotal:	**4,008,313**
		Contingency (10% of renovation cost):	400,831
		Admin. and Design Fees (8.5% of renovation cost):	340,707
		Total Renovation Cost:	**$4,749,851**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Ephesus Elementary

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:		$10,714,000 x 0.094. =	1,007,116
Kitchen Equipment:	☐	Included for new cafeteria	153,700
Media Center Furnishings*:	☑	Included for new media center	53,850
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	**$1,214,666**

Total Cost of Additions and Renovations: $19,759,363

Notes/Comments:

2014 Facilities Needs Survey by Moseley Architects for the renovation/reorganization and addition is $11,956,855; total including contingency is $15,543,912.

Justifications

Why are these improvements needed?

1. Air Conditioning / Energy Conservation
2. Building Code / Life Safety

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Dependent on sucessful 2024 School Bond

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Estes Hills Elementary

Additions

Date: 3 /29/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:	2			2,400	s.f. X $237.50 per sq. ft. =	570,000
Kindergartens:	5			6,000	s.f. X $237.50 per sq. ft. =	1,425,000
Grades 1 Clrms:	5			5,000	s.f. X $225.00 per sq. ft. =	1,125,000
Grades 2-3 Clrms:	10			10,000	s.f. X $225.00 per sq. ft. =	2,250,000
Grades 4-5* Clrms:	11			9,350	s.f. X $225.00 per sq. ft. =	2,103,750
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):	2			2,400	s.f. X $275.00 per sq. ft. =	660,000
Resource:	2			900	s.f. X $237.50 per sq. ft. =	213,750
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:	1			1,200	s.f. X $250.00 per sq. ft. =	300,000
General Music:	1			1,200	s.f. X $250.00 per sq. ft. =	300,000
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☑	☐	☐	**4,200**	s.f. X $325.00 per sq. ft. =	1,365,000
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☑	☐	☐	**3,004**	s.f. X $287.50 per sq. ft. =	863,650
Media Support Area:				**1,200**	s.f. X $275.00 per sq. ft. =	330,000
Dining Area:		☑		**2,548**	s.f. X $375.00 per sq. ft. =	955,500
Kitchen Area:				**1,938**	s.f. X $375.00 per sq. ft. =	726,750
# of Serving Lines:	2			640	s.f. X $300.00 per sq. ft. =	192,000
Auditorium:			☐			
Admin/Guidance Area:				**4,303**	s.f. X $250.00 per sq. ft. =	1,075,750
Other/misc. Area:				**6,246**	s.f. X $250.00 per sq. ft. =	1,561,500
Subtotals:				62,529	s.f.	16,017,650
Bldg. Support/Circulation:				21,885	s.f. X $250.00 per sq. ft. =	5,471,250
Total Area (s.f.) Added:				**84,414**	Const. Cost ($254.57/s.f.):	**$21,488,900**
Demolition of Existing Buildings:				**33,425**	s.f. X $16.25 per sq. ft. =	543,156
Contingency:					(5% of Const. Cost)	1,074,445
Admin. and Design Fees:					(7.5% of Const. Cost)	1,611,668
*Base-line Cost/ sq.ft.: $250					**Total for Additions:**	**$24,718,168**

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Estes Hills Elementary

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$	462,000	Bus parking, lane reconfiguration, service drive	462,000
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$	95,000	Storm sewer and erosion repair	95,000
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	71,250	Sidewalks, landscaping, fencing	71,250
Building/ Exterior/ Structure			
Roof Replacement:	4,176	s.f. X $27.39 per sq. ft. =	114,365
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$	248,300	Replacement doors, gutters	248,300
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:	30,200	s.f. X $5.00 per sq. ft. =	151,000
Flooring:	40,000	s.f. X $12.50 per sq. ft. =	500,000
Painting:		s.f.	
Other Bldg/Interior (describe):$	4,400	Repair water damage	4,400
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:	109,378	s.f. X $3.83 per sq. ft. =	418,381
Computer/ Tech. Wiring:		s.f.	
Plumbing:$	20,000	Install new energy efficient gas water heaters	20,000
Other Plbg/HVAC/Elec.(describe):$	370,000	Chillers, boilers, integrate with system	370,000
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$	235,050	ADA Doors, hardware, water fountains	235,050
ADA Ramps/H.C. Access:$	27,000	Access to playground, parking	27,000
ADA Toilet Renovations:$	3,000		3,000
Fire Alarm:$			
Sprinkler System:	109,378	s.f. X $1.01 per sq. ft. =	110,422
Other Code/Safety (describe):$	22,000	Front office security	22,000
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**2,852,168**
		Contingency (10% of renovation cost):	285,217
		Admin. and Design Fees (8.5% of renovation cost):	242,434
		Total Renovation Cost:	**$3,379,819**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Estes Hills Elementary

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:		$20,625,250 x 0.094. =	**1,938,774**
Kitchen Equipment:	☐	Included for new cafeteria	**153,700**
Media Center Furnishings*:	☑	Included for new media center	**53,850**
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	**$2,146,324**

Total Cost of Additions and Renovations: $30,244,311

Notes/Comments:

2014 Facilities Needs Survey by Moseley Architects estimated Renovation, Deconstruction & Addition cost is $28,410,533; total with contingency is $36,933,693

Justifications

Why are these improvements needed?

1. Replace obsolete facilities
2. Building Code / Life Safety

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Dependent on sucessful 2024 School Bond

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

FPG Elementary

Additions

Date: 3 /30/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:	4			4,800	s.f. X $237.50 per sq. ft. =	1,140,000
Kindergartens:	4			4,800	s.f. X $237.50 per sq. ft. =	1,140,000
Grades 1 Clrms:	4			4,000	s.f. X $225.00 per sq. ft. =	900,000
Grades 2-3 Clrms:	8			8,000	s.f. X $225.00 per sq. ft. =	1,800,000
Grades 4-5* Clrms:	8			6,800	s.f. X $225.00 per sq. ft. =	1,530,000
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:	1			1,200	s.f. X $250.00 per sq. ft. =	300,000
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☑		**2,064**	s.f. X $375.00 per sq. ft. =	774,000
Kitchen Area:				**1,518**	s.f. X $375.00 per sq. ft. =	569,250
# of Serving Lines:	1			320	s.f. X $300.00 per sq. ft. =	96,000
Auditorium:			☐			
Admin/Guidance Area:				**3,030**	s.f. X $250.00 per sq. ft. =	757,500
Other/misc. Area:				**3,193**	s.f. X $250.00 per sq. ft. =	798,250
Subtotals:				39,725	s.f.	9,805,000
Bldg. Support/Circulation:				13,904	s.f. X $250.00 per sq. ft. =	3,476,000
Total Area (s.f.) Added:				**53,629**	Const. Cost ($247.65/s.f.):	**$13,281,000**
Demolition of Existing Buildings:				**25,791**	s.f. X $16.25 per sq. ft. =	419,104
Contingency:					(5% of Const. Cost)	664,050
Admin. and Design Fees:					(7.5% of Const. Cost)	996,075
					Total for Additions:	**$15,360,229**

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

FPG Elementary

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$	618,150	Reconfigure and repair	618,150
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$	156,000		156,000
Canopy (cov. walk):	44	s.f. X $60.00 per sq. ft. =	2,640
Other Sitework (describe):$	39,375	Sidewalks and handrails	39,375
Building/ Exterior/ Structure			
Roof Replacement:	9,465	s.f. X $25.71 per sq. ft. =	243,345
Structural Repairs:$	324,000	Enclose/repair 3 exterior staircases	324,000
Window Replacement:	5,724	s.f. X $20.00 per sq. ft. =	114,480
Masonry/ Ext. Wall Repairs:$	4,800		4,800
Other Bldg/Exterior (describe):$	136,400	Signage; misc repairs	136,400
Interior/ Finishes			
Partition/Wall Construction:$	21,946	Replace modular walls with stud walls in classr	21,946
Ceilings:	45,000	s.f. X $6.00 per sq. ft. =	270,000
Flooring:	3,510	s.f. X $16.86 per sq. ft. =	59,180
Painting:		s.f.	
Other Bldg/Interior (describe):$	210,060	Repair water damage, misc	210,060
Plumbing/ HVAC/ Electrical			
Air Conditioning:	66,689	s.f. X $25.00 per sq. ft. =	1,667,225
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$	63,168	Bathroom renovations, music and art room rep	63,168
Other Plbg/HVAC/Elec.(describe):$	65,353	Install new panelboards & gear	65,353
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$	84,600	Enclose "storefront" entrances, doors	84,600
ADA Ramps/H.C. Access:$	84,260	Ramps, pathways, parking, egress	84,260
ADA Toilet Renovations:$	516,500	Replace, add toilets and sinks	516,500
Fire Alarm:$			
Sprinkler System:	96,350	s.f. X $1.42 per sq. ft. =	136,710
Other Code/Safety (describe):$	72,690	ADA signage, door hardware, water fountains	72,690
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	74,400	Chillers and boilers	74,400
2.$			
3.$			
		Subtotal:	**4,965,282**
		Contingency (10% of renovation cost):	496,528
		Admin. and Design Fees (8.5% of renovation cost):	422,049
		Total Renovation Cost:	**$5,883,859**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

FPG Elementary

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:		$13,281,000 x 0.094. =	**1,248,414**
Kitchen Equipment:	☐	Included for new cafeteria	**150,000**
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	**$1,398,414**

Total Cost of Additions and Renovations: $22,642,502

Notes/Comments:

2014 Facilities Needs Survey by Moseley Architects estimated cost for renovation, deconstruction & addition is $19,401,557; total with contingency is $25,222,024

Justifications

Why are these improvements needed?

1. Building Code / Life Safety
2. Replace obsolete facilities

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Dependent on sucessful 2024 School Bond

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Glenwood Elementary

Additions

Date: 3 /29/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:	2			2,400	s.f. X $237.50 per sq. ft. =	570,000
Kindergartens:	5			6,000	s.f. X $237.50 per sq. ft. =	1,425,000
Grades 1 Clrms:	4			4,000	s.f. X $225.00 per sq. ft. =	900,000
Grades 2-3 Clrms:	8			8,000	s.f. X $225.00 per sq. ft. =	1,800,000
Grades 4-5* Clrms:	8			6,800	s.f. X $225.00 per sq. ft. =	1,530,000
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:	4			1,800	s.f. X $237.50 per sq. ft. =	427,500
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☑	☐	☐	**2,671**	s.f. X $287.50 per sq. ft. =	767,913
Media Support Area:				**1,200**	s.f. X $275.00 per sq. ft. =	330,000
Dining Area:		☑		**2,064**	s.f. X $375.00 per sq. ft. =	774,000
Kitchen Area:				**1,518**	s.f. X $375.00 per sq. ft. =	569,250
# of Serving Lines:	1			320	s.f. X $300.00 per sq. ft. =	96,000
Auditorium:		☐				
Admin/Guidance Area:				**7,630**	s.f. X $250.00 per sq. ft. =	1,907,500
Other/misc. Area:				**13,600**	s.f. X $250.00 per sq. ft. =	3,400,000
Subtotals:				58,003	s.f.	14,497,163
Bldg. Support/Circulation:				20,301	s.f. X $250.00 per sq. ft. =	5,075,250
Total Area (s.f.) Added:				**78,304**	Const. Cost ($249.95/s.f.):	**$19,572,413**
Demolition of Existing Buildings:				**41,305**	s.f. X $16.25 per sq. ft. =	671,206
Contingency:					(5% of Const. Cost)	978,621
Admin. and Design Fees:					(7.5% of Const. Cost)	1,467,931
					Total for Additions:	**$22,690,170**

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Glenwood Elementary

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$	223,500	Reconfigure and repair	223,500
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$	26,000	Storm sewer and erosion repair	26,000
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	19,500	Landscaping, pathways	19,500
Building/ Exterior/ Structure			
Roof Replacement:	80	s.f. X $15.00 per sq. ft. =	1,200
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$	7,100	Clean and repair	7,100
Other Bldg/Exterior (describe):$	2,700	Lighting and panel repair	2,700
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:	4,000	s.f. X $5.00 per sq. ft. =	20,000
Flooring:	75	s.f. X $35.00 per sq. ft. =	2,625
Painting:		s.f.	
Other Bldg/Interior (describe):$	11,164	Misc repairs	11,164
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$	40,000	Renovate bathroom	40,000
Other Plbg/HVAC/Elec.(describe):$	97,376	Panelboards, gear, efficiency systems	97,376
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$	74,340	Ramps, hardware, parking	74,340
ADA Toilet Renovations:$	30,000	Multipurpose room	30,000
Fire Alarm:$	14,500		14,500
Sprinkler System:	95,645	s.f. X $0.04 per sq. ft. =	3,600
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	57,500	Mechanical systems integration	57,500
2.$			
3.$			
		Subtotal:	**631,105**
		Contingency (10% of renovation cost):	63,111
		Admin. and Design Fees (8.5% of renovation cost):	53,644
		Total Renovation Cost:	**$747,859**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Glenwood Elementary

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:		$18,804,500 x 0.094 =	**1,767,623**
Kitchen Equipment:	☐	Included for new cafeteria	**150,000**
Media Center Furnishings*:	☑	Included for new media center	**52,000**
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	**$1,969,623**

Total Cost of Additions and Renovations: $25,407,652

Notes/Comments:

2014 Facilities Needs Survey by Moseley Architects estimate forrenovation, deconstruction & addition is $24,631,105; total with contingency is $32,020,437

Justifications

Why are these improvements needed?

1. Replace obsolete facilities
2. Building Code / Life Safety

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Dependent on sucessful 2024 School Bond

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

McDougle Elementary

Additions

Date: 3 /31/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						

*Base-line Cost/ sq.ft.: $250

Total for Additions:

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

McDougle Elementary

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$	**800,000**	Casework repair and replace	800,000
Plumbing/ HVAC/ Electrical			
Air Conditioning:	**98,000**	s.f. X $25.00 per sq. ft. =	2,450,000
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$	**100,000**	Pneumatic conversion	100,000
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**3,350,000**
		Contingency (10% of renovation cost):	335,000
		Admin. and Design Fees (8.5% of renovation cost):	284,750
		Total Renovation Cost:	**$3,969,750**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

McDougle Elementary

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $3,969,750

Notes/Comments:

Justifications

Why are these improvements needed?

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Article 46 Sales Tax, debt financing, lottery funds

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Morris Grove Elementary

Additions

Date: 3 /31/2021

	Elem	Middle	High	Area (sf)		Estimated Cost
Academic Classrooms						
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Morris Grove Elementary

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$	**650,000**	Cooling towers	650,000
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**650,000**
		Contingency (10% of renovation cost):	65,000
		Admin. and Design Fees (8.5% of renovation cost):	55,250
		Total Renovation Cost:	**$770,250**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Morris Grove Elementary

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$770,250**

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Depreciation/ Deferred Maintenance
2.

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Rashkis Elementary

Additions

Date: 3 /30/2021

	Elem	Middle	High	Area (sf)		Estimated Cost
Academic Classrooms						
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
*Base-Line Cost/ sq.ft.: $250					**Total for Additions:**	

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Rashkis Elementary

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$	**540,000**	Chiller	540,000
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**540,000**
		Contingency (10% of renovation cost):	54,000
		Admin. and Design Fees (8.5% of renovation cost):	45,900
		Total Renovation Cost:	**$639,900**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Rashkis Elementary

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$639,900**

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy School Division

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Scroggs Elementary

Additions

Date: 3 /31/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						

*Base-line Cost/ sq.ft.: $250

Total for Additions:

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Scroggs Elementary

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	200,000	Athletic fields	200,000
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:	90,980	s.f. X $25.00 per sq. ft. =	2,274,500
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**2,474,500**
		Contingency (10% of renovation cost):	247,450
		Admin. and Design Fees (8.5% of renovation cost):	210,333
		Total Renovation Cost:	**$2,932,283**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Scroggs Elementary

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $2,932,282

Notes/Comments:

Justifications Why are these improvements needed?

1. Air Conditioning / Energy Conservation
2. Reduced class size

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Article 46 Sales Tax, debt financing, lottery funds

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Seawell Elementary

Additions

Date: 3 /29/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:	2			2,400	s.f. X $237.50 per sq. ft. =	570,000
Kindergartens:	5			6,000	s.f. X $237.50 per sq. ft. =	1,425,000
Grades 1 Clrms:	5			5,000	s.f. X $225.00 per sq. ft. =	1,125,000
Grades 2-3 Clrms:	10			10,000	s.f. X $225.00 per sq. ft. =	2,250,000
Grades 4-5* Clrms:	10			8,500	s.f. X $225.00 per sq. ft. =	1,912,500
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):	4			4,800	s.f. X $275.00 per sq. ft. =	1,320,000
Resource:	2			900	s.f. X $237.50 per sq. ft. =	213,750
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☑	☐	☐	**3,004**	s.f. X $287.50 per sq. ft. =	863,650
Media Support Area:				**1,200**	s.f. X $275.00 per sq. ft. =	330,000
Dining Area:		☑		**3,500**	s.f. X $375.00 per sq. ft. =	1,312,500
Kitchen Area:				**1,938**	s.f. X $375.00 per sq. ft. =	726,750
# of Serving Lines:	2			640	s.f. X $300.00 per sq. ft. =	192,000
Auditorium:			☐			
Admin/Guidance Area:				**4,500**	s.f. X $250.00 per sq. ft. =	1,125,000
Other/misc. Area:				**9,095**	s.f. X $250.00 per sq. ft. =	2,273,750
Subtotals:				61,477	s.f.	15,639,900
Bldg. Support/Circulation:				21,517	s.f. X $250.00 per sq. ft. =	5,379,250
Total Area (s.f.) Added:				**82,994**	Const. Cost ($253.26/s.f.):	**$21,019,150**
Demolition of Existing Buildings:				**33,087**	s.f. X $16.25 per sq. ft. =	537,664
Contingency:					(5% of Const. Cost)	1,050,958
Admin. and Design Fees:					(7.5% of Const. Cost)	1,576,436
*Base-line Cost/ sq.ft.: $250					**Total for Additions:**	**$24,184,208**

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Seawell Elementary

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$	183,000	Lane reconfiguration and crosswalks	183,000
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$	116,400	Storm sewer and downspouts	116,400
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	11,250	Landscape and fencing	11,250
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$	20,000	Structural remediation	20,000
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$	42,000	Repoint and repair	42,000
Other Bldg/Exterior (describe):$	111,480	Misc replace and repair	111,480
Interior/ Finishes			
Partition/Wall Construction:$	6,860	Replace folding partitions with stud walls	6,860
Ceilings:	500	s.f. X $6.00 per sq. ft. =	3,000
Flooring:	1,500	s.f. X $10.00 per sq. ft. =	15,000
Painting:		s.f.	
Other Bldg/Interior (describe):$	179,500	Doors, casework, misc	179,500
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:	28,750	s.f. X $8.00 per sq. ft. =	230,000
Computer/ Tech. Wiring:		s.f.	
Plumbing:$	63,600	Bathroom renovation	63,600
Other Plbg/HVAC/Elec.(describe):$	112,500	Efficiency and integration	112,500
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$	41,200	Railings and parking	41,200
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:	108,537	s.f. X $0.75 per sq. ft. =	81,734
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	96,000	Boilers and chillers	96,000
2.$			
3.$			
		Subtotal:	**1,313,524**
		Contingency (10% of renovation cost):	131,352
		Admin. and Design Fees (8.5% of renovation cost):	111,650
		Total Renovation Cost:	**$1,556,526**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Seawell Elementary

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:		$20,155,500 x 0.094. =	**1,894,617**
Kitchen Equipment:	☐	Included for new cafeteria	**153,700**
Media Center Furnishings*:	☑	Included for new media center	**53,850**
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	**$2,102,167**

Total Cost of Additions and Renovations: $27,842,901

Notes/Comments:

2014 Facilities Needs Survey by Moseley Architects estimated the project (renovation, deconstruction & addition) at $27,085,744. Total with contingency is $35,211,468.

Justifications

Why are these improvements needed?

1. Replace obsolete facilities
2. Building Code / Life Safety

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Dependent on sucessful 2024 School Bond

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Culbreth Middle

Additions

Date: 3 /30/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:				**6,000**	s.f. X $250.00 per sq. ft. =	1,500,000
Subtotals:				6,000	s.f.	1,500,000
Bldg. Support/Circulation:				2,100	s.f. X $250.00 per sq. ft. =	525,000
Total Area (s.f.) Added:				**8,100**	Const. Cost ($250.00/s.f.):	**$2,025,000**
Demolition of Existing Buildings:					s.f.	
Contingency:					(5% of Const. Cost)	101,250
Admin. and Design Fees:					(7.5% of Const. Cost)	151,875
*Base-line Cost/ sq.ft.: $250					**Total for Additions:**	**$2,278,125**

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Culbreth Middle

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$	246,440		246,440
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$	77,000	Storm sewer repair	77,000
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	176,750	Misc landscaping and repair	176,750
Building/ Exterior/ Structure			
Roof Replacement:	105,930	s.f. X $25.14 per sq. ft. =	2,663,010
Structural Repairs:$	294,306	Waterproofing, doors, windows	294,306
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$	186,000		186,000
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$	5,400		5,400
Ceilings:	39,000	s.f. X $6.00 per sq. ft. =	234,000
Flooring:	44,500	s.f. X $16.48 per sq. ft. =	733,500
Painting:		s.f.	
Other Bldg/Interior (describe):$	443,800	Soundproofing, repair water damage	443,800
Plumbing/ HVAC/ Electrical			
Air Conditioning:	122,467	s.f. X $25.00 per sq. ft. =	3,061,675
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$	222,600	Bathroom renovation	222,600
Other Plbg/HVAC/Elec.(describe):$	123,683	Install new panelboards & gear	123,683
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$	470,400		470,400
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:	114,058	s.f. X $6.09 per sq. ft. =	694,348
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$	14,400		14,400
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	682,080	Misc Mechanical	682,080
2.$			
3.$			
		Subtotal:	**10,329,392**
		Contingency (10% of renovation cost):	1,032,939
		Admin. and Design Fees (8.5% of renovation cost):	877,998
		Total Renovation Cost:	**$12,240,330**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Culbreth Middle

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:		$2,025,000 x 0.094. =	**190,350**
Kitchen Equipment:	☑	Check to add kitchen equipment	**167,400**
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	**$357,750**

Total Cost of Additions and Renovations: $14,876,205

Notes/Comments:

2014 Facilities Needs Survey by Moseley Architects estimate for renovation and addition is $19,586,669; with contingency is $25,462,670

Justifications

Why are these improvements needed?

1. Building Code / Life Safety
2. Air Conditioning / Energy Conservation

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Dependent on sucessful 2024 School Bond

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Culbreth Middle

Additions

Date: 3 /31/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Culbreth Middle

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$	**540,000**	Heat pump replacement	540,000
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**540,000**
		Contingency (10% of renovation cost):	54,000
		Admin. and Design Fees (8.5% of renovation cost):	45,900
		Total Renovation Cost:	**$639,900**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Culbreth Middle

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$639,900**

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Depreciation/ Deferred Maintenance
2.

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

McDougle Middle

Additions

Date: 3 /31/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

McDougle Middle

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$	**6,750,000**	Auditorium	6,750,000
Plumbing/ HVAC/ Electrical			
Air Conditioning:	**136,221**	s.f. X $25.00 per sq. ft. =	3,405,525
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**10,155,525**
		Contingency (10% of renovation cost):	1,015,553
		Admin. and Design Fees (8.5% of renovation cost):	863,220
		Total Renovation Cost:	**$12,034,297**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

McDougle Middle

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $12,034,297

Notes/Comments:

Justifications

Why are these improvements needed?

1. Air Conditioning / Energy Conservation
2. Building Code / Life Safety

Funding

Likelihood that County will fund project:

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project?

Article 46 Sales Tax, debt financing, lottery funds

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Phillips Middle

Additions

Date: 3 /29/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:		1		850	s.f. X $225.00 per sq. ft. =	191,250
Math/Sci Clrms:		2		2,000	s.f. X $262.50 per sq. ft. =	525,000
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:	1			1,200	s.f. X $250.00 per sq. ft. =	300,000
General Music:	1			1,200	s.f. X $250.00 per sq. ft. =	300,000
Instrumental Music (band):		1		1,800	s.f. X $300.00 per sq. ft. =	540,000
Vocal Music (chorus):		1		1,000	s.f. X $275.00 per sq. ft. =	275,000
Dance/Drama:	1			1,800	s.f. X $275.00 per sq. ft. =	495,000
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:				11,650	s.f.	2,626,250
Bldg. Support/Circulation:				4,077	s.f. X $250.00 per sq. ft. =	1,019,250
Total Area (s.f.) Added:				**15,727**	Const. Cost ($231.80/s.f.):	**$3,645,500**
Demolition of Existing Buildings:				**109,498**	s.f. X $16.25 per sq. ft. =	1,779,342
Contingency:					(5% of Const. Cost)	182,275
Admin. and Design Fees:					(7.5% of Const. Cost)	273,413
					Total for Additions:	**$5,880,530**

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Phillips Middle

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$	343,620	Repair and reconfigure	343,620
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$	75,000	Storm sewer and regrading	75,000
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:	64,483	s.f. X $25.24 per sq. ft. =	1,627,795
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$	90,600	Repair and replace	90,600
Other Bldg/Exterior (describe):$	122,000	Sidewalks, landscaping, signage, lighting	122,000
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:	35,000	s.f. X $6.00 per sq. ft. =	210,000
Flooring:	40,750	s.f. X $10.83 per sq. ft. =	441,250
Painting:	109,498	s.f. X $0.16 per sq. ft. =	18,000
Other Bldg/Interior (describe):$	463,000	Repair water damage, casework	463,000
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$	109,200	Bathroom renovations	109,200
Other Plbg/HVAC/Elec.(describe):$	891,550	Panelboards, efficiency equipment and system	891,550
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$	487,110	Fireproof doors, security vestibule	487,110
ADA Ramps/H.C. Access:$	159,260	Parking, pathways, interior access	159,260
ADA Toilet Renovations:$	248,800	Bathroom and locker room renovations	248,800
Fire Alarm:$			
Sprinkler System:	124,588	s.f. X $2.55 per sq. ft. =	317,640
Other Code/Safety (describe):$	96,120	ADA Door hardware and signage	96,120
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	453,600	Mechanical systems integration	453,600
2.$	597,000	Add bathrooms to field house, rpeair bleachers	597,000
3.$	55,000	Industrial Arts and Band Room renovations	55,000
		Subtotal:	**6,806,545**
		Contingency (10% of renovation cost):	680,655
		Admin. and Design Fees (8.5% of renovation cost):	578,556
		Total Renovation Cost:	**$8,065,756**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Phillips Middle

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:		$3,645,500 x 0.094. =	**342,677**
Kitchen Equipment:	☑	Check to add kitchen equipment	**160,600**
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	**$503,277**

Total Cost of Additions and Renovations: $14,449,563

Notes/Comments:

2014 Facilities Needs Survey by Moseley Architects estimated the project at $11,427,134; total with contingency is $14,855,274.

Justifications

Why are these improvements needed?

1. Replace obsolete facilities
2. Air Conditioning / Energy Conservation

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Dependent on sucessful 2024 School Bond

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Smith Middle

Additions

Date: 3 /31/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						

*Base-line Cost/ sq.ft.: $250

Total for Additions:

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Smith Middle

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	50,000	Field improvements	50,000
Building/ Exterior/ Structure			
Roof Replacement:	136,054	s.f. X $15.00 per sq. ft. =	2,040,810
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**2,090,810**
		Contingency (10% of renovation cost):	209,081
		Admin. and Design Fees (8.5% of renovation cost):	177,719
		Total Renovation Cost:	**$2,477,610**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Smith Middle

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$2,477,610**

Notes/Comments:

Justifications

Why are these improvements needed?

1. Depreciation/ Deferred Maintenance
2. Building Code / Life Safety

Funding

Likelihood that County will fund project: Very Likely

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Article 46 Sales Tax, debt financing, lottery funds

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Smith Middle

Additions

Date: 3 /31/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Smith Middle

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:	**50,000**	s.f. X $15.00 per sq. ft. =	750,000
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**750,000**
		Contingency (10% of renovation cost):	75,000
		Admin. and Design Fees (8.5% of renovation cost):	63,750
		Total Renovation Cost:	**$888,750**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Smith Middle

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$888,750**

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Depreciation/ Deferred Maintenance
2.

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Carrboro High

Additions

Date:

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						

*Base-line Cost/ sq.ft.: $250

Total for Additions:

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Carrboro High

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	**250,000**	Field improvements	250,000
Building/ Exterior/ Structure			
Roof Replacement:	**17,193**	s.f. X $15.00 per sq. ft. =	257,895
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**507,895**
		Contingency (10% of renovation cost):	50,790
		Admin. and Design Fees (8.5% of renovation cost):	43,171
		Total Renovation Cost:	**$601,856**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Carrboro High

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$601,856**

Notes/Comments:

Justifications

Why are these improvements needed?

1. Building Code / Life Safety
2.

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Article 46 Sales Tax, debt financing, lottery funds

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Carrboro High

Additions

Date: 3 /31/2021

	Elem	Middle	High	Area (sf)		Estimated Cost
Academic Classrooms						
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Carrboro High

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:	**185,000**	s.f. X $15.00 per sq. ft. =	2,775,000
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**2,775,000**
		Contingency (10% of renovation cost):	277,500
		Admin. and Design Fees (8.5% of renovation cost):	235,875
		Total Renovation Cost:	**$3,288,375**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Carrboro High

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $3,288,375

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Depreciation/ Deferred Maintenance
2.

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Chapel Hill High

Additions

Date: 03/31/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						

*Base-line Cost/ sq.ft.: $250

Total for Additions:

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Chapel Hill High

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	100,000	Field improvements	100,000
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**100,000**
		Contingency (10% of renovation cost):	10,000
		Admin. and Design Fees (8.5% of renovation cost):	8,500
		Total Renovation Cost:	**$118,500**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Chapel Hill High

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$118,500**

Notes/Comments:

Justifications

Why are these improvements needed?

1. Building Code / Life Safety
2.

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? None

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

East Chapel Hill High

Additions

Date: 3 /31/2021

	Elem	Middle	High	Area (sf)		Estimated Cost
Academic Classrooms						
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

East Chapel Hill High

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$	75,000	Bus driveway	75,000
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	100,000	Field improvements	100,000
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$	1,400,000	Theater lighting and sound	1,400,000
Plumbing/ HVAC/ Electrical			
Air Conditioning:	259,869	s.f. X $25.00 per sq. ft. =	6,496,725
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**8,071,725**
		Contingency (10% of renovation cost):	807,173
		Admin. and Design Fees (8.5% of renovation cost):	686,097
		Total Renovation Cost:	**$9,564,994**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

East Chapel Hill High

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $9,564,994

Notes/Comments:

Justifications Why are these improvements needed?

1. Air Conditioning / Energy Conservation
2. Building Code / Life Safety

Funding

Likelihood that County will fund project: 50-50 Chance

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project? Article 46 Sales Tax, debt financing, lottery funds

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

East Chapel Hill High

Additions

Date: 3 /31/2021

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

East Chapel Hill High

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$	**200,000**	Field improvements	200,000
Building/ Exterior/ Structure			
Roof Replacement:	**150,000**	s.f. X $15.00 per sq. ft. =	2,250,000
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	**2,450,000**
		Contingency (10% of renovation cost):	245,000
		Admin. and Design Fees (8.5% of renovation cost):	208,250
		Total Renovation Cost:	**$2,903,250**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

East Chapel Hill High

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $2,903,250

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-304 School: Carrboro Elementary

Type: Elementary Grades: PK-05 Current ADM 513

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
Magnet	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
No	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-304 School: Carrboro Elementary

Type: Elementary Grades: 0K-05 Current ADM 513

Special Programs / Facilities Survey (this campus)

Yes	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
Yes	30. Parks and Recreation use?
No	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-304 School: Carrboro Elementary

Type: Elementary Grades: PK-05 Current ADM 513

Campus Infrastructure Survey (this campus)

1957	36. Oldest building on campus - year built?
1990	37. Newest building on campus - year built?
2011	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-311 School: Ephesus Elementary

Type: Elementary Grades: 0K-05 Current ADM 393

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
None	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
No	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-311 School: Ephesus Elementary

Type: Elementary Grades: PK-05 Current ADM 393

Special Programs / Facilities Survey (this campus)

Yes	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
No	30. Parks and Recreation use?
No	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-311 School: Ephesus Elementary

Type: Elementary Grades: PK-05 Current ADM 393

Campus Infrastructure Survey (this campus)

1972	36. Oldest building on campus - year built?
1991	37. Newest building on campus - year built?
2012	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-312 School: Estes Hills Elementary

Type: Elementary Grades: 0K-05 Current ADM * 341

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
None	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
No	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-312 School: Estes Hills Elementary

Type: Elementary Grades: PK-05 Current ADM 441

Special Programs / Facilities Survey (this campus)

Yes	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
No	30. Parks and Recreation use?
No	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-312 School: Estes Hills Elementary

Type: Elementary Grades: PK-05 Current ADM 441

Campus Infrastructure Survey (this campus)

1958	36. Oldest building on campus - year built?
1986	37. Newest building on campus - year built?
2011	38. Year of most recent renovation?
Yes	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-316 School: FPG Elementary

Type: Elementary Grades: PK-05 Current ADM 563

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
Magnet	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
No	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-316 School: FPG Elementary

Type: Elementary Grades: 0K-05 Current ADM 583

Special Programs / Facilities Survey (this campus)

Yes	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
No	30. Parks and Recreation use?
No	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-316 School: FPG Elementary

Type: Elementary Grades: PK-05 Current ADM 583

Campus Infrastructure Survey (this campus)

1963	36. Oldest building on campus - year built?
1990	37. Newest building on campus - year built?
2012	38. Year of most recent renovation?
Yes	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-320 School: Glenwood Elementary

Type: Elementary Grades: PK-05 Current ADM 456

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
Magnet	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-320 School: Glenwood Elementary

Type: Elementary Grades: PK-05 Current ADM 456

Special Programs / Facilities Survey (this campus)

No	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
No	30. Parks and Recreation use?
No	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-320 School: Glenwood Elementary

Type: Elementary Grades: 0K-05 Current ADM 456

Campus Infrastructure Survey (this campus)

1952	36. Oldest building on campus - year built?
1987	37. Newest building on campus - year built?
2016	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-326 School: McDougle Elementary

Type: Elementary Grades: PK-05 Current ADM 552

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
None	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
No	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-326 School: McDougle Elementary

Type: Elementary Grades: PK-05 Current ADM * 552

Special Programs / Facilities Survey (this campus)

Yes	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
No	30. Parks and Recreation use?
Yes	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-326 School: McDougle Elementary

Type: Elementary Grades: PK-05 Current ADM 552

Campus Infrastructure Survey (this campus)

1996	36. Oldest building on campus - year built?
1996	37. Newest building on campus - year built?
1996	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-332 School: Morris Grove Elementary

Type: Elementary Grades: 0K-05 Current ADM 550

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
None	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
No	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-332 School: Morris Grove Elementary

Type: Elementary Grades: PK-05 Current ADM * 550

Special Programs / Facilities Survey (this campus)

No	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
No	30. Parks and Recreation use?
No	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-332 School: Morris Grove Elementary

Type: Elementary Grades: PK-05 Current ADM 550

Campus Infrastructure Survey (this campus)

2008	36. Oldest building on campus - year built?
2008	37. Newest building on campus - year built?
2008	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
permanent	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
Yes	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-300 School: Northside Elementary

Type: Elementary Grades: 0K-05 Current ADM 466

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
None	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
Yes	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-300 School: Northside Elementary

Type: Elementary Grades: PK-05 Current ADM 466

Special Programs / Facilities Survey (this campus)

Yes	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
No	30. Parks and Recreation use?
No	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-300 School: Northside Elementary

Type: Elementary Grades: PK-05 Current ADM 466

Campus Infrastructure Survey (this campus)

2013	36. Oldest building on campus - year built?
2013	37. Newest building on campus - year built?
2013	38. Year of most recent renovation?
Yes	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
permanent	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-334 School: Rashkis Elementary

Type: Elementary Grades: PK-05 Current ADM 486*

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
None	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
No	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-334 School: Rashkis Elementary

Type: Elementary Grades: 0K-05 Current ADM 486

Special Programs / Facilities Survey (this campus)

Yes	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
Yes	30. Parks and Recreation use?
No	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-334 School: Rashkis Elementary

Type: Elementary Grades: 0K-05 Current ADM 986

Campus Infrastructure Survey (this campus)

2006	36. Oldest building on campus - year built?
2006	37. Newest building on campus - year built?
2006	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
permanent	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
Yes	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-330 School: Scroggs Elementary

Type: Elementary Grades: PK-05 Current ADM 428

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
None	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
No	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-330 School: Scroggs Elementary

Type: Elementary Grades: 0K-05 Current ADM 428

Special Programs / Facilities Survey (this campus)

Yes	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
No	30. Parks and Recreation use?
No	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-330 School: Scroggs Elementary

Type: Elementary Grades: PK-05 Current ADM 428

Campus Infrastructure Survey (this campus)

1999	36. Oldest building on campus - year built?
1999	37. Newest building on campus - year built?
1999	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
permanent	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-310 School: Seawell Elementary

Type: Elementary Grades: PK-05 Current ADM 518

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
None	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
Yes	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
No	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
0	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-310 School: Seawell Elementary

Type: Elementary Grades: PK-05 Current ADM 516

Special Programs / Facilities Survey (this campus)

Yes	16. Pre-K? (not child care)
	17. CTE programs?
No	18. Auto body/paint shop?
No	19. Auto repair shop?
No	20. JROTC program?
No	21. Shooting range?
No	22. Greenhouse?
No	23. Swimming pool?
No	24. Fire training facility?
	25. List any other specialty programs and/or facilities.

Shared Campus Usage Survey (this campus)

No	26. Alternative school?
	27. Childcare Facility? (not Pre-K)
No	28. Lunch prepared on this site for transport to other schools?
No	29. Community College use?
Yes	30. Parks and Recreation use?
No	31. Public Library use?
No	32. Community Health Clinic?
No	33. Designation as a storm shelter / emergency shelter?
No	34. Site serves as a regional bus facility?
	35. List any other critical / shared facility services operating under an MOU?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: 681-310 School: Seawell Elementary

Type: Elementary Grades: 0K-05 Current ADM 518

Campus Infrastructure Survey (this campus)

1969	36. Oldest building on campus - year built?
1989	37. Newest building on campus - year built?
1989	38. Year of most recent renovation?
Yes	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
WAN	49. Technology / Broadband service type?
99	50. Percentage of students with reliable home internet connection?
	51. Status of named storm damage repairs, if any?
	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

ORANGE COUNTY SCHOOLS
FIRST CHOICE FOR FAMILIES

To: Mr. Paul Laughton, Deputy Director, Financial Services, Orange County NC

From: Dr. Kathleen A. Dawson, Deputy Superintendent

RE: 2020-2021 DPI Facility Needs Survey

Date: May 6, 2020

Enclosed is the DPI Facility Needs Survey for the Chapel Hill-Carrboro City Schools that was approved by the Board of Education on April 8, 2021. The district is required to submit the survey report to the Board of County Commissioners prior to submission of the report to the State Board of Education. This does not constitute endorsement of or commitment to fund the Facility Needs Survey by the BOCC.

Every 5 years, local boards of education are required by State statute to submit a Facility Needs Assessment to the State Board of Education. This long range plan, developed by the State, is used as a uniform reporting system and can assist local units in preparing their capital needs. The survey's software includes a list of all district schools and requires information to be input regarding each school's size, age, capacity, energy use, and general condition. Additionally, the district is asked to project the need for new schools and capital projects required at existing schools. The survey specifies construction costs associated with different aspects of work. As an example, new construction is calculated at $260 per sf while current local market estimates are somewhat higher at $300 per sf.

In completing the survey, data was utilized from the most recent (2013) Facilities Assessment of the District's Facilities. The assessment's scopes of work and budget costs for the facilities have been input into the state survey, along with other items in the CIP.

The survey's costs are summarized in two reports. “Cost Summary 0-5 Years” totals $77.5 million, and “Cost Summary 6-10 Years” totals $30.2 million, representing a ten-year cost of $107.7 million.

The process to file the State survey includes approval by the Board of Education, co-signed by the Chair of the Orange County Commissioners. The County Manager is aware that the report will be sent and that it must be returned to the State DPI office.

CC: Dr. Monique Felder, Superintendent
Ms. Rhonda Rath, Chief Finance Officer
Mr. Nick Mincey, Director of Facilities & Construction

Attachment 4

2020-21 DPI Facility Needs Survey

Orange County Schools Long Range Plan

Administrative Unit: Orange County Schools (Unit 680)

I. Certification of Board of Education

The Orange County Schools Board of Education hereby submits its Facility Needs Survey dated 4/13/2021 listing all improvements and additional facilities needed to accomodate projected enrollments through the 2020-21 school year and improvements to existing facilities to provide safe, comfortable environments that support the educational programs.

We do hereby certify that the needs identified herein are a true representation of our situation. Alternatives were considered and this plan provides the best balance between cost and benefit to our students. We understand that costs have been standardized to statewide averages to provide uniform comparisons.

_____, Chairman _____Date

_____, Secretary, Ex-officio _____Date

2. Certification of Board of County Commissioners

The Orange County Board of Commissioners has received and reviewed a copy of this survey prior to submission to the State Board of Education. This does not necessarily constitute endorsement of or committment to fund the Facility Needs Survey.

_____, Chairman _____Date

_____, County Manager or Clerk _____Date

2020-21 DPI Facility Needs Survey

ADM

Orange County Schools — Average Daily Membership

UNIT: 680

	Name	2019-20 Average Daily Membership * Elem	Middle	High	Total
304	A L Stanback Middle	0	656	0	656
308	Cameron Park Elementary	605	0	0	605
310	Cedar Ridge High	0	0	1,049	1,049
312	Central Elementary	295	0	0	295
316	Charles W Stanford Middle	0	644	0	644
324	Efland Cheeks Elementary	498	0	0	498
327	Gravelly Hill Middle	0	470	0	470
328	Grady Brown Elementary	437	0	0	437
329	Hillsborough Elementary	444	0	0	444
330	New Hope Elementary	578	0	0	578
332	Orange High	0	0	1,289	1,289
335	Partnership Academy	0	0	36	36
336	Pathways Elementary	380	0	0	380
	Total:	**3,237**	**1,770**	**2,374**	**7,381**
	2024-25 Projected:	3,132	1,709	2,366	7,207

* ADM is based on NCDPI data for 5th Month 2019-20

2020-21 DPI Facility Needs Survey

Projected ADM by Year and Grade

Orange County Schools — Average Daily Membership

unit	year	K	1	2	3	4	5	6	7	8	9	10	11	12
680	2020-2021	489	545	554	551	533	585	523	557	596	703	617	548	546
680	2021-2022	462	505	565	567	560	549	580	524	559	690	640	610	489
680	2022-2023	482	477	524	579	577	577	544	581	526	647	628	633	544
680	2023-2024	466	497	495	537	589	594	572	545	583	609	589	621	565
680	2024-2025	476	481	515	507	546	607	589	573	547	675	554	583	554
680	2025-2026	500	491	499	527	516	562	602	590	575	633	614	548	520
680	2026-2027	506	516	509	511	536	531	557	603	592	666	576	607	489
680	2027-2028	511	522	535	521	520	552	526	558	605	686	606	570	541
680	2028-2029	517	527	541	548	530	536	547	527	560	701	624	599	508
680	2029-2030	523	534	546	554	557	546	531	548	529	648	638	617	534

2020-21 DPI Facility Needs Survey

Capacity Summary
0 to 5 Years

Orange County Schools Capacity Summary & Plan (0 to 5 years)

UNIT: 680			ADM 2019-20	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
680	304	A L Stanback Middle	656	0	0	748	0	748	0	0	Renovations	0	0	748	0	748
680	308	Cameron Park Element	605	0	597	0	0	597	2	0	Renovations	0	597	0	0	597
680	310	Cedar Ridge High	1,049	0	0	0	1,488	1,488	0	0	None Needed	0	0	0	1,488	1,488
680	312	Central Elementary	295	36	435	0	0	435	0	0	Renovations	360	435	0	0	435
680	316	Charles W Stanford Mid	644	0	0	712	0	712	0	0	Renovations	0	0	712	0	712
680	324	Efland Cheeks Element	498	36	587	0	0	587	0	0	Renovations	36	587	0	0	587
680	327	Gravelly Hill Middle	470	0	0	592	0	592	0	0	Renovations	0	0	592	0	592
680	328	Grady Brown Elementar	437	0	507	0	0	507	1	0	Renovations	0	507	0	0	507
680	329	Hillsborough Elementar	444	0	520	0	0	520	0	0	Renovations	0	520	0	0	520
680	330	New Hope Elementary	578	18	630	0	0	630	2	0	Renovations	18	630	0	0	630
680	332	Orange High	1,289	0	0	0	1,403	1,403	0	0	Renovations	0	0	0	1,403	1,403
680	335	Partnership Academy	36	0	0	0	48	48	0	0	Renovations	0	0	0	48	48
680	336	Pathways Elementary	380	72	536	0	0	536	0	0	Renovations	72	536	0	0	536
		Totals:	**7,381**	**162**	**3,812**	**2,052**	**2,939**	**8,803**	**5**	**0**	**486**	**3,812**	**2,052**	**2,939**	**8,803**	

	K-5	Middle	High	K-12
Current Capacity:	3,812	2,052	2,939	8,803
ADM 2019-20:	3,237	1,770	2,374	7,381
Difference:	575	282	565	1,422

	K-5	Middle	High	K-12
Total Capacity:	3,812	2,052	2,939	8,803
Proj Enrollment 2024-25:	3,132	1,709	2,366	7,207
Difference:	680	343	573	1,596

2020-21 DPI Facility Needs Survey

Capacity Summary
6 to 10 Years

Orange County Schools Capacity Summary & Plan (6 to 10 years)

UNIT: 680			ADM 2019-20	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
680	304	A L Stanback Middle	656	0	0	748	0	748	0	0	Renovations	0	0	0	0	0
680	308	Cameron Park Element	605	0	597	0	0	597	0	2	Renovations	0	0	0	0	0
680	310	Cedar Ridge High	1,049	0	0	0	1,488	1,488	0	0	None Needed	0	0	0	0	0
680	312	Central Elementary	295	36	435	0	0	435	0	0	Renovations	0	0	0	0	0
680	316	Charles W Stanford Mid	644	0	0	712	0	712	0	0	Renovations	0	0	0	0	0
680	324	Efland Cheeks Element	498	36	587	0	0	587	0	0	Renovations	0	0	0	0	0
680	327	Gravelly Hill Middle	470	0	0	592	0	592	0	0	Renovations	0	0	0	0	0
680	328	Grady Brown Elementar	437	0	507	0	0	507	0	1	Renovations	0	0	0	0	0
680	329	Hillsborough Elementar	444	0	520	0	0	520	0	0	Renovations	0	0	0	0	0
680	330	New Hope Elementary	578	18	630	0	0	630	0	2	Renovations	0	0	0	0	0
680	332	Orange High	1,289	0	0	0	1,403	1,403	0	0	Renovations	0	0	0	0	0
680	335	Partnership Academy	36	0	0	0	48	48	0	0	Renovations	0	0	0	0	0
680	336	Pathways Elementary	380	72	536	0	0	536	0	0	Renovations	0	0	0	0	0
		Totals:	**7,381**	**162**	**3,812**	**2,052**	**2,939**	**8,803**	**5**	**0**		**0**	**0**	**0**	**0**	**0**

	K-5	Middle	High	K-12
Current Capacity:	3,812	2,052	2,939	8,803
ADM 2019-20:	3,237	1,770	2,374	7,381
Difference:	575	282	565	1,422

	K-5	Middle	High	K-12
Total Capacity:				
Proj Enrollment 2029-30:	3,260	1,608	2,437	7,305
Difference:	(3,260)	(1,608)	(2,437)	(7,305)

2020-21 DPI Facility Needs Survey

Cost Summary
0 to 5 Years

Orange County Schools Cost Summary (0 to 5 years)

Unit: 680		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
304	A L Stanback Middle	1	0	0	5,436,916	0	0	$5,436,916
308	Cameron Park Elementary	1	0	0	13,303,847	0	0	$13,303,847
312	Central Elementary	1	0	0	4,502,408	0	0	$4,502,408
316	Charles W Stanford Middl	2	0	0	3,198,167	0	0	$3,198,167
324	Efland Cheeks Elementar	2	0	0	7,419,962	0	0	$7,419,962
327	Gravelly Hill Middle	2	0	0	3,007,056	0	0	$3,007,056
328	Grady Brown Elementary	2	0	0	5,206,954	0	0	$5,206,954
329	Hillsborough Elementary	2	0	0	20,006,098	0	0	$20,006,098
330	New Hope Elementary	2	0	0	8,264,895	0	0	$8,264,895
332	Orange High	2	0	0	6,581,490	0	0	$6,581,490
336	Pathways Elementary	2	0	0	606,015	0	0	$606,015
		Totals:	**0**	**0**	**77,533,808**	**0**	**0**	**$77,533,808**

2020-21 DPI Facility Needs Survey

Cost Summary
6 to 10 Years

Orange County Schools Cost Summary (6 - 10 years)

Unit: 680		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
308	Cameron Park Elementar	4	0	0	14,295,526	0	0	$14,295,526
312	Central Elementary	4	0	0	4,464,043	0	0	$4,464,043
316	Charles W Stanford Middl	4	0	0	1,023,840	0	0	$1,023,840
324	Efland Cheeks Elementar	4	0	0	3,817,181	0	0	$3,817,181
328	Grady Brown Elementary	4	0	0	3,373,695	0	0	$3,373,695
336	Pathways Elementary	4	0	0	3,217,275	0	0	$3,217,275
	Totals:		**0**	**0**	**30,191,560**	**0**	**0**	**$30,191,560**

2020-21 DPI Facility Needs Survey

Capacity Summary 0 to 5 Years

Orange County Schools — Capacity Summary & Plan (0 to 5 years)

UNIT: 680			ADM 2019-20	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
680	304	A L Stanback Middle	656	0	0	748	0	748	0	0	Renovations	0	0	748	0	748
680	308	Cameron Park Element	605	0	597	0	0	597	2	0	Renovations	0	597	0	0	597
680	310	Cedar Ridge High	1,049	0	0	0	1,488	1,488	0	0	None Needed	0	0	0	1,488	1,488
680	312	Central Elementary	295	36	435	0	0	435	0	0	Renovations	360	435	0	0	435
680	316	Charles W Stanford Mid	644	0	0	712	0	712	0	0	Renovations	0	0	712	0	712
680	324	Efland Cheeks Element	498	36	587	0	0	587	0	0	Renovations	36	587	0	0	587
680	327	Gravelly Hill Middle	470	0	0	592	0	592	0	0	Renovations	0	0	592	0	592
680	328	Grady Brown Elementar	437	0	507	0	0	507	1	0	Renovations	0	507	0	0	507
680	329	Hillsborough Elementar	444	0	520	0	0	520	0	0	Renovations	0	520	0	0	520
680	330	New Hope Elementary	578	18	630	0	0	630	2	0	Renovations	18	630	0	0	630
680	332	Orange High	1,289	0	0	0	1,403	1,403	0	0	Renovations	0	0	0	1,403	1,403
680	335	Partnership Academy	36	0	0	0	48	48	0	0	Renovations	0	0	0	48	48
680	336	Pathways Elementary	380	72	536	0	0	536	0	0	Renovations	72	536	0	0	536
		Totals:	**7,381**	**162**	**3,812**	**2,052**	**2,939**	**8,803**	**5**	**0**	**486**	**3,812**	**2,052**	**2,939**	**8,803**	

	K-5	Middle	High	K-12
Current Capacity:	3,812	2,052	2,939	8,803
ADM 2019-20:	3,237	1,770	2,374	7,381
Difference:	575	282	565	1,422

	K-5	Middle	High	K-12
Total Capacity:	3,812	2,052	2,939	8,803
Proj Enrollment 2024-25:	3,132	1,709	2,366	7,207
Difference:	680	343	573	1,596

2020-21 DPI Facility Needs Survey

Capacity Summary
6 to 10 Years

Orange County Schools — Capacity Summary & Plan (6 to 10 years)

UNIT: 680			ADM 2019-20	Current Capacity					Mobile	Teach Station	Needs	Planned Capacity (future)				
				Pre-K	K-5	Middle	High	K-12				Pre-K	K-5	Middle	High	K-12
680	304	A L Stanback Middle	656	0	0	748	0	748	0	0	Renovations	0	0	0	0	0
680	308	Cameron Park Element	605	0	597	0	0	597	0	2	Renovations	0	0	0	0	0
680	310	Cedar Ridge High	1,049	0	0	0	1,488	1,488	0	0	None Needed	0	0	0	0	0
680	312	Central Elementary	295	36	435	0	0	435	0	0	Renovations	0	0	0	0	0
680	316	Charles W Stanford Mid	644	0	0	712	0	712	0	0	Renovations	0	0	0	0	0
680	324	Efland Cheeks Element	498	36	587	0	0	587	0	0	Renovations	0	0	0	0	0
680	327	Gravelly Hill Middle	470	0	0	592	0	592	0	0	Renovations	0	0	0	0	0
680	328	Grady Brown Elementar	437	0	507	0	0	507	0	1	Renovations	0	0	0	0	0
680	329	Hillsborough Elementar	444	0	520	0	0	520	0	0	Renovations	0	0	0	0	0
680	330	New Hope Elementary	578	18	630	0	0	630	0	2	Renovations	0	0	0	0	0
680	332	Orange High	1,289	0	0	0	1,403	1,403	0	0	Renovations	0	0	0	0	0
680	335	Partnership Academy	36	0	0	0	48	48	0	0	Renovations	0	0	0	0	0
680	336	Pathways Elementary	380	72	536	0	0	536	0	0	Renovations	0	0	0	0	0
		Totals:	**7,381**	**162**	**3,812**	**2,052**	**2,939**	**8,803**	**5**	**0**		**0**	**0**	**0**	**0**	**0**

	K-5	Middle	High	K-12
Current Capacity:	3,812	2,052	2,939	8,803
ADM 2019-20:	3,237	1,770	2,374	7,381
Difference:	575	282	565	1,422

Total Capacity:	K-5	Middle	High	K-12
Proj Enrollment 2029-30:	3,260	1,608	2,437	7,305
Difference:	(3,260)	(1,608)	(2,437)	(7,305)

2020-21 DPI Facility Needs Survey

Cost Summary
0 to 5 Years

Orange County Schools Cost Summary (0 to 5 years)

Unit: 680		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
304	A L Stanback Middle	1	0	0	5,436,916	0	0	$5,436,916
308	Cameron Park Elementary	1	0	0	13,303,847	0	0	$13,303,847
312	Central Elementary	1	0	0	4,502,408	0	0	$4,502,408
316	Charles W Stanford Middl	2	0	0	3,198,167	0	0	$3,198,167
324	Efland Cheeks Elementar	2	0	0	7,419,962	0	0	$7,419,962
327	Gravelly Hill Middle	2	0	0	3,007,056	0	0	$3,007,056
328	Grady Brown Elementary	2	0	0	5,206,954	0	0	$5,206,954
329	Hillsborough Elementary	2	0	0	20,006,098	0	0	$20,006,098
330	New Hope Elementary	2	0	0	8,264,895	0	0	$8,264,895
332	Orange High	2	0	0	6,581,490	0	0	$6,581,490
336	Pathways Elementary	2	0	0	606,015	0	0	$606,015
		Totals:	**0**	**0**	**77,533,808**	**0**	**0**	**$77,533,808**

2020-21 DPI Facility Needs Survey

Cost Summary
6 to 10 Years

Orange County Schools Cost Summary (6 - 10 years)

Unit: 680		Priority	New School	Additions	Renovations	Furn/Eqpt	Land	Total
308	Cameron Park Elementar	4	0	0	14,295,526	0	0	$14,295,526
312	Central Elementary	4	0	0	4,464,043	0	0	$4,464,043
316	Charles W Stanford Middl	4	0	0	1,023,840	0	0	$1,023,840
324	Efland Cheeks Elementar	4	0	0	3,817,181	0	0	$3,817,181
328	Grady Brown Elementary	4	0	0	3,373,695	0	0	$3,373,695
336	Pathways Elementary	4	0	0	3,217,275	0	0	$3,217,275
	Totals:		**0**	**0**	**30,191,560**	**0**	**0**	**$30,191,560**

2020-21 DPI Facility Needs Survey

ADM

Orange County Schools — Average Daily Membership

UNIT: 680

	Name	2019-20 Average Daily Membership * Elem	Middle	High	Total
304	A L Stanback Middle	0	656	0	656
308	Cameron Park Elementary	605	0	0	605
310	Cedar Ridge High	0	0	1,049	1,049
312	Central Elementary	295	0	0	295
316	Charles W Stanford Middle	0	644	0	644
324	Efland Cheeks Elementary	498	0	0	498
327	Gravelly Hill Middle	0	470	0	470
328	Grady Brown Elementary	437	0	0	437
329	Hillsborough Elementary	444	0	0	444
330	New Hope Elementary	578	0	0	578
332	Orange High	0	0	1,289	1,289
335	Partnership Academy	0	0	36	36
336	Pathways Elementary	380	0	0	380
	Total:	**3,237**	**1,770**	**2,374**	**7,381**
	2024-25 Projected:	3,132	1,709	2,366	7,207

* ADM is based on NCDPI data for 5th Month 2019-20

2020-21 DPI Facility Needs Survey

Projected ADM by Year and Grade

Orange County Schools — Average Daily Membership

unit	year	K	1	2	3	4	5	6	7	8	9	10	11	12
680	2020-2021	489	545	554	551	533	585	523	557	596	703	617	548	546
680	2021-2022	462	505	565	567	560	549	580	524	559	690	640	610	489
680	2022-2023	482	477	524	579	577	577	544	581	526	647	628	633	544
680	2023-2024	466	497	495	537	589	594	572	545	583	609	589	621	565
680	2024-2025	476	481	515	507	546	607	589	573	547	675	554	583	554
680	2025-2026	500	491	499	527	516	562	602	590	575	633	614	548	520
680	2026-2027	506	516	509	511	536	531	557	603	592	666	576	607	489
680	2027-2028	511	522	535	521	520	552	526	558	605	686	606	570	541
680	2028-2029	517	527	541	548	530	536	547	527	560	701	624	599	508
680	2029-2030	523	534	546	554	557	546	531	548	529	648	638	617	534

2020-21 DPI Facility Needs Survey — Capacity Calculator

Cameron Park Elementary **School No: 680308** Date: 12/29/2020

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original building	1956	22798	Good	Partial Compliance
Addition 1959	1959	22798	Poor	Partial Compliance
Addition 1977	1977	4720	Good	Partial Compliance
Addition 1988	1988	20496	Good	In Compliance

School Total Area	SF	70812	*Enter the total square feet area of school.*
School Site Acreage	Acreage	19	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
68209	11314	18878	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
748	18278	366855		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	2
Mega-module	
Total from Above	**2**

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations	2	
Total Teaching Stations		
Total from Above	2	40

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Cameron Park Elementary **School No: 680308** Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	6			108		
Grade 1	4			64		
Grades 2-3	11			187		
Grades 4-5	8			208		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	3			30		
Resource	1					
4+ Computers in each room?	☑ Yes?					
Computer Rooms	1					

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Cameron Park Elementary **School No: 680308** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**597**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**597**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

Cameron Park Elementary **School No: 680308** Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	5,890		sq.ft. / 4 =	1,472
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	2,955		sq.ft. / 4 =	739
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			739

Auditorium	Facilities			
Auditorium:	☐ Yes?			
# of Seats:				
Admin/Guidance Area:	◉ Small ○ OK ○ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Cameron Park Elementary

School: **Cameron Park Elementary** School No: **680-308**

Type: **Elementary** Grades: **0K-05** Current ADM **605**

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

Add New School | Delete School | Undo Changes | Save and Close Form

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity		597			597

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 1 Immediate Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
	597			597

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Depreciation/ Deferred Maintenance
2. Air Conditioning / Energy Conservation

Notes/ Description: Bond funded Mechanical upgrade per facility assessment

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 4 9-10 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: 2013 Facilites assessment anticipate renovation needs are greater than loc allocation under the 10 year CIP

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Cameron Park Elementary

School Number: 680-308 Planned Capacity: 597
Priority: 1 Pre-K Capacity: 0

Additions

Date: 12/29/2020

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: ____ Acres x $ ____ /Acre = ____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Cameron Park Elementary

School Number: **680-308** Planned Capacity: **597**
Priority: **1** Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**1,250,000**	renovations	1,250,000
2.$	**9,768,375**	Unfunded Major Projects	9,768,375
3.$	**208,500**	Unfunded facilities Care Projects	208,500
		Subtotal:	**11,226,875**
		Contingency (10% of renovation cost):	1,122,688
		Admin. and Design Fees (8.5% of renovation cost):	954,284
		Total Renovation Cost:	**$13,303,847**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Cameron Park Elementary

School Number: **680-308** Planned Capacity: **597**
Priority: **1** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $13,303,847

Notes/Comments:

CIP and Bond Funded mechanical and exterior upgrades per facilitiy assessment

Justifications Why are these improvements needed?

1. Depreciation/ Deferred Maintenance
2. Air Conditioning / Energy Conservation

Funding

Likelihood that County will fund project: Very Likely

If "Very Unlikely," wlhy will County funding not be available?

What other funding sources are available for the project? Bond Funding and CIP funding

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Cameron Park Elementary

School Number: 680-308 Planned Capacity: 0
Priority: 4 Pre-K Capacity: 0

Additions

Date: 12/29/2020

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Cameron Park Elementary

School Number: **680-308** Planned Capacity: **0**

Priority: **4** Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$	**12,063,735**	Building Replacement	12,063,735
3.$			
		Subtotal:	**12,063,735**
		Contingency (10% of renovation cost):	1,206,374
		Admin. and Design Fees (8.5% of renovation cost):	1,025,417
		Total Renovation Cost:	**$14,295,526**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Cameron Park Elementary

School Number: **680-308** Planned Capacity: **0**

Priority: **4** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $14,295,526

Notes/Comments:

2013 facility Assessment Anticipated renovation needs are greater than local allocations under the 10 year capital investment plan CIP

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-308** School: **Cameron Park Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **605**

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
None	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
2	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
2	14. Number of School Counselors?
2901466	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-308** School: **Cameron Park Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **605**

Campus Infrastructure Survey (this campus)

1956	36. Oldest building on campus - year built?
1988	37. Newest building on campus - year built?
2021	38. Year of most recent renovation?
Yes	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

Central Elementary | **School No: 680312** | Date: 12/29/2020

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1952	8890	Fair	Partial Compliance
Addition 1965	1965	25892	Fair	Partial Compliance
Addition1975	1975	18700	Good	Partial Compliance
Addition 1990	1990	7900	Good	In Compliance

School Total Area	SF	61382	*Enter the total square feet area of school.*
School Site Acreage	Acreage	22	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
65695	5312	16998	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
721	7343	330324		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Central Elementary | School No: 680312 | Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	3,070		sq.ft. / 4 =	768
Media Support Area:	(•) Sm ( ) OK ( ) Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,870		sq.ft. / 4 =	968
Kitchen Area:	( ) Small ( ) OK (•) Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			768

Auditorium	Facilities			
Auditorium:	☐ Yes?			
# of Seats:				
Admin/Guidance Area:	(•) Small ( ) OK ( ) Good			

2020-21 DPI Facility Needs Survey — Capacity Calculator

Central Elementary | School No: 680312 | Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms	2	36

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

Academic	Classrooms/Spaces			Capacity		
	Elem	Middle	High	Elem	Middle	High
Kindergartens	3			54		
Grade 1	3			48		
Grades 2-3	5			85		
Grades 4-5	8			208		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	4			40		
Resource	1					
4+ Computers in each room?	☑ Yes?					
Computer Rooms	1					

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Central Elementary **School No: 680312** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**435**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**435**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Central Elementary

School: **Central Elementary** School No: **680-312**

Type: **Elementary** Grades: **0K-05** Current ADM **295**

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

Add New School | Delete School | Undo Changes | Save and Close Form

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity	36	435			435

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 1 Immediate Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
360	435			435

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Notes/ Description: Bond funded mechanical upgrade per facility assessment

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 4 9-10 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: 2013 facilities assessment anticipatec renovation needs are greater than loc allocation under the 10 year CIP

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Central Elementary

School Number: 680-312 Planned Capacity: 435
Priority: 1 Pre-K Capacity: 360

Additions

Date: 12/29/2020

	Elem	Middle	High	Area (sf)		Estimated Cost
Academic Classrooms						
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: ____ Acres x $ ____ /Acre = ____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Central Elementary

School Number: 680-312 Planned Capacity: 435
Priority: 1 Pre-K Capacity: 360

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**3,250,000**	Renovations	3,250,000
2.$	**414,000**	Unfunded major Projects	414,000
3.$	**135,500**	Unfunded facilities Care Projects	135,500
		Subtotal:	**3,799,500**
		Contingency (10% of renovation cost):	379,950
		Admin. and Design Fees (8.5% of renovation cost):	322,958
		Total Renovation Cost:	**$4,502,408**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Central Elementary

School Number: 680-312 Planned Capacity: 435
Priority: 1 Pre-K Capacity: 360

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $4,502,408

Notes/Comments:

2013 facility Assessment Anticipated renovation needs are greater than local allocations under the 10 year capital investment plan CIP

Justifications Why are these improvements needed?

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Funding

Likelihood that County will fund project: Very Likely

If "Very Unlikely," wlhy will County funding not be available?

What other funding sources are available for the project? Bond funded

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Central Elementary

School Number: 680-312
Priority: 4
Planned Capacity: 0
Pre-K Capacity: 0

Additions

Date: 12/29/2020

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Central Elementary

School Number: 680-312
Priority: 4
Planned Capacity: 0
Pre-K Capacity: 0

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$	**3,767,125**	Partial Building Repalcement	3,767,125
3.$			
		Subtotal:	**3,767,125**
		Contingency (10% of renovation cost):	376,713
		Admin. and Design Fees (8.5% of renovation cost):	320,206
		Total Renovation Cost:	**$4,464,043**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Central Elementary

School Number: **680-312** Planned Capacity: **0**

Priority: **4** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $4,464,043

Notes/Comments:

2013 facility Assessment Anticipated renovation needs are greater than local allocations under the 10 year capital investment plan CIP

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-312** School: **Central Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **295**

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
Other	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Private	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
1422686	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-312** School: **Central Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **295**

Campus Infrastructure Survey (this campus)

1952	36. Oldest building on campus - year built?
1990	37. Newest building on campus - year built?
2021	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
Yes	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

Efland Cheeks Elementary **School No: 680324** Date: 12/29/2020

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1952	24249	Fair	Partial Compliance
Addition 1977	1977	40067	Good	Partial Compliance
Adddition 1999	1999	768	Good	In Compliance

School Total Area	SF	65084	*Enter the total square feet area of school.*
School Site Acreage	Acreage	31	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
65526	5690	13280	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
719	7867	647820		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Efland Cheeks Elementary **School No: 680324** Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms	2	36

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	5			90		
Grade 1	6			96		
Grades 2-3	9			153		
Grades 4-5	8			208		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	4			40		
Resource	4					
4+ Computers in each room?	☑ Yes?					
Computer Rooms	1					

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Efland Cheeks Elementary **School No: 680324** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**587**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**587**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

Efland Cheeks Elementary **School No: 680324** Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	3,610		sq.ft. / 4 =	902
Media Support Area:	○ Sm ◉ OK ○ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,180		sq.ft. / 4 =	795
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			795

Auditorium	Facilities			
Auditorium:	☐ Yes?			
# of Seats:				
Admin/Guidance Area:	◉ Small ○ OK ○ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Efland Cheeks Elementary

School: **Efland Cheeks Elementary** School No: **680-324**

Type: **Elementary** Grades: **0K-05** Current ADM **498**

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

Add New School | Delete School | Undo Changes | Save and Close Form

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity	36	587			587

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 2 — 2-5 Year Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
36	587			587

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Notes/ Description: Bond funded mechanical upgrade per facility assessmnet

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 4 — 9-10 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: 2013 faciloity assessment anticipated renovation needs are greater than loc allocations under the 10 year capital investment plan CIP

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Efland Cheeks Elementary

School Number: **680-324** Planned Capacity: **587**
Priority: **2** Pre-K Capacity: **36**

Additions

Date: 12/29/2020

	Elem	Middle	High	Area (sf)		Estimated Cost
Academic Classrooms						
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: ____ Acres x $ ____ /Acre = ____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Efland Cheeks Elementary

School Number: 680-324 Planned Capacity: 587
Priority: 2 Pre-K Capacity: 36

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**3,584,821**	renovations	3,584,821
2.$	**2,658,750**	Unfunded Major Projects	2,658,750
3.$	**18,000**	Unfunded facilities Care Projects	18,000
		Subtotal:	**6,261,571**
		Contingency (10% of renovation cost):	626,157
		Admin. and Design Fees (8.5% of renovation cost):	532,234
		Total Renovation Cost:	**$7,419,962**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Efland Cheeks Elementary

School Number: **680-324** Planned Capacity: **587**
Priority: **2** Pre-K Capacity: **36**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$7,419,962**

Notes/Comments:

Projects identified in the Orange County Schools 2013 Comprehensive Facilities Assessment

Justifications Why are these improvements needed?

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Funding

Likelihood that County will fund project: Very Unlikely

If "Very Unlikely," wlhy will County funding not be available? Needs greater than CIP

What other funding sources are available for the project? 2016 Bond

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Efland Cheeks Elementary

School Number: **680-324**
Priority: **4**
Planned Capacity: **0**
Pre-K Capacity: **0**

Additions

Date:

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Efland Cheeks Elementary

School Number: **680-324** Planned Capacity: **0**

Priority: **4** Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$	**3,221,250**	Additions	3,221,250
3.$			
		Subtotal:	**3,221,250**
		Contingency (10% of renovation cost):	322,125
		Admin. and Design Fees (8.5% of renovation cost):	273,806
		Total Renovation Cost:	**$3,817,181**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Efland Cheeks Elementary

School Number: **680-324**
Priority: **4**
Planned Capacity: **0**
Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $3,817,181

Notes/Comments:

2013 Comprehensive Facilities Assessment
Anticipated renovation needs are greater than local CIP

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-324** School: **Efland Cheeks Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **498**

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
Other	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
735626	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-324** School: **Efland Cheeks Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **498**

Campus Infrastructure Survey (this campus)

1952	36. Oldest building on campus - year built?
1999	37. Newest building on campus - year built?
2021	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
Yes	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

Grady Brown Elementary **School No: 680328** Date: 12/29/2020

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1974	74016	Good	Partial Compliance
Addition 1996	1996	1000	Good	In Compliance

School Total Area	SF	75016	*Enter the total square feet area of school.*
School Site Acreage	Acreage	18	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
69927	4179	31222	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
700	5777	606724		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	1
Mega-module	
Total from Above	1

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations	1	
Total Teaching Stations		
Total from Above	1	20

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Grady Brown Elementary **School No: 680328** Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	**Elem**	**Middle**	**High**	**Elem**	**Middle**	**High**
Kindergartens	4			72		
Grade 1	5			80		
Grades 2-3	9			153		
Grades 4-5	7			182		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	2			20		
Resource	3					
4+ Computers in each room?	☑ Yes?					
Computer Rooms	1					

Scroll Down

Arts Education	**Elem**	**Middle**	**High**			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Grady Brown Elementary **School No: 680328** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**507**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**507**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

Grady Brown Elementary | School No: 680328 | Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	3,430		sq.ft. / 4 =	858
Media Support Area:	◉ Sm ○ OK ○ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	4,110		sq.ft. / 4 =	1,028
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			858

Auditorium	Facilities			
Auditorium:	☐ Yes?			
# of Seats:				
Admin/Guidance Area:	○ Small ○ OK ○ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Grady Brown Elementary

School: **Grady Brown Elementary** School No: **680-328**

Type: **Elementary** Grades: **0K-05** Current ADM **437**

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

Add New School | Delete School | Undo Changes | Save and Close Form

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity		507			507

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 2 — 2-5 Year Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
	507			507

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Notes/ Description: Bond funded mecahnical upgrades per facility assessment

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 4 — 9-10 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: 2013 facility Assessment Anticipated renovation needs are greater than loc allocation under the 10 year capital investemnt plan CIP

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Grady Brown Elementary

School Number: 680-328 Planned Capacity: 507
Priority: 2 Pre-K Capacity: 0

Additions

Date: 12/29/2020

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: ____ Acres x $ ____ /Acre = ____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Grady Brown Elementary

School Number: **680-328** Planned Capacity: **507**
Priority: **2** Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**2,206,104**	renovations	2,206,104
2.$	**1,950,000**	Unfunded Major Projects	1,950,000
3.$	**237,950**	Unfunded facilities Care Projects	237,950
		Subtotal:	**4,394,054**
		Contingency (10% of renovation cost):	439,405
		Admin. and Design Fees (8.5% of renovation cost):	373,495
		Total Renovation Cost:	**$5,206,954**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Grady Brown Elementary

School Number: **680-328** Planned Capacity: **507**
Priority: **2** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$5,206,954**

Notes/Comments:

Projects identified in the Orange County Schools 2013 Comprehensive Facilities Assessment

Justifications

Why are these improvements needed?

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Funding

Likelihood that County will fund project: Very Unlikely

If "Very Unlikely," wlhy will County funding not be available? Anticipated renovation needs are gretare than CIP

What other funding sources are available for the project? 2016 Bond

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Grady Brown Elementary

School Number: 680-328
Priority: 4
Planned Capacity: 0
Pre-K Capacity: 0

Additions

Date:

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Grady Brown Elementary

School Number: 680-328
Priority: 4
Planned Capacity: 0
Pre-K Capacity: 0

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$	**2,847,000**	Additions	2,847,000
3.$			
		Subtotal:	**2,847,000**
		Contingency (10% of renovation cost):	284,700
		Admin. and Design Fees (8.5% of renovation cost):	241,995
		Total Renovation Cost:	**$3,373,695**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Grady Brown Elementary

School Number: **680-328** Planned Capacity: **0**

Priority: **4** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $3,373,695

Notes/Comments:

Projects identified in the Orange County Schools 2013 Comprehensive Facilities Assessment

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-328** School: **Grady Brown Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **437**

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
None	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
1	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
1427294	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-328** School: **Grady Brown Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **437**

Campus Infrastructure Survey (this campus)

1975	36. Oldest building on campus - year built?
1975	37. Newest building on campus - year built?
2021	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
Yes	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

Hillsborough Elementary **School No: 680329** Date: 12/29/2020

General Building Information

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

Building Construction History

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
100 Building / Learning Ctr	1959	29306	Poor	Partial Compliance
200 Building	1952	8980	Poor	Partial Compliance
300 Building	1958	14470	Poor	Partial Compliance
Gymnasium	1958	15316	Fair	Partial Compliance
Café	1952	4500	Fair	In Compliance

School Total Area	SF	72572	*Enter the total square feet area of school.*
School Site Acreage	Acreage	10	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
60051	20737	19514	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
659	33500	379216		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Hillsborough Elementary **School No: 680329** Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	4			72		
Grade 1	4			64		
Grades 2-3	8			136		
Grades 4-5	8			208		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	4			40		
Resource	3					
4+ Computers in each room?	☑ Yes?					
Computer Rooms	1					

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Hillsborough Elementary **School No: 680329** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**520**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**520**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

Hillsborough Elementary **School No: 680329** Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	2,180		sq.ft. / 4 =	545
Media Support Area:	(•) Sm ( ) OK ( ) Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,030		sq.ft. / 4 =	758
Kitchen Area:	( ) Small ( ) OK (•) Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			545

Auditorium	Facilities			
Auditorium:	☐ Yes?			
# of Seats:				
Admin/Guidance Area:	(•) Small ( ) OK ( ) Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Hillsborough Elementary

School: **Hillsborough Elementary** School No: **680-329**

Type: **Elementary** Grades: **0K-05** Current ADM **444**

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

Add New School | Delete School | Undo Changes | Save and Close Form

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity		520			520

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 2 — 2-5 Year Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
	520			520

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

Notes/ Description: 2013 facility Assessment Anticipated renovation needs are greater than local allocations under the 10 year capital investment plan CIP

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 3 — 6-8 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: 2013 facility Assessment Anticipated renovation needs are greater than loc allocations under the 10 year capital investment plan CIP

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Hillsborough Elementary

School Number: 680-329 Planned Capacity: 520
Priority: 2 Pre-K Capacity: 0

Additions

Date: 12/29/2020

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: _____ Acres x $ _____ /Acre = _____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Hillsborough Elementary

School Number: **680-329** Planned Capacity: **520**
Priority: **2** Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**858,333**		858,333
2.$	**16,003,450**	Unfunded Major Projects	16,003,450
3.$	**21,000**	Unfunded facilities Care Projects	21,000
		Subtotal:	**16,882,783**
		Contingency (10% of renovation cost):	1,688,278
		Admin. and Design Fees (8.5% of renovation cost):	1,435,037
		Total Renovation Cost:	**$20,006,098**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Hillsborough Elementary

School Number: **680-329** Planned Capacity: **520**
Priority: **2** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $20,006,098

Notes/Comments:

Justifications Why are these improvements needed?

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

Funding

Likelihood that County will fund project:

If "Very Unlikely," wlhy will County funding not be available?

What other funding sources are available for the project?

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Hillsborough Elementary

School Number: 680-329 Priority: 3

Planned Capacity: 0 Pre-K Capacity: 0

Additions

Date:

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: Acres x $ /Acre =

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Hillsborough Elementary

School Number: 680-329
Priority: 3
Planned Capacity: 0
Pre-K Capacity: 0

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	
		Contingency (10% of renovation cost):	
		Admin. and Design Fees (8.5% of renovation cost):	
		Total Renovation Cost:	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Hillsborough Elementary

School Number: **680-329** Planned Capacity: **0**

Priority: **3** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations:

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-329** School: **Hillsborough Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **444**

General Information Survey (this school)

year-round school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
No	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
327400	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-329** School: **Hillsborough Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **444**

Campus Infrastructure Survey (this campus)

1952	36. Oldest building on campus - year built?
1962	37. Newest building on campus - year built?
	38. Year of most recent renovation?
Yes	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

New Hope Elementary | School No: 680330 | Date: 12/29/2020

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1991	100164	Very Good	Partial Compliance

School Total Area	SF	100164	*Enter the total square feet area of school.*
School Site Acreage	Acreage	26	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
89268	6150	27061	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
893	8502	525872		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	2
Mega-module	
Total from Above	**2**

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations	2	
Total Teaching Stations		
Total from Above	2	40

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

New Hope Elementary **School No: 680330** Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms	1	18

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	5			90		
Grade 1	5			80		
Grades 2-3	10			170		
Grades 4-5	10			260		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	3			30		
Resource	5					
4+ Computers in each room?	☑ Yes?					
Computer Rooms	1					

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

New Hope Elementary **School No: 680330** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**630**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**630**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

New Hope Elementary | School No: 680330 | Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	6,380		sq.ft. / 4 =	1,595
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,500		sq.ft. / 4 =	875
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			875

Auditorium	Facilities			
Auditorium:	☐ Yes?			
# of Seats:				
Admin/Guidance Area:	○ Small ○ OK ◉ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

New Hope Elementary

School: **New Hope Elementary** School No: **680-330**

Type: **Elementary** Grades: **0K-05** Current ADM **578**

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

Add New School | Delete School | Undo Changes | Save and Close Form

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity	18	630			630

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 2 — 2-5 Year Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
18	630			630

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Notes/ Description: Bod funded mechanical upgrade per facility assessment

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 3 — 6-8 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: 2013 facility Assessment Anticipated renovation needs are greater than loc allocations under the 10 year capital investment plan CIP

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

New Hope Elementary

School Number: 680-330 Planned Capacity: 630
Priority: 2 Pre-K Capacity: 18

Additions

Date: 12/29/2020

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: ____ Acres x $ ____ /Acre = ____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

New Hope Elementary

School Number: **680-330** Planned Capacity: **630**
Priority: **2** Pre-K Capacity: **18**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**6,722,595**		6,722,595
2.$	**125,000**	Unfunded Major Projects	125,000
3.$	**127,000**	Unfunded facilities Care Projects	127,000
		Subtotal:	**6,974,595**
		Contingency (10% of renovation cost):	697,460
		Admin. and Design Fees (8.5% of renovation cost):	592,841
		Total Renovation Cost:	**$8,264,895**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

New Hope Elementary

School Number: **680-330** Planned Capacity: **630**
Priority: **2** Pre-K Capacity: **18**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $8,264,895

Notes/Comments:

Justifications Why are these improvements needed?

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Funding

Likelihood that County will fund project:

If "Very Unlikely," wlhy will County funding not be available?

What other funding sources are available for the project?

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

New Hope Elementary

School Number: 680-330 Planned Capacity: 0
Priority: 3 Pre-K Capacity: 0

Additions

Date:

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

New Hope Elementary

School Number: 680-330
Priority: 3
Planned Capacity: 0
Pre-K Capacity: 0

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	
		Contingency (10% of renovation cost):	
		Admin. and Design Fees (8.5% of renovation cost):	
		Total Renovation Cost:	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

New Hope Elementary

School Number: **680-330** Planned Capacity: **0**

Priority: **3** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations:

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-330** School: **New Hope Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **578**

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
2	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
2	14. Number of School Counselors?
577962	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-330** School: **New Hope Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **578**

Campus Infrastructure Survey (this campus)

1991	36. Oldest building on campus - year built?
1991	37. Newest building on campus - year built?
	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
Yes	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

Pathways Elementary **School No: 680336** Date: 12/29/2020

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	2000	85282	Very Good	In Compliance

School Total Area	SF	85282	*Enter the total square feet area of school.*
School Site Acreage	Acreage	18	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
87827	9870	24406	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
879	13645	474276		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Pathways Elementary | School No: 680336 | Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms	4	72

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens	4			72		
Grade 1	5			80		
Grades 2-3	8			136		
Grades 4-5	8			208		
LA/SS/Math Classrooms						
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C	4			40		
Resource	3					
4+ Computers in each room?	☐ Yes?					
Computer Rooms	1					

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music	1					
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts	2					

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Pathways Elementary **School No: 680336** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☑	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**536**	**0**	**0**
Capacity Totals (sum from Capacity Plan form):				**536**	**0**	**0**

2020-21 DPI Facility Needs Survey — Capacity Calculator

Pathways Elementary | School No: 680336 | Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	4,000		sq.ft. / 4 =	1,000
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	4,000		sq.ft. / 4 =	1,000
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	1			
	Minimum Core Capacity:			1,000

Auditorium	Facilities			
Auditorium:	☐ Yes?			
# of Seats:				
Admin/Guidance Area:	○ Small ○ OK ◉ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Pathways Elementary

School: **Pathways Elementary** School No: **680-336**

Type: **Elementary** Grades: **0K-05** Current ADM **380**

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

Add New School | Delete School | Undo Changes | Save and Close Form

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity	72	536			536

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 2 — 2-5 Year Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
72	536			536

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

Notes/ Description: 2013 facility Assessment Anticipated renovation needs are greater than local allocations under the 10 year capital investment plan CIP

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 4 — 9-10 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: 2013 facility Assessment Anticipated renovation needs are greater than loc allocations under the 10 year capital investment plan CIP

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Pathways Elementary

School Number: 680-336 Planned Capacity: 536
Priority: 2 Pre-K Capacity: 72

Additions

Date: 12/29/2020

	Elem	Middle	High	Area (sf)		Estimated Cost
Academic Classrooms						
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: _____ Acres x $ _____ /Acre = _____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Pathways Elementary

School Number: 680-336 Planned Capacity: 536
Priority: 2 Pre-K Capacity: 72

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**364,805**		364,805
2.$	**146,600**	Unfunded facilities Care Projects	146,600
3.$			
		Subtotal:	**511,405**
		Contingency (10% of renovation cost):	51,141
		Admin. and Design Fees (8.5% of renovation cost):	43,469
		Total Renovation Cost:	**$606,015**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Pathways Elementary

School Number: **680-336** Planned Capacity: **536**
Priority: **2** Pre-K Capacity: **72**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$606,015**

Notes/Comments:

Justifications Why are these improvements needed?

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

Funding

Likelihood that County will fund project:

If "Very Unlikely," wlhy will County funding not be available?

What other funding sources are available for the project?

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Pathways Elementary

School Number: 680-336 Planned Capacity: 0
Priority: 4 Pre-K Capacity: 0

Additions

Date:

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Pathways Elementary

School Number: 680-336
Priority: 4
Planned Capacity: 0
Pre-K Capacity: 0

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**2,715,000**	renovations hvac	2,715,000
2.$			
3.$			
		Subtotal:	**2,715,000**
		Contingency (10% of renovation cost):	271,500
		Admin. and Design Fees (8.5% of renovation cost):	230,775
		Total Renovation Cost:	**$3,217,275**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Pathways Elementary

School Number: **680-336** Planned Capacity: **0**

Priority: **4** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $3,217,275

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-336** School: **Pathways Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **380**

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
1	14. Number of School Counselors?
70893	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-336** School: **Pathways Elementary**

Type: **Elementary** Grades: **0K-05** Current ADM **380**

Campus Infrastructure Survey (this campus)

2000	36. Oldest building on campus - year built?
2000	37. Newest building on campus - year built?
	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Propane	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
Yes	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

A L Stanback Middle | School No: 680304 | Date: 12/29/2020

General Building Information

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building Construction History

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1995	136000	Very Good	Partial Compliance

School Total Area	SF	136000	*Enter the total square feet area of school.*
School Site Acreage	Acreage	36	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
114900	10204	36761	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1150	16484	714362		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

A L Stanback Middle | School No: 680304 | Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms		13			338	
Math / Science Classrooms		14			364	
Science Labs		1			26	
Science Classrooms					728	
Exception S/C		2			20	
Resource						
4+ Computers in each room?		☑ Yes?				
Computer Rooms		1				

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts	1					
Dance / Drama						
General Music						
Instrumental Music (Band)		1				
Vocal Music (Chorus)		1				
Subtotal - Arts	3					

Vocational	Elem	Middle	High			
Keyboarding Labs		1				
Prevocational Labs		1				
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

A L Stanback Middle **School No: 680304** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☑	☐			
Gym Seating		450				
Auxilliary Gym		☐	☐			
Health / P.E.		2				
Weight Room						
Wrestling		1				
ROTC						
Capacity Totals (sum from the capacity above):				0	748	0
Capacity Totals (sum from Capacity Plan form):				0	748	0

2020-21 DPI Facility Needs Survey — Capacity Calculator

A L Stanback Middle | School No: 680304 | Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	5,760		sq.ft. / 4 =	1,440
Media Support Area:	○ Sm ◉ OK ○ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	4,220		sq.ft. / 4 =	1,055
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	2			
	Minimum Core Capacity:			1,055

Auditorium	Facilities			
Auditorium:	☑ Yes?			
# of Seats:	360			
Admin/Guidance Area:	○ Small ○ OK ◉ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

A L Stanback Middle

School: **A L Stanback Middle** School No: **680-304**

Type: **Middle** Grades: **06-08** Current ADM **656**

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

Add New School | Delete School | Undo Changes | Save and Close Form

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity			748		748

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 1 Immediate Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
		748		748

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Depreciation/ Deferred Maintenance
2. Air Conditioning / Energy Conservation

Notes/ Description: Bond Funded Mechanical upgrade per facility assessment

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 3 6-8 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: 2013 Facilities Assessment, anticipat needs are greater than local allocatio under the 10 year CIP

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

A L Stanback Middle

School Number: 680-304 Planned Capacity: 748
Priority: 1 Pre-K Capacity: 0

Additions

Date: 12/29/2020

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: ____ Acres x $ ____ /Acre = ____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

A L Stanback Middle

School Number: 680-304 Planned Capacity: 748
Priority: 1 Pre-K Capacity: 0

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**4,312,015**	HVAC renovation	4,312,015
2.$	**276,100**	Unfunded Facilities Care Projects	276,100
3.$			
		Subtotal:	**4,588,115**
		Contingency (10% of renovation cost):	458,812
		Admin. and Design Fees (8.5% of renovation cost):	389,990
		Total Renovation Cost:	**$5,436,916**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

A L Stanback Middle

School Number: **680-304** Planned Capacity: **748**
Priority: **1** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$5,436,916**

Notes/Comments:

Justifications Why are these improvements needed?

1. Depreciation/ Deferred Maintenance
2. Air Conditioning / Energy Conservation

Funding

Likelihood that County will fund project: Very Likely

If "Very Unlikely," why will County funding not be available? Anticipated renovation needs are greater than local allocation under the 10 year Capital Investment CIP

What other funding sources are available for the project? Bond Funding

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

A L Stanback Middle

School Number: 680-304 Planned Capacity: 0
Priority: 3 Pre-K Capacity: 0

Additions

Date: 12/29/2020

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

A L Stanback Middle

School Number: **680-304**
Priority: **3**
Planned Capacity: **0**
Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	
		Contingency (10% of renovation cost):	
		Admin. and Design Fees (8.5% of renovation cost):	
		Total Renovation Cost:	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

A L Stanback Middle

School Number: **680-304** Planned Capacity: **0**

Priority: **3** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations:

Notes/Comments:

2013 facility Assessment Anticipated renovation needs are greater than local allocations under the 10 year capital investment plan CIP

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-304** School: **A L Stanback Middle**

Type: **Middle** Grades: **06-08** Current ADM **656**

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
Other	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
No	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
1	12. Number of School Nurses?
2	13. Number of Assistant Principals?
2	14. Number of School Counselors?
1312420	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-304** School: **A L Stanback Middle**

Type: **Middle** Grades: **06-08** Current ADM **656**

Campus Infrastructure Survey (this campus)

1995	36. Oldest building on campus - year built?
1995	37. Newest building on campus - year built?
2021	38. Year of most recent renovation?
Yes	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

Charles W Stanford Middle **School No: 680316** Date: 12/29/2020

General Building Information

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

Building Construction History

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1968	102760	Fair	Partial Compliance
Addition 1977	1977	4840	Good	Partial Compliance
Addition to Gym	1999	1350	Good	In Compliance
Auditorium	2011	10000	Excellent	In Compliance

School Total Area	SF	118950	*Enter the total square feet area of school.*
School Site Acreage	Acreage	57	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
121093	16629	33463	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1329	26863	650280		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Charles W Stanford Middle School No: 680316 Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

Academic	Classrooms/Spaces			Capacity		
	Elem	Middle	High	Elem	Middle	High
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms		12			312	
Math / Science Classrooms		12			312	
Science Labs		3			78	
Science Classrooms					702	
Exception S/C		1			10	
Resource		1				
4+ Computers in each room?		☑ Yes?				
Computer Rooms		1				

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts		1				
Dance / Drama						
General Music						
Instrumental Music (Band)		1				
Vocal Music (Chorus)		1				
Subtotal - Arts		3				

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs		6				
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Charles W Stanford Middle **School No: 680316** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☑	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.		1				
Weight Room						
Wrestling		1				
ROTC						
Capacity Totals (sum from the capacity above):				0	712	0
Capacity Totals (sum from Capacity Plan form):				0	712	0

2020-21 DPI Facility Needs Survey — Capacity Calculator

Charles W Stanford Middle **School No: 680316** Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	4,600		sq.ft. / 4 =	1,150
Media Support Area:	○ Sm ◉ OK ○ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	4,960		sq.ft. / 4 =	1,240
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	2			
	Minimum Core Capacity:			1,150

Auditorium	Facilities			
Auditorium:	☑ Yes?			
# of Seats:				
Admin/Guidance Area:	◉ Small ○ OK ○ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Charles W Stanford Middle

School: **Charles W Stanford Middle** School No: **680-316**

Type: **Middle** Grades: **06-08** Current ADM **644**

Add New School | Delete School | Undo Changes | Save and Close Form

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity			712		712

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 2 — 2-5 Year Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
		712		712

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

Notes/ Description: 2013 Anticipated renovations needs are greater than allocation under the 10-year CIP

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 4 — 9-10 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: 2013 Anticipated renovations needs a greater than allocation under the 10-y CIP

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Charles W Stanford Middle

School Number: **680-316** Planned Capacity: **712**
Priority: **2** Pre-K Capacity: **0**

Additions

Date: 12/29/2020

	Elem	Middle	High	Area (sf)		Estimated Cost
Academic Classrooms						
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: _____ Acres x $ _____ /Acre = _____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Charles W Stanford Middle

School Number: **680-316** Planned Capacity: **712**
Priority: **2** Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**1,718,875**	renovations	1,718,875
2.$	**702,600**	Unfunded Major Projects	702,600
3.$	**277,400**	Unfunded facilities Care Projects	277,400
		Subtotal:	**2,698,875**
		Contingency (10% of renovation cost):	269,888
		Admin. and Design Fees (8.5% of renovation cost):	229,404
		Total Renovation Cost:	**$3,198,167**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Charles W Stanford Middle

School Number: **680-316** Planned Capacity: **712**
Priority: **2** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$3,198,167**

Notes/Comments:

Justifications Why are these improvements needed?

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

Funding

Likelihood that County will fund project: Very Unlikely

If "Very Unlikely," wlhy will County funding not be available? anticipated renovation needs are greater than local allocation under the 10 year Capital Investment Plan (CIP)

What other funding sources are available for the project?

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Charles W Stanford Middle

School Number: 680-316 Planned Capacity: 0
Priority: 4 Pre-K Capacity: 0

Additions

Date: 12/29/2020

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Charles W Stanford Middle School Number: **680-316** Planned Capacity: **0**
Priority: **4** Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**164,000**	renovations	164,000
2.$	**700,000**	additions	700,000
3.$			
		Subtotal:	**864,000**
		Contingency (10% of renovation cost):	86,400
		Admin. and Design Fees (8.5% of renovation cost):	73,440
		Total Renovation Cost:	**$1,023,840**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Charles W Stanford Middle

School Number: **680-316** Planned Capacity: **0**

Priority: **4** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: $1,023,840

Notes/Comments:

2013 Comprehensive Facilities assessment. Anticipated renovation needs are greatre than local allocation under the 10 year Capital Investment Plan CIP

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-316** School: **Charles W Stanford Middle**

Type: **Middle** Grades: **06-08** Current ADM **644**

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
CTE	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
No	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Private	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
2	14. Number of School Counselors?
295313	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-316** School: **Charles W Stanford Middle**

Type: **Middle** Grades: **06-08** Current ADM **644**

Campus Infrastructure Survey (this campus)

1968	36. Oldest building on campus - year built?
2015	37. Newest building on campus - year built?
	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
mobile	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
Yes	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

Gravelly Hill Middle | **School No: 680327** | Date: 12/29/2020

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	2006	122793	Very Good	In Compliance

School Total Area	SF	122793	*Enter the total square feet area of school.*
School Site Acreage	Acreage	67	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
96031	11445	14317	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
1054	18489	561455		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Gravelly Hill Middle | **School No: 680327** | Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces. Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

Academic	Classrooms/Spaces			Capacity		
	Elem	Middle	High	Elem	Middle	High
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms		9			234	
Math / Science Classrooms		10			260	
Science Labs		3			78	
Science Classrooms					572	
Exception S/C		2			20	
Resource		1				
4+ Computers in each room?		☑ Yes?				
Computer Rooms		1				

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts		1				
Dance / Drama						
General Music						
Instrumental Music (Band)		1				
Vocal Music (Chorus)		1				
Subtotal - Arts		3				

Vocational	Elem	Middle	High			
Keyboarding Labs		1				
Prevocational Labs		2				
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Gravelly Hill Middle **School No: 680327** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☑	☐			
Gym Seating		650				
Auxilliary Gym		☐	☐			
Health / P.E.		1				
Weight Room						
Wrestling		1				
ROTC						
Capacity Totals (sum from the capacity above):				0	592	0
Capacity Totals (sum from Capacity Plan form):				0	592	0

2020-21 DPI Facility Needs Survey — Capacity Calculator

Gravelly Hill Middle | **School No: 680327** | Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	6,320		sq.ft. / 4 =	1,580
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	3,180		sq.ft. / 4 =	795
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	2			
	Minimum Core Capacity:			795

Auditorium	Facilities			
Auditorium:	☑ Yes?			
# of Seats:	300			
Admin/Guidance Area:	○ Small ○ OK ◉ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Gravelly Hill Middle

School: **Gravelly Hill Middle** School No: **680-327**

Type: **Middle** Grades: **06-08** Current ADM **470**

Add New School | Delete School | Undo Changes | Save and Close Form

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity			592		592

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 2 — 2-5 Year Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
		592		592

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Depreciation/ Deferred Maintenance
2.

Notes/ Description: Roofing replacement work under the CIP plan

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 4 — 9-10 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: future assessment TBD

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Gravelly Hill Middle

School Number: **680-327** Planned Capacity: **592**
Priority: **2** Pre-K Capacity: **0**

Additions

Date: 12/29/2020

	Elem	Middle	High	Area (sf)		Estimated Cost
Academic Classrooms						
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: _____ Acres x $ _____ /Acre = _____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Gravelly Hill Middle

School Number: **680-327** Planned Capacity: **592**
Priority: **2** Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**2,432,300**		2,432,300
2.$	**100,000**	Unfunded Major Projects	100,000
3.$	**5,300**	Unfunded facilities Care Projects	5,300
		Subtotal:	**2,537,600**
		Contingency (10% of renovation cost):	253,760
		Admin. and Design Fees (8.5% of renovation cost):	215,696
		Total Renovation Cost:	**$3,007,056**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Gravelly Hill Middle

School Number: **680-327** Planned Capacity: **592**
Priority: **2** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$3,007,056**

Notes/Comments:

Justifications Why are these improvements needed?

1. Depreciation/ Deferred Maintenance
2.

Funding

Likelihood that County will fund project:

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project?

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Gravelly Hill Middle

School Number: 680-327 Planned Capacity: 0
Priority: 4 Pre-K Capacity: 0

Additions

Date:

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Gravelly Hill Middle

School Number: **680-327**
Priority: **4**
Planned Capacity: **0**
Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	
		Contingency (10% of renovation cost):	
		Admin. and Design Fees (8.5% of renovation cost):	
		Total Renovation Cost:	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Gravelly Hill Middle | School Number: **680-327** | Priority: **4** | Planned Capacity: **0** | Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations:

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-327** School: **Gravelly Hill Middle**

Type: **Middle** Grades: **06-08** Current ADM **470**

General Information Survey (this school)

traditional school	1. Operational calendar.
	2. For high schools, provide current scheduling format.
	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
No	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
1	12. Number of School Nurses?
1	13. Number of Assistant Principals?
2	14. Number of School Counselors?
65130	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-327** School: **Gravelly Hill Middle**

Type: **Middle** Grades: **06-08** Current ADM **470**

Campus Infrastructure Survey (this campus)

2006	36. Oldest building on campus - year built?
2006	37. Newest building on campus - year built?
	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
permanent	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
Yes	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

Cedar Ridge High | **School No: 680310** | Date: 12/29/2020

General Building Information

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

Building Construction History

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	2002	206900	Excellent	In Compliance
Auxiliary Gymnasium	2016	9870	Excellent	In Compliance
Classroom Addition	2020	46962	Excellent	In Compliance

School Total Area	SF	263732	*Enter the total square feet area of school.*
School Site Acreage	Acreage	71	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
235147	14277	72318	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
2353	23063	1405320		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Cedar Ridge High | School No: 680310 | Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms			49			1,176
Math / Science Classrooms						
Science Labs			3			72
Science Classrooms			10			220
Exception S/C	2					20
Resource	5					
4+ Computers in each room?	☑ Yes?					
Computer Rooms	4					

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts						
Dance / Drama						
General Music						
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts						

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Cedar Ridge High **School No: 680310** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				**0**	**0**	**1,488**
Capacity Totals (sum from Capacity Plan form):				**0**	**0**	**1,488**

2020-21 DPI Facility Needs Survey — Capacity Calculator

Cedar Ridge High | **School No: 680310** | Date: **12/29/2020**

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	9,000		sq.ft. / 4 =	2,250
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	7,980		sq.ft. / 4 =	1,995
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	4			
	Minimum Core Capacity:			1,995

Auditorium	Facilities			
Auditorium:	☑ Yes?			
# of Seats:	600			
Admin/Guidance Area:	○ Small ○ OK ◉ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Cedar Ridge High

School: **Cedar Ridge High** School No: **680-310**

Type: **High** Grades: **09-12** Current ADM **1049**

Add New School | Delete School | Undo Changes | Save and Close Form

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity				1,488	1,488

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: None Needed

Priority: 2 — 2-5 Year Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
			1,488	1,488

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1.

2.

Notes/ Description:

6 - 10 Year Project Needed

Project Needed: None Needed

Priority: 4 — 9-10 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1.

2.

Notes/ Description:

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-310** School: **Cedar Ridge High**

Type: **High** Grades: **09-12** Current ADM **1049**

General Information Survey (this school)

traditional school	1. Operational calendar.
block	2. For high schools, provide current scheduling format.
IB	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
No	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Private	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
2	11. Number of SROs?
1	12. Number of School Nurses?
3	13. Number of Assistant Principals?
4	14. Number of School Counselors?
16349496	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-310** School: **Cedar Ridge High**

Type: **High** Grades: **09-12** Current ADM **1049**

Campus Infrastructure Survey (this campus)

2002	36. Oldest building on campus - year built?
2021	37. Newest building on campus - year built?
	38. Year of most recent renovation?
Yes	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
permanent	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
Yes	47. Use of any PV / solar arrays?
Yes	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

Orange High | School No: 680332 | Date: 12/29/2020

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building	1962	49798	Good	Partial Compliance
Addition 1969	1969	15000	Good	Partial Compliance
Addition 1979 1986	1979-1986	63092	Good	Partial Compliance
Gymnasium	1971	36469	Good	Partial Compliance
Addition Bldg E	2015	3694	Excellent	In Compliance

School Total Area	SF	168053	*Enter the total square feet area of school.*
School Site Acreage	Acreage	92	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
238553	27837	125508	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
2617	44968	2438947		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Orange High | School No: 680332 | Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms			31			744
Math / Science Classrooms						
Science Labs			3			72
Science Classrooms			9			198
Exception S/C	2					20
Resource	2					
4+ Computers in each room?	☑ Yes?					
Computer Rooms	2					

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts			1			22
Dance / Drama			1			22
General Music			1			22
Instrumental Music (Band)			1			22
Vocal Music (Chorus)			1			22
Subtotal - Arts			5			

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.			1			20
Service / Marketing			3			45
Technology Labs			1			15
Agri / Trade + Ind			4			60

2020-21 DPI Facility Needs Survey — Capacity Calculator

Orange High | **School No: 680332** | Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☐	☑			50
Gym Seating			1,450			
Auxilliary Gym		☐	☑			25
Health / P.E.			2			44
Weight Room		1				
Wrestling		1				
ROTC						
Capacity Totals (sum from the capacity above):				0	0	1,403
Capacity Totals (sum from Capacity Plan form):				0	0	1,403

2020-21 DPI Facility Needs Survey — Capacity Calculator

Orange High | **School No: 680332** | Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:	8,280		sq.ft. / 4 =	2,070
Media Support Area:	○ Sm ○ OK ◉ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area	5,720		sq.ft. / 4 =	1,430
Kitchen Area:	○ Small ○ OK ◉ Good			
# of Serving Lines:	3			
	Minimum Core Capacity:			1,430

Auditorium	Facilities			
Auditorium:	☑ Yes?			
# of Seats:	799			
Admin/Guidance Area:	◉ Small ○ OK ○ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Orange High

School: **Orange High** School No: **680-332**

Type: **High** Grades: **09-12** Current ADM **1289**

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

Add New School | Delete School | Undo Changes | Save and Close Form

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity				1,403	1,403

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 2 — 2-5 Year Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
			1,403	1,403

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Notes/ Description: bond funded mechanical upgrades per facility assessment

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 4 — 9-10 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenan

Notes/ Description: 2013 facility Assessment Anticipated renovation needs are greater than loc allocations under the 10 year capital investment plan CIP

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Orange High

School Number: 680-332 Planned Capacity: 1403
Priority: 2 Pre-K Capacity: 0

Additions

Date: 12/29/2020

	Elem	Middle	High	Area (sf)		Estimated Cost
Academic Classrooms						
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: ____ Acres x $ ____ /Acre = ____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Orange High

School Number: **680-332** Planned Capacity: **1403**
Priority: **2** Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$	**300,000**		300,000
2.$	**4,564,000**	Unfunded Major Projects	4,564,000
3.$	**690,000**	Unfunded facilities Care Projects	690,000
		Subtotal:	**5,554,000**
		Contingency (10% of renovation cost):	555,400
		Admin. and Design Fees (8.5% of renovation cost):	472,090
		Total Renovation Cost:	**$6,581,490**

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Orange High

School Number: **680-332** Planned Capacity: **1403**
Priority: **2** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations: **$6,581,490**

Notes/Comments:

Justifications Why are these improvements needed?

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

Funding

Likelihood that County will fund project:

If "Very Unlikely," wlhy will County funding not be available?

What other funding sources are available for the project?

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Orange High

School Number: 680-332
Priority: 4
Planned Capacity: 0
Pre-K Capacity: 0

Additions

Date:

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Orange High

School Number: 680-332
Priority: 4
Planned Capacity: 0
Pre-K Capacity: 0

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	
		Contingency (10% of renovation cost):	
		Admin. and Design Fees (8.5% of renovation cost):	
		Total Renovation Cost:	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Orange High

School Number: **680-332**
Priority: **4**
Planned Capacity: **0**
Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations:

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-332** School: **Orange High**

Type: **High** Grades: **09-12** Current ADM **1289**

General Information Survey (this school)

traditional school	1. Operational calendar.
block	2. For high schools, provide current scheduling format.
CTE	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
No	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
Yes	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Private	7. Staff or private janitorial services?
Yes	8. LEED certification? (any buildings)
8	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
2	11. Number of SROs?
1	12. Number of School Nurses?
3	13. Number of Assistant Principals?
4	14. Number of School Counselors?
11163207	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-332** School: **Orange High**

Type: **High** Grades: **09-12** Current ADM **1289**

Campus Infrastructure Survey (this campus)

1962	36. Oldest building on campus - year built?
2015	37. Newest building on campus - year built?
2021	38. Year of most recent renovation?
Yes	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
permanent	42. Emergency generator use?
Natural Gas	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
No	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
Yes	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey — Capacity Calculator

Partnership Academy | School No: 680335 | Date: 12/29/2020

General Building Information

Building Construction History

Form Instructions: Enter building construction history for this school. For example, original building, classroom addition, mini-gym addition, etc. Also complete the requested information concerning the particular construction..

For definition Press Condition or Accessibility

Building	Year Built	SF Area	Condition	Accessibility
Original Building 2006	2006	3600	Excellent	In Compliance
Addition 2010	2010	3000	Excellent	In Compliance

School Total Area	SF	6600	*Enter the total square feet area of school.*
School Site Acreage	Acreage	21	*Enter the total site acreage of school.*

Utility Costs

Complete the following utility cost for FY 2019-20. If there are solar arrays on the site or school roof, complete Solar Energy section.

Scroll Down

UTILITY COST ($)			VALUE OF SOLAR ENERGY ($)	
ELEC	GAS	WATER / SEWER	USED	SOLD TO UTILITY
9894	0	2851	0	0

UTILITY CONSUPTION			SOLAR ENERGY CONSUMPTION	
ELEC (MW)	GAS (THERM)	WATER (GAL)	USED (MW)	SOLD TO UTILITY (MW)
99	0	55409		

Mobile Units

Note: The capacity of mobile classroom units is NOT included in the school capacity totals.

Mobile Units Type	No
Single Wide	
Double Wide	
Mega-module	
Total from Above	

Teaching Stations	no.	Capacity
Total Teaching Stations		
Total Teaching Stations		
Total Teaching Stations		
Total from Above		

Total from Capacity and Needs Plan	

2020-21 DPI Facility Needs Survey — Capacity Calculator

Partnership Academy | School No: 680335 | Date: 12/29/2020

School Capacity

Form Instructions: Enter the number of classrooms and other spaces.
Include additions and new schools that are under construction or in the design phase.

Pre-K	Quantity	Capacity
Pre-K Classrooms		

Note: The capacity of Pre-K Classrooms is NOT included in the school capacity totals.

	Classrooms/Spaces			Capacity		
Academic	Elem	Middle	High	Elem	Middle	High
Kindergartens						
Grade 1						
Grades 2-3						
Grades 4-5						
LA/SS/Math Classrooms			2			48
Math / Science Classrooms						
Science Labs						
Science Classrooms						
Exception S/C						
Resource		1				
4+ Computers in each room?		☐ Yes?				
Computer Rooms						

Scroll Down

Arts Education	Elem	Middle	High			
Visual Arts						
Dance / Drama						
General Music						
Instrumental Music (Band)						
Vocal Music (Chorus)						
Subtotal - Arts						

Vocational	Elem	Middle	High			
Keyboarding Labs						
Prevocational Labs						
Business / Office Ed.						
Service / Marketing						
Technology Labs						
Agri / Trade + Ind						

2020-21 DPI Facility Needs Survey — Capacity Calculator

Partnership Academy **School No: 680335** Date: 12/29/2020

Physical Education, etc.	Elem	Middle	High			
P.E. / Multi / Gymnasium	☐	☐	☐			
Gym Seating						
Auxilliary Gym		☐	☐			
Health / P.E.						
Weight Room						
Wrestling						
ROTC						
Capacity Totals (sum from the capacity above):				0	0	48
Capacity Totals (sum from Capacity Plan form):				0	0	48

2020-21 DPI Facility Needs Survey — Capacity Calculator

Partnership Academy **School No: 680335** Date: 12/29/2020

Core Capacity

Media Center	Facilities		Capacity	
Media RLV Area:			sq.ft. / 4 =	
Media Support Area:	○ Sm ○ OK ○ Good			

Dining and Kitchen	Facilities		Capacity	
Dining Area			sq.ft. / 4 =	
Kitchen Area:	○ Small ○ OK ○ Good			
# of Serving Lines:				
	Minimum Core Capacity:			

Auditorium	Facilities			
Auditorium:	☐ **Yes?**			
# of Seats:				
Admin/Guidance Area:	○ Small ○ OK ○ Good			

2020-21 DPI Facility Needs Survey — Capacity and Needs Plan

Partnership Academy

School: **Partnership Academy** School No: **680-335**

Type: **High** Grades: **09-12** Current ADM **36**

Add New School | Delete School | Undo Changes | Save and Close Form

Teaching Stations in Mobile Units: (mobiles/temp. bldgs. for educational use at this school)

	Pre - K	K - 5	6 - 8	9 - 12	Total K-12
Current Capacity				48	48

(Include the capacity of new schools and additions that are under construction or funded in the "Current Capacity")

0 - 5 Year Project Needed

Project Needed: Renovations

Priority: 2 — 2-5 Year Needs

5 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Total K-12
			48	48

(Capacity planned to accomodate projected enrollment 2025-26)

Justifications: (Why are these improvements needed?)

1. Building Code / Life Safety
2.

Notes/ Description:

6 - 10 Year Project Needed

Project Needed: Renovations

Priority: 4 — 9-10 Year Needs

10 Years Planned Capacity

Pre - K	K - 5	6 - 8	9 - 12	Tota

(Capacity planned to accomodate projected enrollment 2030-31)

Justifications: (Why are these improvements needed?)

1. Air Conditioning / Energy Conserv
2. Depreciation/ Deferred Maintenan

Notes/ Description: Aging HVAC from time of bilding ence

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Partnership Academy

School Number: **680-335** Planned Capacity: **48**
Priority: **2** Pre-K Capacity: **0**

Additions

Date: 12/29/2020

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed: ____ Acres x $ ____ /Acre = ____

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Partnership Academy

School Number: **680-335** Planned Capacity: **48**
Priority: **2** Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	
		Contingency (10% of renovation cost):	
		Admin. and Design Fees (8.5% of renovation cost):	
		Total Renovation Cost:	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
0 - 5 Years Project

Partnership Academy

School Number: **680-335** Planned Capacity: **48**
Priority: **2** Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations:

Notes/Comments:

Justifications Why are these improvements needed?

1. Building Code / Life Safety
2.

Funding

Likelihood that County will fund project:

If "Very Unlikely," why will County funding not be available?

What other funding sources are available for the project?

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Partnership Academy

School Number: **680-335** Planned Capacity: **0**
Priority: **4** Pre-K Capacity: **0**

Additions

Date:

Academic Classrooms	Elem	Middle	High	Area (sf)		Estimated Cost
Pre-K Clrms:						
Kindergartens:						
Grades 1 Clrms:						
Grades 2-3 Clrms:						
Grades 4-5* Clrms:						
LA/SS/Math Clrms:						
Math/Sci Clrms:						
Science Labs:						
Science Classrooms:						
Exceptional (self-contained):						
Resource:						
Computer Rooms:						
Arts Education	**Elem**	**Middle**	**High**			
Visual Arts:						
General Music:						
Instrumental Music (band):						
Vocal Music (chorus):						
Dance/Drama:						
Vocational	**Elem**	**Middle**	**High**			
Keyboarding Labs:						
Prevocational Labs:						
Business/Office Ed:						
Service/Marketing:						
Technology Labs:						
Agri/Trade+Ind:						
Physical Education,etc	**Elem**	**Middle**	**High**			
P.E./ Multi/ Main Gymnasium:	☐	☐	☐		Check to add new facility	
Auxiliary Gym:		☐	☐		Check to add new facility	
Health/P.E. Clrms:						
Weight Room:						
Wrestling:						
Core Facilities						
Media RLV Area:	☐	☐	☐			
Media Support Area:						
Dining Area:		☐				
Kitchen Area:						
# of Serving Lines:						
Auditorium:			☐			
Admin/Guidance Area:						
Other/misc. Area:						
Subtotals:						
Bldg. Support/Circulation:						
Total Area (s.f.) Added:					Const. Cost:	
Demolition of Existing Buildings:					s.f.	
Contingency:						
Admin. and Design Fees:						
					Total for Additions:	

*Base-Line Cost/ sq.ft.: $250

Land Purchase

Additional Land Needed:		Acres x $		/Acre =	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Partnership Academy

School Number: **680-335**
Priority: **4**
Planned Capacity: **0**
Pre-K Capacity: **0**

Renovations

Site Improvements	Size/ Amount	Notes/ Description	Cost
Parking/ Drives:$			
Sewer System:	☐	Check box to add sewer system.	
Water System (well):	☐	Check box to add a well.	
Grading/ Drainage:$			
Canopy (cov. walk):		s.f.	
Other Sitework (describe):$			
Building/ Exterior/ Structure			
Roof Replacement:		s.f.	
Structural Repairs:$			
Window Replacement:		s.f.	
Masonry/ Ext. Wall Repairs:$			
Other Bldg/Exterior (describe):$			
Interior/ Finishes			
Partition/Wall Construction:$			
Ceilings:		s.f.	
Flooring:		s.f.	
Painting:		s.f.	
Other Bldg/Interior (describe):$			
Plumbing/ HVAC/ Electrical			
Air Conditioning:		s.f.	
Electrical Service:		s.f.	
Lighting:		s.f.	
Computer/ Tech. Wiring:		s.f.	
Plumbing:$			
Other Plbg/HVAC/Elec.(describe):$			
Bldg. Code/ Life Safety			
Bldg. Code/ Life Safety:$			
ADA Ramps/H.C. Access:$			
ADA Toilet Renovations:$			
Fire Alarm:$			
Sprinkler System:		s.f.	
Other Code/Safety (describe):$			
Hazardous Mat'l/ Environmental			
Hazardous Matl. Abatement:$			
Indoor Air Quality:$			
Inground Fuel Tanks:$			
Radon Management:$			
Other Environmental (describe):$			
Other Renovations (not incl. above)			
Other Renovations (describe)1.$			
2.$			
3.$			
		Subtotal:	
		Contingency (10% of renovation cost):	
		Admin. and Design Fees (8.5% of renovation cost):	
		Total Renovation Cost:	

2020-21 DPI Facility Needs Survey

Cost Worksheet - Additions/Renovations
6 - 10 Years Project

Partnership Academy

School Number: **680-335**
Priority: **4**
Planned Capacity: **0**
Pre-K Capacity: **0**

Furnishings/ Equipment

Furn./ Eqpt. for Addition*:			
Kitchen Equipment:	☐	Check to add kitchen equipment	
Media Center Furnishings*:	☐	Check to add media center furnishings	
Other Furn./ Eqpt. (describe):			
		Total Furn./ Eqpt.	

Total Cost of Additions and Renovations:

Notes/Comments:

Justifications: (Why are these improvements needed?)

1. Air Conditioning / Energy Conservation
2. Depreciation/ Deferred Maintenance

School Planning
NC Department of Public Instruction
Safe and Healthy Schools Division

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-335** School: **Partnership Academy**

Type: **High** Grades: **09-12** Current ADM **36**

General Information Survey (this school)

traditional school	1. Operational calendar.
period	2. For high schools, provide current scheduling format.
	3. Does this school have a special programmatic focus: Magnet / CTE / IB / Early College, etc.?
	4. Are all science labs at this school in compliance with NCDPI's Science Safety Checklist? https://files.nc.gov/dpi/documents/schoolplanning/science-safety-checklist.pdf
	5. Does the main entrance at this school include a Security Vestibule to control visitor entry?
Yes	6. Is the main office at this school equipped with the required Silent Panic Alarm to directly call emergency first responders?
Staff	7. Staff or private janitorial services?
No	8. LEED certification? (any buildings)
0	9. Number of mobile units on this campus - in use?
0	10. Number of mobile units on this campus - out of use?
1	11. Number of SROs?
0	12. Number of School Nurses?
0	13. Number of Assistant Principals?
0	14. Number of School Counselors?
0	15. Total expenditures for Capital Projects last 5 years? (this campus)

** ADM is based on NCDPI data for 5th Month 2019-20*

2020-21 DPI Facility Needs Survey Schools Questionnaire

School No: **680-335** School: **Partnership Academy**

Type: **High** Grades: **09-12** Current ADM **36**

Campus Infrastructure Survey (this campus)

2006	36. Oldest building on campus - year built?
2010	37. Newest building on campus - year built?
	38. Year of most recent renovation?
No	39. Are there retaining walls on site?
municipal	40. Water service provider?
municipal	41. Sewer service provider?
none	42. Emergency generator use?
N/A	43. Fossil fuel type used on this campus?
No	44. Underground fuel storage tanks remaining?
Yes	45. Is campus totally abated / known to be free of asbestos, lead, etc.?
No	46. Any all-wood constructed educational buildings on campus?
No	47. Use of any PV / solar arrays?
No	48. Bus lot with parking for local route only?
fiber	49. Technology / Broadband service type?
90	50. Percentage of students with reliable home internet connection?
N/A	51. Status of named storm damage repairs, if any?
N/A	52. Has campus ever been closed long term due to damage from a catastrophic event such as fire, tornado, hurricane, flooding?

** ADM is based on NCDPI data for 5th Month 2019-20*

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 8-n

SUBJECT: Advisory Boards and Commissions - Appointments

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):
No Attachments

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To approve the Advisory Boards and Commissions appointments as reviewed and discussed during the May 11, 2021 Work Session.

BACKGROUND: The following appointments are for Board approval:

- **Adult Care Home Community Advisory Committee**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Alison Brown	At-Large	First Full Term	06/30/2023

- **Advisory Board on Aging**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Dr. Jeff Charles	Chapel Hill Town Limits	First Full Term	06/30/2024
Dr. Richard White	At-Large	First Full Term	06/30/2024
Dr. Jennifer (Jenny) Womack	Carrboro Town Limits	First Full Term	06/30/2024
Jerry Ann Gregory	At-Large	First Full Term	06/30/2024
James Harris	At-Large	Second Full Term	06/30/2024

- **Affordable Housing Advisory Board**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Saru Salvi	At-Large	Partial Term	09/30/2023
Olivia Fisher	At-Large	First Full Term	06/30/2024
Gio Mollinedo	At-Large	First Full Term	06/30/2024
Tim Woody	At-Large	First Full Term	06/30/2024
Arthur Sprinczeles	At-Large	Second Full Term	06/30/2024

- **Alcoholic Beverage Control Board**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Judson Williamson	At-Large	First Full Term	06/30/2024
Patrick Burns	At-Large	Second Full Term	06/30/2024

Appointment of Chair to the ABC Board:

NAME	POSITION DESCRIPTION	TERM EXPIRATION DATE
Patrick Burns	At-Large	06/30/2024

- **Animal Services Advisory Board**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Dr. Bryan Stuart	Town of Hillsborough	Second Full Term	06/30/2024
Lucia Welborne	Animal Welfare/Animal Advocacy	Second Full Term	06/30/2024

- **Arts Commission**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Hannah Fatool	UNC Student Representative	First Full Term	06/30/2022

- **Board of Equalization and Review**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Leon Meyers	Alternate	Partial Term	03/31/2023
Ryan Petrone	Alternate	Partial Term	03/31/2023

- **Economic Development Advisory Board**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Kevin Thomas	Tourism	First Full Term	06/30/2024
Jane Saiers	Agriculture	First Full Term	06/30/2024
David Gephart	Core Business Community	First Full Term	06/30/2024
Estrella Johnson	Core Business Community	First Full Term	06/30/2024
Barbara Jessie-Black	Non-Profit Agency	Second Full Term	06/30/2024
John Morris	Core Business Community	Second Full Term	06/30/2024

- **Orange County Board of Adjustment**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Scott Taylor	At-Large	First Full Term	06/30/2024
Elizabeth Bronson	At-Large Alternate	First Full Term	06/30/2024
Susan Halkiotis	At-Large	Second Full Term	06/30/2024

- **Orange County Planning Board**

VOLUNTEER TO BE APPOINTED	POSITION DESCRIPTION	TYPE OF APPOINTMENT TERM	TERM EXPIRATION DATE
Statler Gilfillen	At-Large	Partial Term	03/31/2022

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: ENABLE FULL CIVIC PARTICIPATION**
  Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board approve the recommended appointments as reviewed and discussed during the May 11, 2021 Work Session.

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT
Meeting Date: May 18, 2021

Action Agenda Item No. 11-a

SUBJECT: Animal Services Hearing Panel Pool - Appointment Discussion

DEPARTMENT: Board of Commissioners

ATTACHMENT(S):
Animal Services Hearing Panel Pool Member Roster
Animal Services Advisory Board Member Roster
Applicant Interest List
No Applicants for this Board

INFORMATION CONTACT:
Clerk's Office, 919-245-2130

PURPOSE: To discuss appointments to the Animal Services Hearing Panel Pool.

BACKGROUND: The following appointment information is for Board consideration:

Appointment of two Animal Services Advisory Board members to serve as Chairs to the Animal Services Hearing Panel Pool (both terms expiring 03/31/2022):

NAME	SPECIAL REPRESENTATIVE	EXPIRATION DATE
Dr. Sunita Driehuys	Veterinarian	06/30/2022
Dr. Bryan Stuart	Town of Hillsborough	06/30/2021
Dawn Roberts	Non-Municipality	06/30/2023
Lucia Welborne	Animal Welfare/Animal Advocacy	06/30/2021
Lori Gershon	Animal Welfare/Animal Advocacy	06/30/2023
Meggie Romick	Animal Welfare/Animal Advocacy	06/30/2023
Allan Polak	Certified Animal Handler/Trainer/Technician	06/30/2022
Susan Spinks	Owner/Manager Retail Pet Services	06/30/2023

NOTE – The following vacancies remain:

POSITION DESIGNATION	EXPIRATION DATE	VACANCY INFORMATION
At-Large Unincorporated County	03/31/2024	**Vacant since 03/31/2021**
Veterinarian	03/31/2024	**Vacant since 03/31/2021**

FINANCIAL IMPACT: There is no financial impact associated with this item.

SOCIAL JUSTICE IMPACT: The following Orange County Social Justice Goal is applicable to this item:

- **GOAL: ENABLE FULL CIVIC PARTICIPATION**
  Ensure that Orange County residents are able to engage government through voting and volunteering by eliminating disparities in participation and barriers to participation.

ENVIRONMENTAL IMPACT: There is no Orange County Environmental Responsibility Goal impact associated with this item.

RECOMMENDATION(S): The Manager recommends that the Board discuss appointments to the Animal Services Hearing Panel Pool.

Board and Commission Members

And Vacant Positions

Animal Services Hearing Panel Pool

Meeting Times: As Needed
Meeting Place:
Contact Person: Vicki Jones
Contact Phone: 919-942-7387

Positions: 18 Length: 3 years Terms: 2

Description: To hear appeals from violations of the Orange County Code of Ordinances, Chapter 4 ("Animal Control Ordinance"), as provided in the Orange County Code of Ordinances, Section 4-53 Appeals. To hear appeals as prescribed by N.C. Gen. Stat. §67-4.1(c). To protect the health, safety and welfare of Orange County residents and the animals residing in Orange County. Conduct fair and impartial hearings of appeals of potentially dangerous dog declaration and any other appeals as may be required by the Animal Control Ordinance.

Michelle Walker

1

Gender Identity: Female
Ethnic Background: White
Age Range:

Township: Chapel Hill
Resid/Spec Req: Carrboro
Special Repr: Town of Carrboro

First Appointed: 03/22/2016
Current Appointment: 03/10/2020
Expiration: 03/31/2023
Number of Terms: 2

Debra Cunningham

2

Gender Identity: Female
Ethnic Background: White
Age Range:

Township: Chapel Hill
Resid/Spec Req: Carrboro
Special Repr: Town of Carrboro

First Appointed: 03/20/2018
Current Appointment: 03/16/2021
Expiration: 03/31/2024
Number of Terms: 2

Dr Laurie Smith

3

Gender Identity: Female
Ethnic Background: White
Age Range:

Township: Chapel Hill
Resid/Spec Req: Chapel Hill
Special Repr: Town of Chapel Hill

First Appointed: 09/20/2016
Current Appointment: 03/19/2019
Expiration: 03/31/2022
Number of Terms: 2

Stacy Schenkel

4

Gender Identity: Female
Ethnic Background: White
Age Range: 35-59

Township: Chapel Hill
Resid/Spec Req: Chapel Hill
Special Repr: Town of Chapel Hill

First Appointed: 10/20/2020
Current Appointment: 10/20/2020
Expiration: 03/31/2023
Number of Terms: 1

Dr. Mark Solomon

5

Gender Identity: Male
Ethnic Background: White
Age Range: 35-59

Township: Hillsborough
Resid/Spec Req: Hillsborough
Special Repr: Town of Hillsborough

First Appointed: 03/16/2021
Current Appointment: 03/16/2021
Expiration: 03/31/2024
Number of Terms: 1

Ms. Jennifer Stout

6

Gender Identity: Female
Ethnic Background: White
Age Range:

Township: Hillsborough
Resid/Spec Req: Hillsborough
Special Repr: Town of Hillsborough

First Appointed: 06/18/2019
Current Appointment: 06/18/2019
Expiration: 03/31/2022
Number of Terms: 1

Board and Commission Members

And Vacant Positions

Animal Services Hearing Panel Pool

Meeting Times: As Needed
Meeting Place:
Contact Person: Vicki Jones
Contact Phone: 919-942-7387

Positions: 18 Length: 3 years Terms: 2

Tony Whitaker

7

Gender Identity: Male
Ethnic Background: White
Age Range:

Township: Little River
Resid/Spec Req: Orange County
Special Repr: Public Health Field

First Appointed: 09/06/2016
Current Appointment: 03/10/2020
Expiration: 03/31/2023
Number of Terms: 2

Allan Polak

8

Gender Identity: Male
Ethnic Background: White
Age Range: 35-59

Township: Chapel Hill
Resid/Spec Req: Orange County
Special Repr: Public Safety Field

First Appointed: 03/19/2019
Current Appointment: 03/16/2021
Expiration: 03/31/2024
Number of Terms: 1

Bonnie Hauser

9

Gender Identity: Female
Ethnic Background: White
Age Range: 60+

Township: Bingham
Resid/Spec Req: Orange County
Special Repr: At-Large

First Appointed: 09/05/2017
Current Appointment: 03/19/2019
Expiration: 03/31/2022
Number of Terms: 1

Matthew Bonds

10

Gender Identity: Male
Ethnic Background: White
Age Range:

Township: Chapel Hill
Resid/Spec Req: Orange County
Special Repr: At-Large

First Appointed: 11/01/2018
Current Appointment: 03/10/2020
Expiration: 03/31/2023
Number of Terms: 1

Meggie Romick

11

Gender Identity: Female
Ethnic Background: White
Age Range: 18-34

Township: Chapel Hill
Resid/Spec Req: Orange County
Special Repr: At-Large

First Appointed: 03/19/2019
Current Appointment: 03/16/2021
Expiration: 03/31/2024
Number of Terms: 1

Jean Austin

12

Gender Identity: Female
Ethnic Background: White
Age Range:

Township: Cheeks
Resid/Spec Req: Orange County
Special Repr: At-Large Unincorporated County

First Appointed: 03/22/2016
Current Appointment: 03/19/2019
Expiration: 03/31/2022
Number of Terms: 2

Board and Commission Members

And Vacant Positions

Animal Services Hearing Panel Pool

Meeting Times: As Needed
Meeting Place:
Contact Person: Vicki Jones
Contact Phone: 919-942-7387

Positions: 18 Length: 3 years Terms: 2

Cathy Munnier

13

Gender Identity: Female
Ethnic Background: White
Age Range:

Township: Eno
Resid/Spec Req: Orange County
Special Repr: At-Large Unincorporated County

First Appointed: 03/22/2016
Current Appointment: 03/10/2020
Expiration: 03/31/2023
Number of Terms: 2

VACANT

14

Gender Identity:
Ethnic Background:
Age Range:

Township:
Resid/Spec Req: Orange County
Special Repr: At-Large Unincorporated County

First Appointed:
Current Appointment:
Expiration: 03/31/2021
Number of Terms:

VACANT

15

Gender Identity:
Ethnic Background:
Age Range:

Township:
Resid/Spec Req: Orange County
Special Repr: Veterinarian

First Appointed:
Current Appointment:
Expiration: 03/31/2024
Number of Terms:

Edmund Tiryakian

16

Gender Identity: Male
Ethnic Background: White
Age Range:

Township: Little River
Resid/Spec Req: Orange County
Special Repr: Animal Services Advisory Board Member

First Appointed: 04/19/2016
Current Appointment: 03/10/2020
Expiration: 03/31/2023
Number of Terms: 2

Mr. Casey Ferrell

17

Gender Identity: Male
Ethnic Background: White
Age Range:

Township: Eno
Resid/Spec Req: Orange County
Special Repr: Animal Services Advisory Board Member

First Appointed: 03/10/2020
Current Appointment: 03/10/2020
Expiration: 03/31/2022
Number of Terms: 1

Amanda Schwoerke

18

Gender Identity: Female
Ethnic Background: Hispanic
Age Range:

Township: Chapel Hill
Resid/Spec Req: Orange County
Special Repr: Animal Services Advisory Board Member

First Appointed: 11/01/2016
Current Appointment: 03/19/2019
Expiration: 03/31/2022
Number of Terms: 2

Board and Commission Members

And Vacant Positions

Animal Services Advisory Board

Meeting Times: 6:30 pm-8:00 pm Third Wed. each month
Contact Person: Vicki Jones

Meeting Place: Community Room of the Animal Services Facility
Contact Phone: 919-942-7387

Positions: 13 Length: 3 years Terms: 2

Description: The charge of the Animal Services Advisory Board is to advise the Board of County Commissioners on matters of concern regarding animal issues and animals services in Orange County. To work with the Animal Services Director (or designee) on various policy concerns and issues regarding County animal services. To carry out duty to hear Potentially Dangerous Dog Declaration appeals as prescribed by N.C. Gen. Stat. §67-4.1©. Position #1 "Veterianarian from Health Board", may serve 3 terms to coincide with the Board of Health terms.

Dr. Lee Pickett

1

Gender Identity: Female
Ethnic Background: White
Age Range:

Township: Eno
Resid/Spec Req:
Special Repr: Veterinarian from Health Board (3 terms)

First Appointed: 09/17/2019
Current Appointment: 10/06/2020
Expiration: 06/30/2023
Number of Terms: 1

Dr Sunita Driehuys

2

Gender Identity: Female
Ethnic Background: Asian American
Age Range: 35-59

Township: Chapel Hill
Resid/Spec Req:
Special Repr: Veterinarian

First Appointed: 03/10/2020
Current Appointment: 03/10/2020
Expiration: 06/30/2022
Number of Terms: 1

Sue Millager

3

Gender Identity: Female
Ethnic Background: White
Age Range: 60+

Township: Chapel Hill
Resid/Spec Req:
Special Repr: Town of Carrboro

First Appointed: 03/10/2020
Current Appointment: 03/10/2020
Expiration: 06/30/2021
Number of Terms:

Amanda Schwoerke

4

Gender Identity: Female
Ethnic Background: Hispanic
Age Range:

Township: Chapel Hill
Resid/Spec Req:
Special Repr: Town of Chapel Hill

First Appointed: 06/19/2018
Current Appointment: 06/19/2018
Expiration: 06/30/2021
Number of Terms: 1

Dr. Bryan Stuart

5

Gender Identity: Male
Ethnic Background: White
Age Range:

Township: Hillsborough
Resid/Spec Req:
Special Repr: Town of Hillsborough

First Appointed: 09/04/2018
Current Appointment: 09/04/2018
Expiration: 06/30/2021
Number of Terms: 1

Mr. Casey Ferrell

6

Gender Identity: Male
Ethnic Background: White
Age Range:

Township: Eno
Resid/Spec Req:
Special Repr: Non-Municipality

First Appointed: 03/19/2019
Current Appointment: 03/19/2019
Expiration: 06/30/2021
Number of Terms: 1

Board and Commission Members

And Vacant Positions

Animal Services Advisory Board

Meeting Times: 6:30 pm-8:00 pm Third Wed. each month
Meeting Place: Community Room of the Animal Services Facility
Contact Person: Vicki Jones
Contact Phone: 919-942-7387
Positions: 13 Length: 3 years Terms: 2

Edmund Tiryakian

7

Gender Identity: Male
Ethnic Background: White
Age Range:

Township: Little River
Resid/Spec Req:
Special Repr: At-Large

First Appointed: 06/07/2016
Current Appointment: 06/18/2019
Expiration: 06/30/2022
Number of Terms: 2

Dawn Roberts

8

Gender Identity: Female
Ethnic Background: White
Age Range: 35-59

Township: Cedar Grove
Resid/Spec Req:
Special Repr: Non-Municipality

First Appointed: 10/06/2020
Current Appointment: 10/06/2020
Expiration: 06/30/2023
Number of Terms: 1

Lucia Welborne

9

Gender Identity: Female
Ethnic Background: White
Age Range:

Township: Bingham
Resid/Spec Req:
Special Repr: Animal Welfare/Animal Advocacy

First Appointed: 03/19/2019
Current Appointment: 03/19/2019
Expiration: 06/30/2021
Number of Terms: 1

Lori Gershon

10

Gender Identity: Female
Ethnic Background: White
Age Range: 35-59

Township: Chapel Hill
Resid/Spec Req:
Special Repr: Animal Welfare/Animal Advocacy

First Appointed: 10/06/2020
Current Appointment: 10/06/2020
Expiration: 06/30/2023
Number of Terms: 1

Meggie Romick

11

Gender Identity: Female
Ethnic Background: White
Age Range: 18-34

Township: Chapel Hill
Resid/Spec Req:
Special Repr: Animal Welfare/Animal Advocacy

First Appointed: 10/06/2020
Current Appointment: 10/06/2020
Expiration: 06/30/2023
Number of Terms: 1

Allan Polak

12

Gender Identity: Male
Ethnic Background: White
Age Range: 35-59

Township: Chapel Hill
Resid/Spec Req:
Special Repr: Certified Animal Handler/Trainer/Technic

First Appointed: 10/06/2020
Current Appointment: 10/06/2020
Expiration: 06/30/2022
Number of Terms:

Board and Commission Members

And Vacant Positions

Animal Services Advisory Board

Meeting Times: 6:30 pm-8:00 pm Third Wed. each month
Meeting Place: Community Room of the Animal Services Facility
Contact Person: Vicki Jones
Contact Phone: 919-942-7387
Positions: 13 Length: 3 years Terms: 2

Susan Spinks

13

Gender Identity:	Female	Township:	Chapel Hill	First Appointed:	10/06/2020
Ethnic Background:	White	Resid/Spec Req:		Current Appointment:	10/06/2020
Age Range:	35-59	Special Repr:	Owner/Manager Retail Pet Services	Expiration:	06/30/2023
				Number of Terms:	1

Applicant Interest Listing

by Board Name and by Applicant Name

Animal Services Hearing Panel Pool

Contact Person: Vicki Jones
Contact Phone: 919-942-7387

No applicants for this board.

Gender Identity:
Ethnic Background:
Age Range:

Date Applied:
Township:
Res. Eligibility:

Also Serves On:

DRAFT

INFORMATION ITEM

Date Prepared: 05/05/21
Date Revised: 05/11/21

BOCC Meeting Follow-up Actions

(Individuals with a * by their name are the lead facilitators for the group of individuals responsible for an item)

Meeting Date	Task	Target Date	Person(s) Responsible	Status
5/4/21	Review and consider request by Commissioner Greene, echoed by Commissioners Fowler and Dorosin, that the County consider establishing a permanent fund to subsidize the county property tax payments for property owners whose valuation has risen to unsustainable	1/2022	Bonnie Hammersley	Manager to review for potential action as part of 2021-22 budget
5/4/21	Review and consider request by Commissioner Hamilton that staff review the opportunity to provide public wastewater services to the Gaines Chapel Road community	10/2021	Craig Benedict Bonnie Hammersley	Manager to confer with Planning on past investigations and efforts and determine potential next steps
5/4/21	Provide the Board with information on the number of students in both school systems as of May 1, 2021	5/2021	Gary Donaldson Paul Laughton	**DONE** Provided a part of presentation at May 13, 2021 budget work session
5/4/21	Provide the Board with information and options related to a cost-of-living adjustment (COLA) for County employees	5/2021	Gary Donaldson Paul Laughton	To be provided at May 20, 2021 Budget Work Session as part of Schools budget discussion
5/4/21	Bring the UDO “160D” proposed amendments back to the Board’s May 18, 2021 Business meeting for additional discussion and consideration	5/2021	Perdita Holtz Craig Benedict	**DONE** Included on May 18, 2021 Business meeting

INFORMATION ITEM

ORANGE COUNTY

Department *of* Environment, Agriculture, Parks & Recreation

MEMORANDUM

To: Bonnie M. Hammersley, County Manager

From: David Stancil, Environment, Agriculture, Parks and Recreation Director
Marabeth Carr, Landscape Architect

Date: May 18, 2021

RE: Blackwood Farm Park – Phase II Status Report

The purpose of this memorandum is to provide an update on progress toward scheduled improvements for the next phase of Blackwood Farm Park, slated to begin this summer.

During the last year, Susan Hatchell Landscape Architecture, PLLC and team (a design team of all women-owned businesses) has worked to develop pre-construction design and engineering services including securing permits, conducting engineering work and creating construction drawings and bid document specifications for Phase II of Blackwood Farm Park. As you know, Blackwood Farm Park is a 152-acre park near the intersection of New Hope Church Road and NC 86 between Hillsborough and Chapel Hill. The park was opened with limited facilities and a limited operating schedule in June 2015.

During the past year or so the consultant has worked with staff and other agencies (including NCDOT) to develop a refined pre-construction plan that is consistent with the adopted master plan, which called for a low-impact approach for recreation amenities, while respecting the agricultural heritage of the site and protecting the historic structures, scenic vistas and opportunities for environmental education at the park. The master plan map is attached.

As noted in a prior update to the Board in fall of 2019, the project scope that has been developed for Phase II includes:

- Turn lanes on NC 86 for the new park entrance, to be located north of the existing narrow driveway;
- The new entrance road for the park;

- Parking area(s) for existing and proposed park amenities;
- An amphitheater;
- Large picnic shelter (designed as a dual use picnic/performance shelter);
- Restroom facilities;
- Park office and work/storage area for on-site park staff;
- Stormwater and utility measures needed for the improvements above;
- Schematic design drawings for the planned Learning/Nature Center (future phase);

Construction of all of the above-listed facilities is subject to available funds once bids are received. In addition to this work, prior appropriations and other sources include funding to address improvements to the historic farmstead residence and the creation of a disc golf course, both of which will be done under separate contracts. Sketches of the design for selected facilities of Phase II are attached. Staff is also pursuing grant and partner funds for certain items in the master plan (such as the agricultural exhibits and garden areas and an environmental-themed children's trail). These improvements will be pursued using existing or new resources over the next few years.

The Phase II project scope above is currently out for construction bid solicitation, with a potential bid award to come back before the Board for approval in June. Staff has remained in contact with the park neighbors and a virtual open house for is planned for May 26. As noted in the Manager's Recommended FY 2021-22 Budget, the park is scheduled to close for construction beginning in July. Construction is expected to take approximately one year.

Funding for this project comes from previously-appropriated funds, as approved in prior Capital Investment Plans. An upcoming budget amendment will also transfer existing funds from the completed River Park project - funding for a performance stage reassigned to the amphitheater at Blackwood Farm Park.

Remaining park amenities, including the proposed Learning/Nature Center, would be a future Phase III of Blackwood Farm Park - with potential partnerships and funding being pursued for the Learning/Nature Center. Funding for this phase is identified in the CIP in year 4 and beyond.

Please let us know if we may provide any additional information.

Copies: Travis Myren, Deputy County Manager
Parks and Recreation Council
Dan Derby, Parks Superintendent

Susan Hatchell
Landscape Architecture, PLLC

Blackwood Farm Park

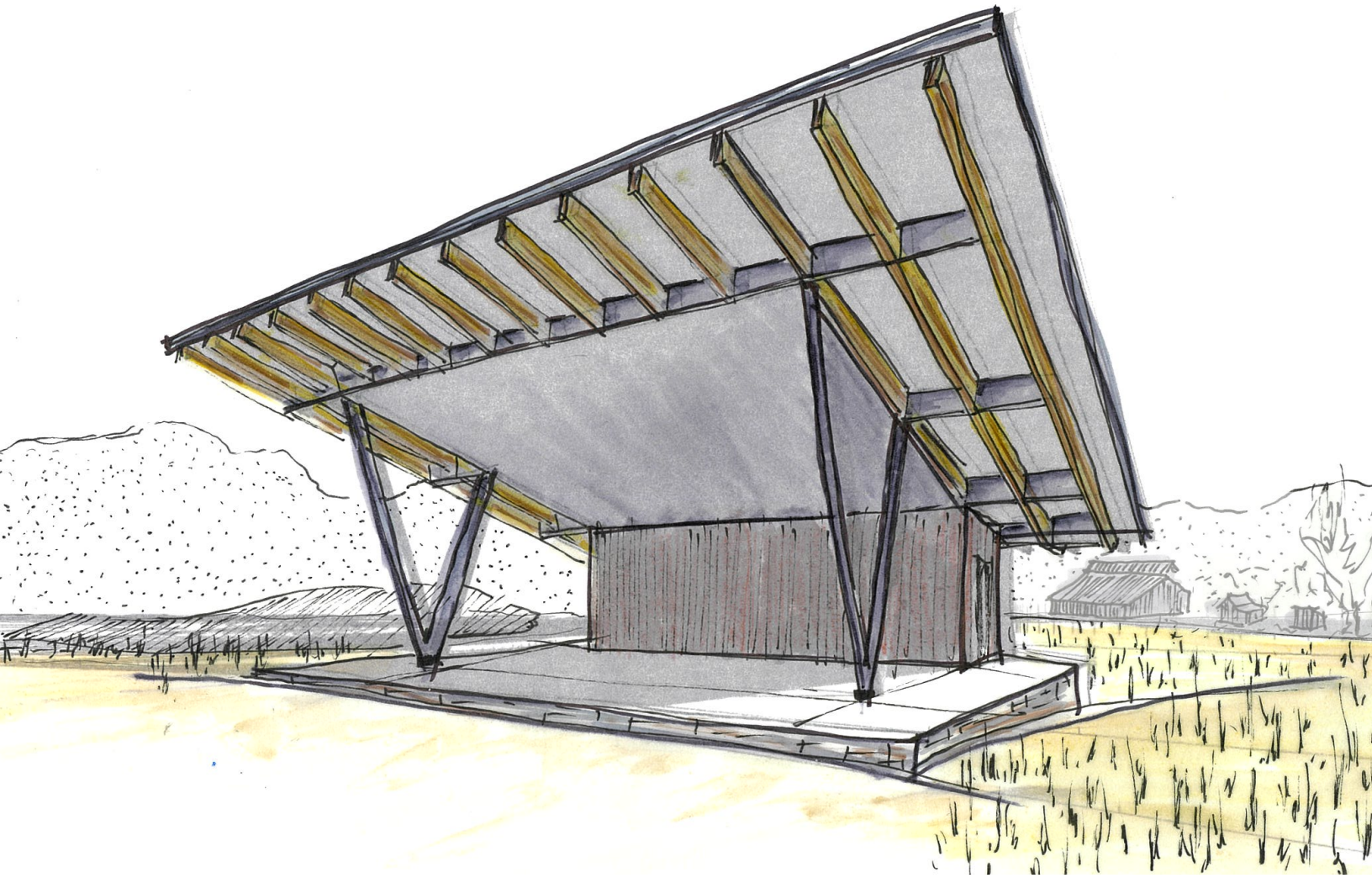
Updated Master Plan

FEBRUARY 1, 2021

DRAFT

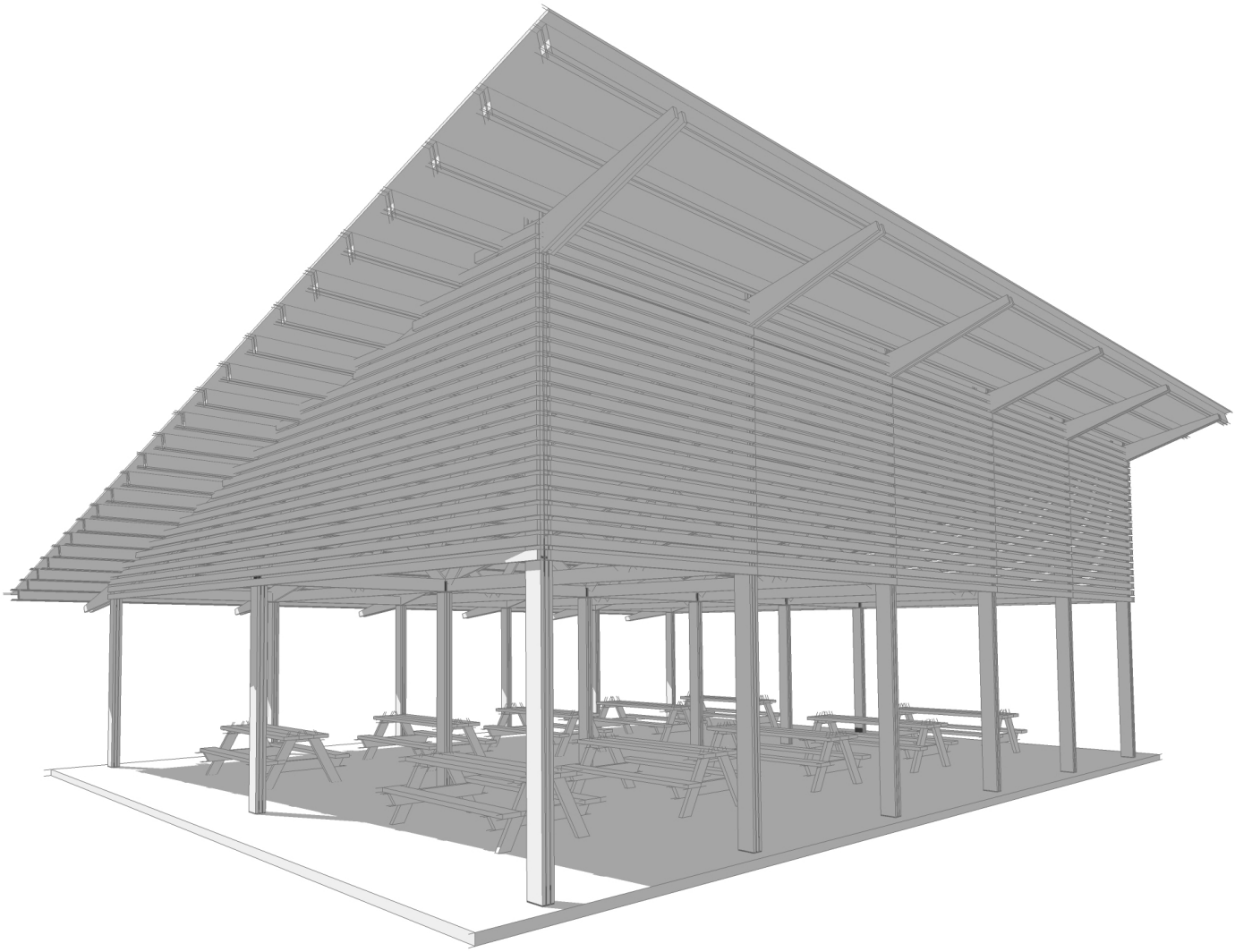
ORANGE COUNTY
NORTH CAROLINA

Department *of* Environment, Agriculture, Parks & Recreation



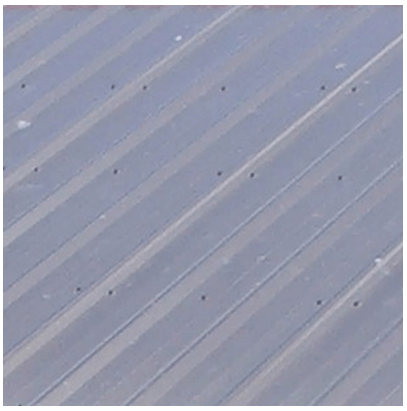
BLACKWOOD FARM AMPHITHEATRE

BLACKWOOD FARM RANGER STATION



BLACKWOOD FARM PICNIC SHELTER

ROOF EXAMPLE



ROOF
GREY
STANDING SEAM METAL ROOF

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VAULT TOILET