

## MINUTES

Board of Aldermen

Chapel Hill, N. C.

April 18, 1955

The Board of Aldermen met in regular session April 18, 1955, at 7:30 P. M., in the Town Hall with the following present: Mayor Cornwell; Aldermen Putnam, Wade, Robinson, Wager, Davis and Burch; Town Attorney LeGrand and Town Manager Rose.

MINUTES for the March 28, 1955, regular meeting were approved as read and adopted on a motion made by Alderman Putnam, seconded by Alderman Wager.

McCauley Street Traffic Hazard. A delegation of six residents of McCauley Street, with Mr. George Nicholson as spokesman, came before the Board of Aldermen with a petition requesting that something be done immediately about the traffic hazards existing at Pittsboro Street and McCauley Street; that taxicabs are now using the streets as a short-cut; the situation is unsafe for children; that Hospital traffic as well as Raleigh/Greensboro traffic now uses McCauley Street; inability to see clearly until well out into the intersection; that many residents park their cars in front of the residences instead of in drives or garages; that parked cars make it impossible to see or drive safely. He asked that a stop and go light be installed at the intersection of McCauley Street and Pittsboro Street; that parking cars in that vicinity should become a traffic violation and the cars should be hauled away with a more than one dollar fine; that "Children Playing" signs should be placed where needed; that trucks passing through McCauley Street should be prohibited; that perhaps parking could be prohibited on Pittsboro Street back to where the street starts to curve at the old railroad. Parking on Pittsboro Street between McCauley and Vance Streets was discussed. Alderman Davis moved that a traffic light be installed at the Pittsboro Street - McCauley Street intersection, as soon as funds are available; that the curbs on all four corners be painted yellow the distance, and that there be no parking on the East side of Pittsboro Street from McCauley Street to Vance Street. Alderman Putnam seconded the motion, and it was passed unanimously. regulatio

A written Petition from Mr. Lloyd W. Gardner concerning zoning changes on Durham Road was read to the Board members. Alderman Burch<sup>res</sup> that this matter be referred to the Planning Board for their consideration. Alderman Wager seconded this motion, and the motion was passed.

April 18, 1955

## AN ORDINANCE TO ESTABLISH A PLANNING BOARD FOR CHAPEL HILL AND ITS ENVIRONS

WHEREAS the General Statutes of North Carolina, 1943, Chapter 160, sections 22, 23, and 24, provide for the establishment and operation of Municipal Planning Boards; and

WHEREAS Chapter 527, Session Laws of 1953, grants the Town of Chapel Hill authority to establish a Planning Board with jurisdiction over territory surrounding the town as described therein; and

WHEREAS it appears to be advantageous to the welfare of the Town of Chapel Hill and its environs that a comprehensive and continuous planning program be undertaken; and

WHEREAS the Mayor and Board of Aldermen need the active assistance and constant cooperation of many civic-minded, far-seeing citizens in their efforts to serve the best interests of the people and to direct the community's physical growth along good civic lines; therefore,

BE IT RESOLVED, that the Mayor and Board of Aldermen hereby establish

### THE PLANNING BOARD OF CHAPEL HILL AND ITS ENVIRONS

hereinafter referred to as the "Planning Board", and ordain that it be governed by the following provisions:

#### SECTION 1. Membership and Vacancies.

The Planning Board shall consist of ten members. Five members shall be citizens and residents of the Town of Chapel Hill and shall be appointed by the Board of Aldermen; five members shall be citizens and residents of the territory surrounding the town, as described in Chapter 527 of the 1953 Session Laws, and shall be appointed by the Orange County Board of Commissioners. Two of the initial members shall be appointed for a term of one year; two, for two years; two, for three years; two, for four years; and two, for five years. Their successors shall be appointed for terms of five years. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term. Faithful attendance at the meetings of the Board is considered a prerequisite for the maintenance of membership on the Board.

#### SECTION 2. Organization, Rules, Meetings, and Records

Within thirty days after appointment the Planning Board shall meet and elect a chairman and create and fill such offices as it may determine. The term of the chairman and other officers shall be one year, with eligibility for reelection. The Board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings, and recommendations, which record shall be a public record. The Board shall hold

at least one meeting monthly, and all of its meetings shall be open to the public. There shall be a quorum of five members for the purpose of taking any official action required by this ordinance.

### SECTION 3. General Powers and Duties

It shall be the duty of the Planning Board, in general:

- (1) To acquire and maintain in current form such basic information and materials, as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions;
- (2) To prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical development of the area;
- (3) To establish principles and policies for guiding action in the development of the area;
- (4) To prepare and recommend to the Board of Aldermen ordinances promoting orderly development along the lines indicated in the comprehensive plan;
- (5) To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area;
- (6) To keep the Board of Aldermen and the general public informed and advised as to these matters;
- (7) To perform any other duties which may lawfully be assigned to it.

### SECTION 4. Basic Studies

As background for its comprehensive plan and any ordinances it may prepare, the Planning Board may gather maps and aerial photographs of man-made and natural physical features of the area, statistics on past trends and present conditions with respect to population, property values, the economic base of the community, land use, and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the area and its various parts.

In addition, the Planning Board may make, cause to be made, or obtain special studies on the location, condition, and adequacy of specific facilities, which may include but are not limited to studies of housing; commercial and industrial facilities; parks, playgrounds, and recreational facilities; public and private utilities; and traffic, transportation, and parking facilities.

All city officials shall, upon request, furnish to the Planning Board such available records or information as it may require in its work. The Board or its agents may, in the performance of its official duties, enter upon lands and make examinations or surveys and maintain necessary monuments thereon.

on the physical growth and development of the town and its environs

## SECTION 5. Comprehensive Plan

The comprehensive plan, with the accompanying maps, plats, charts, and descriptive matter, shall be and show the Planning Board's recommendations to the Board of Aldermen for the development of said territory, including, among other things, the general location, character, and extent of streets, bridges, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds, and open spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; also, the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing ways, buildings, grounds, open spaces, property, utilities, or terminals.

The plan and any ordinances or other measures to effectuate it shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the town and its environs which will, in accordance with present and future needs, best promote health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision 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 population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements.

## SECTION 6. Zoning Ordinance

The Planning Board is hereby designated as the Zoning Commission for the Town of Chapel Hill and its environs. It shall prepare and submit to the Board of Aldermen for its consideration and possible adoption a zoning ordinance for the control of the height, area, bulk, location, and use of buildings and premises in the area, in accordance with the provisions of Article 14 of Chapter 160 of the General Statutes of 1943, as amended, and of Chapter 527 of the Session Laws of 1953. Such proposed zoning ordinance, when adopted by the Board of Aldermen, will supplant the zoning ordinance and amendments now in effect.

The Planning Board may initiate, from time to time, proposals for amendment of the zoning ordinance, based upon its studies and comprehensive plan. In addition, it shall review and make recommendations to the Board of Aldermen concerning all proposed amendments to the zoning ordinance.

## SECTION 7. Subdivision Regulations

The Planning Board shall review, from time to time, the existing regulations for the control of land subdivision in the area and submit to the Board of Aldermen its recommendations, if any, for the revision of said regulations.

The Planning Board shall review and make recommendations to the Board of Aldermen concerning all proposed plats of land subdivision.

## SECTION 8. Public Facilities

The Planning Board shall review with the Town Manager and other town officials and report as recommendations to the Board of Aldermen upon the extent, location, and design of all public structures and facilities, on the acquisition and disposal of public properties, on the establishment of building lines, mapped street lines, and proposals to change existing street lines. However, in the absence of a recommendation from the Planning Board, the Board of Aldermen may, if it deems wise, after the expiration of thirty (30) days from the date on which the question has been submitted in writing to the Planning Board for review and recommendation, take final action.

## SECTION 9. Miscellaneous Powers and Duties

The Planning Board may conduct such public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of the comprehensive plan. Before adopting any such plan it shall hold at least one public hearing thereon.

The Planning Board shall have power to promote public interest in and an understanding of its recommendations, and to that end it may publish and distribute copies of its recommendations and may employ such other means of publicity and education as it may determine.

Members or employees of the Planning Board, when duly authorized by the Planning Board, may attend planning conferences or meetings of planning institutes or hearings upon pending planning legislation, and the Planning Board may, by formal and affirmative vote, pay, within the Planning Board's budget, the reasonable travelling expenses incident to such attendance.

## SECTION 10. Annual Report of Activities and Analysis of Expenditures and Budget Request for Ensuing Fiscal Year

The Planning Board shall, in May of each year, submit in writing to the Board of Aldermen a written report of its activities, an analysis of the expenditures to date for the current fiscal year, and, for review and approval, its requested budget of funds needed for operation during the ensuing fiscal year.

The Planning Board is authorized to receive contributions from private agencies and organizations or from individuals, in addition to any sums which may be appropriated for its use by the Board of Aldermen of the Town of Chapel Hill. It may accept and disburse such contributions for special purposes or projects, subject to any specified conditions which it deems acceptable, whether or not such projects are included in the approved budget.

The Planning Board is authorized to appoint such committees and employees, and to authorize such expenditures, as it may see fit, subject to limitations of funds provided for the Planning Board by the Board of Aldermen in the Town's annual budget.

SECTION 11. Advisory Council and Special Committees

The Planning Board may seek the establishment of an unofficial Advisory Council and may cooperate with this Council to the end that its investigations and plans may receive fullest consideration, but the Board may not delegate to such advisory council any of its official prerogatives.

The Planning Board may set up special committees to assist it in the study of specific questions and problems.

SECTION 12. Repeal and Date of Effect

Any ordinances or parts of ordinances in conflict with this resolution and ordinance are hereby repealed, and this resolution and ordinance shall be in full force and effect as an ordinance of the Town of Chapel Hill from and after the date of its adoption by the Board of Aldermen.

SECTION 13. Validity

Should any section, paragraph, sentence, clause, or phrase of this resolution and ordinance be declared unconstitutional or invalid for any reason, the remainder of the resolution and ordinance shall not be affected thereby.

Proposed by:  
*Jenneth E. Putnam*  
Seconded by:  
*Hubert S. Robinson*

PETITION EFFECTING ZONING by residents of Hidden Hills was read and discussed. They requested that the zoning be revised to change the area now known as a RA10 classification to a RA20. Alderman Putnam moved that this be referred to the Planning Board for study and consideration. Alderman Davis seconded this motion and it was passed.

MONTHLY REPORTS from the Health Department, Recorder's Court and the Police Department were examined.

TOWN MANAGER REPORTS. Town Manager Rose informed the Board of Aldermen that everything has been lined up in connection with the Proposed Bond Election on May 3rd.

Mr. Rose read a request from the Planning Board that, in view of the fact that H.B. 579, enabling municipalities to control subdivisions outside the town limits, appears likely to be defeated or materially changed, a local bill for Chapel Hill be presented to Representative John Umstead for introduction in the General Assembly. Alderman Burch moved that Mr. Umstead be so requested, seconded by Alderman Wager. The motion was passed.

Mr. Rose read a proposed ordinance to establish a Planning Board for Chapel Hill and Environs. Alderman Putnam moved that this ordinance be adopted, seconded by Alderman Robinson. All Board members were in favor of the motion, and the motion was passed.

A report was received from the Planning Board in which they recommended unanimously that the following changes be made in the Zoning Ordinance:

1. Extension of Hidden Hills Suburban Commercial Zone.
2. Regulation of Signs in Business Districts.
3. Definition of lot width.

Alderman Wager moved that the date of May 23rd be set for a Public Hearing on these changes. Alderman Putnam seconded the motion, and it was passed.

Town Manager Rose informed the Board that he has talked with Mr. Kenneth Scott of the N. C. Fire Rating Bureau in Raleigh on fire classification; that Chapel Hill has not been rated since February 1948; that an inspector is due here any day now to make a study and survey of Chapel Hill's needs and to reclassify the Town.

The matter of serving prospective industrial concerns with sewage disposal was discussed. The Board was agreeable to such an arrangement if it doesn't infringe on the residential district. The proposal is included in the minutes of this meeting:

April 15, 1955

To the  
Chapel Hill-Carrboro Merchants Association  
Chapel Hill, North Carolina

Gentlemen:

In reference to the proposed location of industrial plants near the Town of Chapel Hill, the Board of Aldermen agrees to process the sewage from such industrial plants, provided the sewage is delivered, without cost to the Town of Chapel Hill, to one of the Town's existing outfall lines and with the understanding that the industrial plant will pay to the Town the usual sewer connections fees and the annual sewer rents established by the Town for sewer service outside the town limits; provided that no industrial wastes are included in the sewage to be processed.

Signed	Oliver K. Cornwell, Mayor
	P. L. Burch
	Obie Davis
	Paul W. Wager
	Hubert Robinson, Sr.
	Rogers Wade
	Kenneth Putnam
	Board of Aldermen

Mayor Cornwell read a letter of resignation from Gordon W. Blackwell from the Chapel Hill Recreation Commission. That his resignation be accepted was moved by Alderman Putnam, seconded by Alderman Davis, and passed. Mayor Cornwell requested that Alderman Putnam bring in a recommendation of a member to fill this post.

MEMORIAL TO HUBERT ATWATER, deceased. Town Manager Rose told the Board of Aldermen that he thought it would be fitting and right that a bronze marker, meeting cemetery requirements, be purchased and inscribed showing that Hubert Atwater had served the Town of Chapel Hill for nearly thirty-three years; that he was the first person to be buried in the cemetery he helped to beautify. The Board agreed that Mayor Cornwell, Alderman Wager, Alderman Robinson and Town Manager Rose should decide what would fitting and advise the Board at a later meeting.

#### NEW BUSINESS:

Alderman Putnam stated that many uncollected parking tickets are being held by Police Department and that the Town doesn't



have enough help to do the job. Town Manager Rose told the Board that there is in our employ now a part time worker who is getting unusually good results on collections. That considerable money has been received through the mail by sending red "Warning" notices with a return envelope which is already addressed to the Police Department.

Alderman Robinson brought the matter of the guard rails at the parking lot at the future Belk-Leggett Store, being not strong enough to afford the protection needed there.

Alderman Wager informed the Board that he has discussed with Hospital officials the Parking on Pittsboro Road near the Hospital, and that they are going to submit in writing a proposal to this Board in reference to parking.

Upon motion by Alderman Davis, Seconded by Alderman Putnam, and unanimous consent, the meeting was adjourned at 9:07 P.M., o'clock.

Oliver K. Cornell Mayor

Mary Loneyay Town Clerk

April 18, 1955