

# NORTH CAROLINA GENERAL ASSEMBLY



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## LEGISLATIVE STUDY COMMISSION ON URBAN GROWTH AND INFRASTRUCTURE ISSUES

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FINAL REPORT TO THE  
2011 GENERAL ASSEMBLY

DECEMBER 9, 2010

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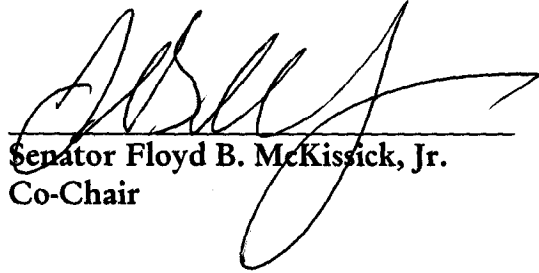
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## TRANSMITTAL LETTER

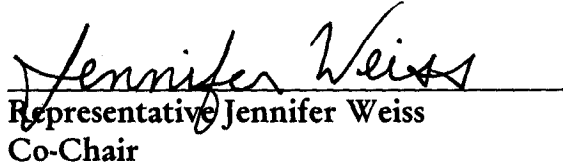
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The Legislative Study Commission on Urban Growth and Infrastructure Issues respectfully submits the following report.



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Senator Floyd B. McKissick, Jr.  
Co-Chair



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Representative Jennifer Weiss  
Co-Chair

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## PREFACE

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The Legislative Study Commission on Urban Growth and Infrastructure Issues was established in Part XXXVI of Session Law 2008-181, as amended by Part XXII of Session Law 2010-152<sup>1</sup> (Studies Act of 2008 and 2010 respectively) to determine the measures the General Assembly may take to foster regional water resource and transportation planning, incentive-based local land use planning, and more responsive and cost-effective planning to accommodate rapid population growth in North Carolina's urban areas. The Commission consists of 14 members,<sup>2</sup> five appointed by the President Pro Tempore of the Senate, five appointed by the Speaker of the House of Representatives, and four members representing North Carolina's urban areas appointed jointly by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, including at least one member from Wake, Durham, or Orange County, one member from Forsyth or Guilford County, and one member from Mecklenburg County.

Since its creation, the Commission has held the following nine meetings in the Legislative Complex in Raleigh:

January 26, 2009	January 21, 2010	April 20, 2010
November 5, 2009	February 25, 2010	November 18, 2010
December 2, 2009	March 23, 2010	December 9, 2010

Based on reports and presentations received by the Commission, the Legislative Study Commission on Urban Growth and Infrastructure Issues presents the recommendations contained in this report. A complete record of each meeting is available in the Commission notebook which is filed in the Legislative Library. Copies of the presentations made and handouts distributed to the Commission are available at the Commission's website at: <http://tinyurl.com/NCGAUGII>.

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<sup>1</sup> The Commission's authorizing language is included in Appendix A of this report.

<sup>2</sup> A list of the full Commission membership is included in Appendix B of this report.

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## COMMISSION PROCEEDINGS

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The Commission conducted a thorough review of urban growth and infrastructure issues during the 2009-2010 and 2010-2011 legislative interims including the receipt of over 35 presentations from many different local, State, and national expert speakers.<sup>3</sup>

### January 26, 2009

The first meeting was held January 26, 2009 at 2:00 p.m. in Room 414 of the Legislative Office Building. The first presenter was [John Hodges-Copple](#), Commission member and Regional Planning Director of Triangle J Council of Governments, who identified four assets to harness in managing urban growth: (1) human capital; (2) innovation; (3) quality of place and; (4) infrastructure. The next presenter was Bill Holman, the Director of State Policy at the Nicholas Institute at Duke University and coauthor of the Water Allocation Study. Mr. Holman presented water challenges. Next, Meg Ryan O'Donnell and Beau Mills, co-authors of the 2001 [Findings and Recommendations of the Commission on Smart Growth, Growth Management, and Development](#), presented an overview of the Commission's report. The last speaker was [Lisa Hollowell](#), Commission staff, who presented the goals and recommendations of the 21<sup>st</sup> Century Transportation Committee.

### November 5, 2009

The second meeting of the Commission was held on Thursday November 5, 2009 at 9:00 a.m. in Room 544 of the Legislative Office Building. Senator Floyd B. McKissick Jr. presided. Ms. [Jennifer Mundt](#), Commission Analyst provided a brief summary of the January 26, 2009 meeting of the Commission.

[Dr. David R. Godschalk](#), Stephen Baxter Professor Emeritus in the Department of City and Regional Planning at the University of North Carolina at Chapel Hill provided a presentation on the previous State planning initiatives and a general planning overview to the Commission. Dr. Godschalk's presentation focused on the lessons learned from history of previous North Carolina growth policies and the past growth-related legislation and study commissions that have been enacted and established over the past 35 years.

Two presentations were made in order to provide the Commission with data outlining population growth trends and forecasts. Mr. [Robert Coats](#), the Governor's Census Liaison and Coordinator for the State Data Center in the Office of State Budget and Management presented the current and projected demographic trends in North Carolina. Mr. Coats provided a general overview of the projected growth of the State and explained charts that displayed the State's annual percentage population growth exceeding that of the United States'. Mr. Coats's presentation included slides that listed the State's most populous counties in 2008 and those projected to be most populous in 2029 (Wake, Mecklenburg, Guilford, Forsyth, and Durham) all of which are urban counties. Ms. [Jennifer Song](#), the State Demographer in the State Data Center in the Office of State Budget and Management provided additional population and trend information. Ms. Song stated that the State is

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<sup>3</sup> A full list of the Commission meeting agendas is included in Appendix C of this report.

growing, the population is aging, and it is becoming more diverse and that the State's population is projected to exceed 12 million by 2030. Ms. Song described general housing trends in the State, the number of homes that have three or more vehicles, and general commuting patterns.

Lastly, a suite of four brief presentations were made in order to provide the Commission with an overview of the existing regional entities in North Carolina. Commission Analyst Ms. [Kristin Walker](#), provided an initial overview and description as well as maps depicting the service area or boundary of eight regional entities and programs including: (1) the Councils of Government; (2) Regional Economic Development Partnerships; (3) Soil and Water Conservation Districts; (4) River Basins; (5) Metropolitan Planning Organizations; (6) Water and Sewer Districts; (7) School Districts; and (8) Rural and Urban counties. Each entity described has different and or overlapping service areas or boundaries with the other.

Mr. [Joseph D. Crocker](#), the Assistant Secretary for Community Development in the North Carolina Department of Commerce provided an overview of the activities and programs in the Community Planning Program in the Department's Division of Community Assistance. The services provided by the Division include: growth management through the development of local plans and ordinances as well as zoning and subdivision ordinances; strategic planning for economic and community development; downtown revitalization assistance for small towns; training; and assistance through the 21<sup>st</sup> Century Communities Program.

Ms. [Pat Harris](#), the Director of the Division of Soil and Water Conservation in the Department of Environment and Natural Resources (DENR) provided an overview of the Division. Ms. Harris explained that the local Soil and Water Conservation Districts (of which there are 96) provide leadership for the delivery of voluntary, incentive-based conservation programs that target the private working lands of the State. Ms. Harris reported to the Commission that North Carolina ranks 6<sup>th</sup> in the nation in urbanization and provided the Commission with a graph that displays a precipitous drop in the number of farms in the State from the 1950's to present day.

Ms. [Dianne Reid](#), Supervisor of the Basinwide Planning Program in the Division of Water Quality in DENR provided an overview of the Programs activities. Ms. Reid stated that basinwide water quality planning is a nonregulatory, watershed-based approach to restoring and protecting the quality of North Carolina's surface waters. Basinwide water quality plans are prepared for each of the 17 major river basins in the State on a five-year cycle, with updates to critical information half way through each cycle. Basinwide plans are prepared by the Division and their implementation requires the coordinated efforts of many agencies, local governments and stakeholder groups in the State. The goals of basinwide water quality planning include: (i) identification of water quality problems and restoration of full use to impaired waters; (ii) identification and protection of high value resource waters; and (iii) protection of unimpaired waters while allowing for reasonable economic growth.

Mr. Mike Bruff, the Manager of the Transportation Planning Branch in the North Carolina Department of Transportation presented on both Metropolitan Planning Organizations (MPO) and Rural Transportation Planning Organizations (RPO). Mr. Bruff provided the Commission with a chart that compared the two organizations by their

formation, how they are designated, the criteria that defines them, funding mechanisms, how monies are allocated, the funding formulas, the organizational structure, and core tasks.

### **December 2, 2009**

The third meeting of the Commission was held on Wednesday December 2, 2009 at 1:00 p.m. in Room 544 of the Legislative Office Building. Representative Jennifer Weiss presided.

Dr. [Gerrit Knaap](#), the Executive Director of the National Center for Smart Growth Research and Education provided a presentation on the best practices in state growth management using the states of Oregon and Maryland as case studies. Dr. Knaap first outlined the Oregon model which requires mandatory local land use planning, the use of Urban Growth Boundaries, exclusive farm and forest zoning, and also includes housing requirements and transportation-land use connections. Urban Growth Boundaries (UGB) are a key feature of the Oregon land use program and are used as a tool to limit where growth takes place in a particular area. In Oregon, local governments create the UGBs and they are approved by the state. UGBs are a part of each locality's comprehensive plan and must contain a 20-year supply of land for development within the UGB. They are reviewed every 3-7 years to ensure that they are meeting the growth needs of that area.

Next, Dr. Knaap provided an overview of the Maryland Smart Growth program which was created in 1997. Maryland's Smart Growth plan creates priority funding areas where development is supposed to be focused, as well as encouraging Brownfield redevelopment and live-where-you-work projects. Maryland also tries to create "greenbelts" by purchasing easements and development rights in rural areas. Maryland's program is incentive based and not regulatory, but it does require mandatory planning, similar to Oregon.

Finally Dr. Knaap presented seven recommendations for North Carolina: build on CAMA's success of coastal planning; enhance the State's planning capacity; coordinate State spending and investments; increase technical assistance to local governments; mandate local planning and zoning; establish priority funding areas or urban growth boundaries; and establish a research center on growth issues at UNC.

### **January 21, 2010**

The fourth meeting of the Commission was held on Thursday January 21, 2010 at 1:00 p.m. in Room 643 of the Legislative Office Building. Representative Jennifer Weiss presided.

The Commission received comments from Secretary of the Department of Environment and Natural Resources, Dee Freeman. Secretary Freeman discussed the nexus between the urban growth and infrastructure issues and those issues facing the State's environment. Secretary Freeman noted that the Department is working cooperatively with other State agencies to encourage and promote coordinated and sustainable planning throughout the State.

Ms. Shelley Poticha, the Senior Advisor for Sustainable Housing in the United States Department of Housing and Urban Development provided the Commission with a presentation on current federal initiatives on sustainable growth including the Livable Communities Act of 2009 ([S. 1619](#)) and the HUD-DOT-EPA Interagency Partnership for



Sustainable Communities. Ms. Poticha described the Sustainable Communities Initiative and the coordinated cooperative efforts of the U.S. Departments of Transportation (DOT), Environmental Protection (EPA), and Housing and Urban Development (HUD) to bring it to fruition. The three federal agency leaders (LaHood, Jackson, and Donovan respectively) each signed on to “Six Livability Principles” including:

1. Provide greater transportation choices
2. Promote equitable and affordable housing
3. Enhance economic competitiveness
4. Support existing communities
5. Coordinate and leverage federal policies and programs
6. Value communities and neighborhoods in rural, urban, and suburban settings

Ms. Poticha described the federal funding that would be available to local, regional, and state governments through competitive grants to affect these principles on the ground. Of the \$150 million available from HUD:

- \$100 million will be awarded as planning grants to regions is directed for integrated regional visioning and implementation
- \$40 million will be awarded through a challenge grant program to local governments and states that wish to implement sustainable ordinances or require assistance in the rewriting zoning codes.
- \$10 million will be awarded in support of research for policy reform and capacity building.

Ms. Poticha also stated that an additional \$200 million will be made available by DOT and EPA for programs that are aligned with the aforementioned principles and initiatives.

Mr. [Jim Westmoreland](#), the Deputy Secretary for Transit in the North Carolina Department of Transportation (DOT) provided a presentation on the North Carolina Sustainable Communities Partnership. The Partnership is comprised of a joint effort by the State DOT and the Departments of Commerce (DOC) and Environment and Natural Resources (DENR). Serving on the Partnership are Mr. Westmoreland representing DOT, Assistant Secretary Joe Crocker representing DOC, and Steve Wall representing DENR. Mr. Westmoreland described the State Sustainability Summit and the following key takeaways from that Summit:

- The Partnership is real and future actions will impact the State.
- North Carolina is behind the curve in some areas: there is no formal statewide structure on Sustainable Communities; there is a great need for interagency collaborations, particularly with regard to growth, land-use, and transportation policies.
- The Summit has prompted enhanced dialogue among the partner agencies and who are working with the Governor’s Office to position the State as a national leader in sustainability.

Mr. Westmoreland also discussed the exiting interagency initiatives including the Interagency Leadership Team, the Intergovernmental Advisory Group, and the Governors' Institute on Community Design as well as existing sustainability-related interagency initiatives.

## February 25, 2010

The fifth meeting of the Commission was held on Thursday February 25, 2010 at 2:00 p.m. in Room 415 of the Legislative Office Building. Senator Floyd B. McKissick presided.

The Commission heard from two presenters representing local governments who discussed the existing laws and authorities that either promote or preclude intergovernmental cooperation. Mr. Jim Blackburn, Legislative Counsel for the North Carolina Association of County Commissioners provided an overview of those laws and authorities as they pertain to the counties. Mr. Blackburn commended Article 20 of Chapter 160A of the General Statutes to the members of the Commission as those statutes authorize counties to do what they do. Mr. Blackburn pointed out that the existing structure of local governments working from the “ground-up” rather than “top-down” approach allows them to identify economies of scale. According to a survey of county managers, Mr. Blackburn reported that most need assistance with intergovernmental cooperative efforts.

Mr. Karl Knapp, the Director of Research and Policy Analysis for the North Carolina League of Municipalities provided the municipal perspective. Mr. Knapp echoed much of what Mr. Blackburn stated and then listed a number of existing intergovernmental agreements including established water and sewer authorities, water districts, and public transit systems. Mr. Knapp described other local government tools including tax increment and local bond financing.

Mr. George Lucier, Vice-Chairman of the Chatham County Board of Commissioners provided the Commission with a presentation on how local governments can best cope with the potential impact of growth on land use planning, schools, and the environment, using Chatham County’s experiences as a case study. Mr. Lucier noted that the increased growth in Chatham County has put tremendous pressure on the County’s schools and other infrastructure. The County enacted a \$3,500 impact fee that goes towards schools and the County has worked closely with the Town of Cary in the unanimous adoption of their joint land-use plan. Mr. Lucier also discussed the accomplishments of the County’s Affordable Housing Task Force and the regional consortium that was established with Cary, Durham, and OWASA to manage long-term water needs.

Mr. Tandy Jones, Director of Special Projects for the Triangle Land Conservancy discussed voluntary conservation planning partnerships. Mr. Jones noted three important components to consider when planning effective conservation:

1. Recognize the value of voluntary planning and citizen involvement which increases the support and political viability.
2. Leverage knowledge and fiscal resources through partnerships which results in increased information and shared costs as planning becomes more expensive.
3. Recognize the appropriate role of the local government partner which achieves community support and institutional stewardship.

Mr. Jones described the process by which Chatham County adopted the first countywide conservation plan in the State and noted that the County has many assets that were aided by State agencies and varying levels of financial support.

**March 23, 2010**

The sixth meeting of the Commission was held on Tuesday March 23, 2010 at 2:00 p.m. in Room 643 of the Legislative Office Building. Representative Jennifer Weiss presided.

Mr. [Roberto Canales](#), the Secretary's Coordinator of Strategic Initiatives in the North Carolina Department of Transportation (DOT) provided the Commission with an overview of the role of the Executive Branch in logistics planning. Mr. Canales stated the legislatively-driven development of a statewide logistics plan to address long-term economic, mobility, and infrastructure needs identified the following needs and recommendations for action:

1. Creation of a freight logistics authority to guide, oversee, and synchronize investments in transportation infrastructure.
2. Grow a knowledge-based economy.
3. Support existing industries.
4. Transition DOT to an operations-focused agency.
5. Support pass-through traffic.
6. Support import and export activity.
7. Support military activity.
8. Develop and provide innovative infrastructure.

Mr. Canales described Executive Order No. 32 to the Commission in that it created the North Carolina Logistics Task Force whose mission is to strategically create jobs and recruit industry by developing an efficient and cost-effective vision plan for the seamless movement of people, goods, and information throughout the State. At present, the Task Force: has begun GIS mapping of infrastructure inventory; held its first introductory meeting; held regional educational outreach sessions; created seven economic region subcommittees; and began gathering local, state, and national best practices.

Representatives from three of the State's regional urban transportation systems provided the Commission with overviews of their respective transit systems. Ms. [Carolyn Flowers](#), the Chief Executive Officer of Charlotte Area Transit System, Mr. [Brent McKinney](#), the Executive Director of the Piedmont Authority for Regional Transportation, and Mr. [David King](#), the General Manager of Triangle Transit each provided statistics about the regions that are served by their respective transit systems, ridership of the systems, and future plans for growth of the systems.

Mr. Smedes York, Chair of Triangle Tomorrow and the Reality Check Action Committee presented on collaborative regional efforts and emphasized strategies regions should consider to accommodate economic success and growth. Mr. York described the three guiding principles for quality growth that were adopted by the participants in the Reality Check Summit in the Triangle Region. The following principles have been adopted by over 40 local and county governments and regional entities:

1. TRANSIT: improve regional transit, matching land use decisions with transit investments.
2. VIBRANT CENTERS: reinvest in city and town centers, promote compact development, density and mixed-use, included a balance of jobs and housing.
3. SUSTAINED GREEN SPACE: define appropriate growth and preservation areas to protect open space, agricultural land and natural resources, especially water supply and quality.

April 20, 2010

The seventh meeting of the Commission was held on Tuesday April 20, 2010 at 3:30 p.m. in Room 544 of the Legislative Office Building. Senator Floyd McKissick presided.

[Mr. Bob Kucab](#), the Executive Director of the North Carolina Housing Finance Agency (Agency) provided the Commission with a presentation on financing housing in urban communities. Mr. Kucab began with a brief overview of the Agency's organizational structure and reported that the Agency supports over \$500 million of affordable housing each year with over 196,000 homes under its purview since 1974. Mr. Kucab identified those North Carolinians who need housing assistance to include first-time buyers, low-wage workers, elderly homeowners, disabled renters, and homeless people. Mr. Kucab also described the Housing Trust Fund that finances supportive housing and includes 2,200 units for people with mental illness and developmental disability; survivors of domestic violence, and the homeless. The Trust Fund leverages \$4 for every \$1 of State funds and has generated \$723 million in affordable homes, apartments, and housing rehabilitation. Mr. Kucab requested that Commission members continue to protect the \$10 million in recurring funds in this fiscal year's proposed budget and supports a \$50 million appropriation for the future.

[Mr. Tom Barrie](#), a professor of architecture in the School of Design at North Carolina State University discussed affordable housing and the Sustainable Communities Initiative. Mr. Barrie described the mission of the School of Design in its role serving the 100 extension centers in the State to provide "urban outreach" educational resources for government, nonprofits, students, and the general public on issues facing North Carolina. Mr. Barrie described an affordable housing project currently underway in Wake County that is focused on transit-oriented development. The study will review and integrate best practices initiated by "savvy counties" from across the nation, namely those of Travis County and the City of Austin, Texas.

[Ms. Karen Rindge](#), the Executive Director of Wake UP Wake County (WUWC), provided an overview of local growth and development issues to the Commission. Ms. Rindge provided information about WUWC and stated Wake County faces challenges due to the County's growth and all the impacts that result from rampant growth. Ms. Rindge listed the following recommendations for State action: (1) fund transit; (2) encourage water conservation; (3) support better water quality; (4) fund schools with a statewide real estate transfer tax; (5) enable exclusionary zoning; and (6) protect land.

Ms. Nancy Murray, the Chief Executive Officer of Builders of Hope (BoH) provided the Commission with a presentation on her organization and goals for its future. Ms. Murray stated that BoH will have 130 affordable housing units built out over the course of this year that include rehabilitated existing housing stock on-site and also relocating rehabilitated housing stock to new neighborhoods in urban areas. Ms. Murray pointed out that BoH is working on taking this model and applying it to rural communities. Rehabilitating existing housing stock has two environmental components: (1) keeps demolished homes and associated materials from entering landfills thereby retaining landfill space and (2) the rehabilitated homes are constructed in accordance with energy efficiency standards. Ms. Murray expressed her hope that the BoH model could be applied nationally in conjunction with the efforts of Sustainable Communities Initiative at the federal level.

Senator McKissick offered draft legislation for the Commission to consider recommending for introduction to the General Assembly during the 2010 Session. This draft was the result of several months of collaboration between Senator McKissick and Commission public members John Hodges-Copple, Paul Norby, and Danny Pleasant. This draft legislation incorporated some of the ideas presented during the Governors' Institute on Community Design workshop that was held on April 19 and 20, 2010 and attended by some Commission members and staff. Mr. Jeff Cherry, Staff Attorney, provided the Commission with an overview of the draft legislation that would create the North Carolina Sustainable Communities Task Force. Following Mr. Cherry's review of the draft legislation, Ms. Jennifer Mundt, Commission Analyst, walked the Commission through the draft Interim Report (dated April 16, 2010) and stated that the Report was before the members for their approval pending suggested changes to the Commission Interim Report and any clarifying, conforming, and technical amendments. This Interim Report was approved unanimously.

### November 18, 2010

The eighth meeting of the Commission was held on Thursday November 18, 2010 at 2:00 p.m. in Room 1027 of the Legislative Building. Representative Jennifer Weiss presided.

Ms. [Kristin Walker](#), Commission Analyst, presented a brief overview of the Commission's work to date. Ms. Walker highlighted the themes of past Commission meetings and stated that the Commission had received reports and presentations that covered many of the issues that the Commission is charged with studying in the authorizing legislation.

Ms. [Jennifer Mundt](#), Commission Analyst, presented a review of the NC Sustainable Communities Task Force Legislation<sup>4</sup>, a provision in the Appropriations Act of 2010 (§13.5 of S.L. 2010-31, as amended by §21.2 of S.L. 2010-81). Ms. Mundt summarized the Task Force as a 13-member interagency collaboration focused on developing and sustaining healthy, safe, and walkable communities accessible to all North Carolinians. Ms. Mundt explained that the Task Force was founded on principles established by the federal Interagency Partnership between the U.S. Departments of Housing and Urban Development, Transportation, and the Environmental Protection Agency and directed to address the challenges that face the State's urban cores, rural areas, and smaller communities. Ms. Mundt described the purposes and duties of the Task Force, the creation and administration of the North Carolina Sustainable Communities Grant Fund, and the various reports required of the Task Force. Senator McKissick provided comments on the first meeting of the Task Force. He also stated that this legislation has received national recognition and has prompted on-going communication with Shelley Poticha at HUD and Governor Parris Glendening<sup>5</sup> of the Governors' Institute on Community Design.

Ms. [Lisa Riegel](#), Office of the Secretary in the Department of Environment and Natural Resources, presented the Commission with an overview of the Task Force activities to date. Ms. Riegel stated that \$250,000 was appropriated along with one staff person in the 2010 budget to support the activities of the Task Force. Ms. Riegel identified the appointees to

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<sup>4</sup>This legislation can be found in the Recommendations section of this report.

<sup>5</sup> A letter of support of the Sustainable Communities Task Force legislation from Governor Glendening of the Governors' Institute on Community Design is included in Appendix D.

the Task Force and listed the activities that have been undertaken by the Task Force to date. Of those activities, the fully appointed Task Force met for the first time on November 9, 2010 at which time the Task Force reviewed its duties and responsibilities as charged by the legislation, received feedback on how it should proceed, and set its goals and priorities. Ms. Riegel discussed the process by which the Task Force would develop the scorecard that incorporates sustainability principles and considers resources and infrastructure in small communities and rural areas to ensure all communities may compete for grants on an equal basis. The scorecard is to be developed using existing scorecards and HUD metrics. The Task Force will be aided by the Governors' Institute on Community Design in developing the scorecard and identifying a baseline inventory of complementary funding programs.

Mr. [Bill McNeil](#), Principal of McNeil Planning Solutions, presented an overview of the seven regional planning groups that submitted HUD grant applications under the federal Sustainable Communities Initiative. \$100 million was made available in the notice of funding availability with awards subject to the following criteria:

- Multi-jurisdictional, multi-party applicants.
- Addressing a "new generation" of regional planning.
- Integrating land use, transportation, housing, environment, and infrastructure.
- Requiring 20% in leveraged funds.

Mr. McNeil described the common features as well as descriptions of the seven applications received from regions across the State; (1) Western North Carolina – winner; (2) Piedmont-Triad – winner; (3) CONNECT Consortium; (4) PRISM Research Triangle; (5) Kerr-Tar Regional Plan; (6) PlanIt EAST Consortium; and (7) Lower Cape Fear. The two winning applicants, Western North Carolina (lead applicant: Land of Sky Regional Council) and Piedmont Triad (lead applicant: Piedmont Authority for Regional Transportation (PART)) each received \$1.6 million in federal funding for their proposals.

Mr. [Mike Ciriello](#), Transportation Land Planner for the Kerr-Tar Regional Council of Governments and Mr. [Mark Kirstner](#), Senior Transportation Land Planner for PART, closed the meeting with in-depth discussions of their respective regional grant applications for Sustainable Communities Initiative funding.

### **December 9, 2010**

The ninth and final meeting of the Commission was held on Thursday December 9, 2010 at 1:00 p.m. in Room 1027 of the Legislative Building. Senator Floyd McKissick presided. The Commission approved the minutes that were prepared for the Commission's previous meetings. At Co-chair McKissick's request, Ms. Jennifer Mundt, Commission Analyst, provided an overview of the Commission's draft Final Report and described the substantive changes that were made or those that were different from the Commission's Interim Report adopted in April 2010. The Co-chairs called for a discussion of the Commission Final Report and for its adoption. Following adoption of the Final Report, the Commission Co-chairs and members offered last thoughts and reflections of the activities and outcomes resulting from the Commission's work.

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## COMMISSION FINDINGS

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**FINDING 1:** North Carolina has a long history of growth and planning commissions and has a successful planning model in the programmatic implementation of the Coastal Area Management Act (CAMA).

**FINDING 2:** North Carolina has a variety of regional entities, including Councils of Government and Metropolitan Planning Organizations that work with local organizations for regional solutions to transportation, land use, and water challenges. The work of these entities should be more strongly supported, be better coordinated, and more focused on sustainability. To that end, the Commission supports the consideration of creation of coterminous boundaries among those regional and local entities that share common area.

**FINDING 3:** The General Assembly should continue to support the work of the Sustainable Communities Task Force.

**FINDING 4:** The General Assembly should support the efforts of the Sustainable Communities Task Force to develop the common local government sustainable practices scoring system due to its anticipated statewide application and potential to positively affect local and regional grant applications for federal Sustainable Communities monies.

**FINDING 5:** The Commission supports maintaining the trust funds and tax credits that are listed in the legislation found in this Final Report that contribute to good growth and sustainable development.

**FINDING 6:** The General Assembly should provide incentives and financial support to local governments to encourage local and regional land-use planning and regional approaches to address infrastructure needs.

**FINDING 7:** The Commission recognizes the complementary efforts undertaken by the following legislative and public entities to address the issues pursuant its charge including the: (1) the Legislative Commission on Water and Wastewater Infrastructure Issues; (2) the Governor's Logistics Task Force; (3) the State Interagency Leadership Team; (4) the Sustainability Advisory Group; (5) the NC Active Living Leadership forum; and (6) the Governors' Institute on Community Design.

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# ENACTED LEGISLATION THE RESULT OF COMMISSION INTERIM RECOMMENDATIONS

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1. **NC Sustainable Communities Task Force.**

Section 13.5 of S. L. 2010-31, as amended by Section 21.2 of S.L. 2010-180.



## SUSTAINABLE COMMUNITIES TASK FORCE

**SECTION 13.5.(a)** Article 7 of Chapter 143B of the General Statutes is amended by adding a new Part to read:

"Part 31. North Carolina Sustainable Communities Task Force.

### **"§ 143B-344.34. North Carolina Sustainable Communities Task Force – findings.**

(a) The General Assembly finds that the rapid growth of the urban and suburban areas of North Carolina and the economic challenges facing many of the State's urban cores, rural areas, and smaller communities create a significant need for the strategic use of resources to plan and accommodate healthy and equitable development without compromising natural systems and the needs of future generations of North Carolinians.

(b) The General Assembly finds that the following principles describe sustainable development for North Carolina's communities:

- (1) Better transportation choices. – Offering safe, reliable, and economical motorized and nonmotorized transportation options to decrease household transportation costs, reduce dependence on foreign oil, improve air quality, reduce greenhouse gas emissions, and promote public health.
- (2) Equitable, affordable housing. – Encouraging the provision to North Carolina citizens of all ages, incomes, races, and ethnicities expanded location-, water-, and energy-efficient housing choices that increase mobility, decrease the impact on existing water and energy infrastructure, and lower the combined cost of housing and transportation.
- (3) Enhanced economic competitiveness. – Expanding business access to markets and improving North Carolina's economic competitiveness through reliable and timely access to employment centers, educational opportunities, services, and other basic needs by workers.
- (4) Support of existing communities. – Targeting public funds toward existing communities that are using strategies such as transit-oriented, mixed-use development, and land recycling to increase community revitalization, enhance the efficiency and cost-effectiveness of public works investments, and protect rural landscapes.
- (5) Coordination and leverage of State policies and investment. – Aligning State and local government policies and funding to remove barriers to collaboration, leverage funding, and increase the accountability and effectiveness of government in planning for future growth.
- (6) Recognize and support communities and neighborhoods. – Preserving and enhancing the unique characteristics of rural, urban, and suburban communities by investing in healthy, safe, and walkable neighborhoods.

### **"§ 143B-344.35. North Carolina Sustainable Communities Task Force – creation; purpose; duties.**

There is created within the Department of Environment and Natural Resources the North Carolina Sustainable Communities Task Force to lead and support the State's sustainable communities initiatives. The duties of the Task Force shall be as follows:

- (1) To apply for and receive, on behalf of the State, funding from federal, public, or private initiatives, grant programs, or donors that will foster sustainable development in North Carolina.
- (2) To promote regional partnerships and to assist local governments and regional or interlocal organizations in North Carolina in seeking and managing funding from federal, public, or private initiatives, grant programs, or donors related to the planning, development, or redevelopment of the State's communities in a sustainable manner.

- (3) To identify federal funding opportunities related to sustainable development.
- (4) To provide technical assistance to eligible State agencies, local governments, nonprofits or regional collaborations, and partnerships in applying for federal and other funding opportunities. This technical assistance shall include the development of scenario planning tools, progress measurement metrics, and public participation strategies for use by all applicants.
- (5) To recommend policies for the support, promotion, and encouragement of sustainable communities to the Secretaries of the Departments of Administration, Commerce, Environment and Natural Resources, Health and Human Services, and Transportation, the General Assembly, and the Governor.
- (6) To recommend annually to the Governor appropriations for sustainable development programs.
- (7) To develop a common local government sustainable practices scoring system incorporating the principles set forth in G.S. 143B-344.34(b). In developing the scoring system, the Task Force shall take into account the resources and infrastructure in smaller communities and rural areas, as compared to urban areas, in order to ensure that all communities and areas may compete for grants on an equal basis.
- (8) To pursue opportunities to combine the efforts of State agencies related to development and infrastructure; to study how existing regional and interlocal organizations could improve their organization and reduce unnecessary overlap and duplication of services; and to better integrate State efforts and investments with regional and local efforts. The Task Force shall include in its recommendations under subdivisions (5) and (6) of this section any recommendations for legislation necessary to implement any potential improvements identified under this subdivision.

**"§ 143B-344.36. North Carolina Sustainable Communities Task Force – membership; term; compensation; sunset.**

(a) Membership and Advice. – The Task Force shall consist of 13 members who reflect the diversity of the State. The Secretaries of Commerce, Environment and Natural Resources, and Transportation and the Director of the North Carolina Housing Finance Agency shall each designate a representative to the Task Force from their agencies. The Secretary of Administration shall designate a representative from that Department who is familiar with the management and development of State-owned lands and buildings. The Secretary of Health and Human Services shall designate a representative from the Division of Public Health of the Department of Health and Human Services who is familiar with the impact of the built environment on human health. The Governor shall appoint one member who is a representative of a nonprofit organization involved in the planning, advocacy, or creation of sustainable development. The President Pro Tempore of the Senate shall appoint three members: one member who is a representative of a county government, one member who is a representative of the building industry, and one member who is a representative of a council of government or other regional collaborative organization. The Speaker of the House of Representatives shall appoint three members: one member who is a representative of a city government, one member who is a representative of the banking industry, and one member with professional training in planning who is a member of the North Carolina Chapter of the American Planning Association.

The Secretaries of Administration, Commerce, Environment and Natural Resources, Health and Human Services, and Transportation, or their designees, shall advise the Task Force on sustainable development activities within the responsibility of their respective departments and

shall cooperate with the Task Force in jointly seeking funds from federal, public, or private initiatives, grant programs, or donors.

(b) Terms, Vacancies. – The members of the Task Force appointed by the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives shall have a term of office of four years and shall serve until their successors are appointed and qualified. An appointment to fill a vacancy shall be for the unexpired balance of the term. The remaining members of the Task Force shall serve at the pleasure of the appointing authority.

(c) Compensation. – The public members of the Task Force shall receive per diem and necessary travel and subsistence expenses payable to members of State boards and agencies as set forth by G.S. 138-5 and G.S. 138-6, respectively.

(d) Sunset. – This Part expires June 30, 2016.

**"§ 143B-344.37. North Carolina Sustainable Communities Grant Fund.**

(a) Establishment. – The North Carolina Sustainable Communities Grant Fund is established in the Department of Environment and Natural Resources, and the North Carolina Sustainable Communities Task Force within that Department shall be responsible for administering the Fund.

(b) Purposes. – Funds in the North Carolina Sustainable Communities Grant Fund shall be used, as available, to provide funding to regional bodies, cities, or counties to improve regional planning efforts that integrate housing and transportation decisions, to increase the capacity to improve land use and zoning and to provide up to fifty percent (50%) of any required local matching funds for recipients of Federal Sustainable Communities Planning Grants and any other federal grants related to sustainable development and requiring local matching funds. In order to receive funds under this section, regions must meet all of the following requirements:

- (1) The regional body, city, or county is a part of a regional sustainable development partnership that includes any of the metro regions as defined in G.S. 143B-344.38(b). Partnerships may also include any Metropolitan Planning Organizations, Regional Planning Organizations, regional transit agencies, and representation from involved State agencies.
- (2) The partnership has submitted a work plan to the Task Force describing the activities to be funded and the public comment process by which activities are selected and prioritized.
- (3) All members of the partnership have adopted a jointly developed memorandum of agreement describing how coordinated planning activities will be undertaken.

(c) Funding Guidelines. – In awarding any grant funding, the Task Force shall utilize the common local government sustainable practices scoring system developed in accordance with G.S. 143B-344.35(7). In its consideration of grant applications, the Task Force may also consider any offers by a partnership to provide matching funds.

**"§ 143B-344.38. North Carolina Sustainable Communities Task Force – reports.**

(a) Beginning in 2011, the Task Force shall report to the Governor, the chairs of the House Commerce, Small Business, and Entrepreneurship Committee and the Senate Commerce Committee, and the Joint Legislative Commission on Governmental Operations no later than October 1 each year. The report shall include the following elements:

- (1) Policy recommendations, suggested legislation, and recommended appropriations made pursuant to subdivisions (5), (6), and (8) of G.S. 143B-344.35.
- (2) Population, employment, building permit, and related socioeconomic data for each metro region of the State, including 25-year projections of population and employment and any other demographic trends the Task Force finds relevant, with commentary on any changing trends in the data that might affect planning for sustainable development and infrastructure. Where possible, the Task Force shall use data already

collected by the State Demographer, the United States Census Bureau, and any other State or federal agency.

- (3) An inventory and description of State policies and programs that influence either positively or negatively the ability to develop sustainable communities.
- (4) Funding applied for and received in the prior fiscal year.
- (5) A list of the projects for which funding was distributed to local governments and regional or interlocal organizations in North Carolina for sustainable planning, development, or redevelopment under G.S. 143B-344.35.
- (6) A list of the projects for which the Task Force provided technical assistance under G.S. 143B-344.35(4).
- (7) The remaining funds available and all grants distributed to regional sustainable development partnerships under G.S. 143B-344.37.
- (8) An overview of all State funding initiatives (including State-allocated federal funding initiatives) used to support housing, infrastructure, water quality, and land preservation, including, at a minimum, the following:
  - a. The Clean Water Management Trust Fund.
  - b. The Parks and Recreation Trust Fund.
  - c. The Agricultural Development and Farmland Preservation Trust Fund.
  - d. The Natural Heritage Trust Fund.
  - e. The Highway Fund and the Highway Trust Fund.
  - f. The Congestion Relief and Intermodal Transportation 21<sup>st</sup> Century Fund.
  - g. The North Carolina Main Street Program and the Main Street Solutions Fund.
  - h. The Housing Trust Fund and the low-income housing tax credit funds administered by the Housing Finance Agency.
  - i. Funds from the Public School Building Capital Fund used by counties for the purchase of land for public school buildings.
  - j. The tax credits for renewable energy property, historic rehabilitation, and mill rehabilitation set forth in Chapter 105 of the General Statutes.

The overview should include the current funding level, changes in funding over the previous fiscal year, and how the funding initiative has contributed to sustainable development, or, in the case of a tax credit, the number and geographical distribution of taxpayers taking the credit, the amount of credits claimed, and how the credit has contributed to sustainable development.

(b) Prior to awarding any funding under G.S. 143B-344.37 and no later than February 1, 2011, the Task Force shall report to the House Commerce, Small Business, and Entrepreneurship Committee and the Senate Commerce Committee regarding the sustainable practices scoring system developed in accordance with G.S. 143B-344.35(7).

(c) For purposes of this section, "metro region of the State" includes the following Statistical Areas defined by the United States Census Bureau:

- (1) The Research Triangle region (made up of the Durham-Chapel Hill and the Raleigh-Cary Metropolitan Statistical Areas).
- (2) The North Carolina portion of the Charlotte-Gastonia-Concord Metropolitan Statistical Area.
- (3) The Greensboro-Winston-Salem-High Point Combined Statistical Area.
- (4) The Asheville Metropolitan Statistical Area.

- (5) The Hickory-Lenoir-Morganton Metropolitan Statistical Area.
- (6) The Fayetteville Metropolitan Statistical Area.
- (7) The Wilmington Metropolitan Statistical Area.
- (8) The Greenville Metropolitan Statistical Area.
- (9) The Jacksonville Metropolitan Statistical Area.
- (10) The Rocky Mount Metropolitan Statistical Area.
- (11) The Goldsboro Metropolitan Statistical Area.
- (12) Any other Metropolitan Statistical Area that includes counties of the State and that has a population of 100,000 or more within the State."

**SECTION 13.5.(b)** G.S. 120-123 is amended by adding a new subdivision

to read:

"(79) The North Carolina Sustainable Communities Task Force, as established in Article 7 of Chapter 143B of the General Statutes."

**SECTION 13.5.(c)** Reports. – The Departments of Administration, Commerce, Health and Human Services, Transportation, and Environment and Natural Resources shall report by October 1 each year, beginning in 2010, to the chairs of the House Commerce, Small Business, and Entrepreneurship Committee and the Senate Commerce Committee and the Joint Legislative Commission on Governmental Operations. The report shall provide information regarding each Department's progress in implementing the sustainable development principles set forth in G.S. 143B-344.34 as enacted by subsection (a) of this section.

**SECTION 13.5.(d)** Staffing. – The Department of Environment and Natural Resources shall transfer the vacant District Planner position in the Division of Coastal Management to the Task Force and shall fill the position in a timely manner in order to provide support for the operations and activities of the Task Force. For administrative purposes, the Task Force shall be located in the Office of the Secretary of Environment and Natural Resources. The Department's Office of Conservation, Planning, and Community Affairs will provide appropriate administrative and clerical support for the activities of the Task Force. Additionally, the Office will work to promote the goals of the Task Force and to integrate its activities with existing programs of the Office.

**SECTION 13.5.(d1)** Limitation. – This section shall in no way be construed to grant the Sustainable Communities Task Force created by Part 31 of Article 7 of Chapter 143B of the General Statutes, as enacted by subsection (a) of this section, any authority to regulate or supersede any action of any State agency or local government.

**SECTION 13.5.(e)** Sunset. – This section expires June 30, 2016.

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# APPENDIX A

## AUTHORIZING LEGISLATION

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### PART XXXVI OF S.L. 2008-181, AS AMENDED BY PART XXII OF S.L. 2010-152

**SECTION 36.1.** There is created the Legislative Study Commission on Urban Growth and Infrastructure Issues. The purpose of the Commission is to determine what measures the General Assembly may take to foster regional water resource and transportation planning, incentive-based local land use planning, and more responsive and cost-effective planning to accommodate rapid population growth in North Carolina's urban areas.

**SECTION 36.2.** The Commission shall consist of 14 members as follows:

- (1) Five members appointed by the Speaker of the House of Representatives.
- (2) Five members appointed by the President Pro Tempore of the Senate.
- (3) Four members representing North Carolina's urban areas appointed jointly by the Speaker of the House of Representatives and the President Pro Tempore of the Senate, including at least one member from Wake, Durham, or Orange County, one member from Forsyth or Guilford County, and one member from Mecklenburg County.

**SECTION 36.3.** The Speaker of the House of Representatives shall designate one Representative as cochair, and the President Pro Tempore of the Senate shall designate one Senator as cochair. Vacancies on the Commission shall be filled by the same appointing authority that made the initial appointment.

**SECTION 36.4.** The Commission shall study the following issues relating to urban growth and infrastructure:

- (1) Options for fostering regional planning for water and transportation infrastructure.
- (2) Strategies (including additional local land use regulatory tools) for encouraging the use of incentive-based planning by urban area local governments.
- (3) Strategies to help urban communities maximize the benefits of growth and cope with the challenges presented by rapid growth in population, school enrollment, vehicle miles traveled on urban roads and highways, and related demands for other public services while preserving a viable economic climate and building greater regional cooperation.
- (4) Any other matters the Commission considers necessary in furtherance of the purpose for which it is established.

**SECTION 36.5.** The Commission, while in the discharge of its official duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4. The Commission may meet at any time upon the joint call of the cochairs. The Commission may meet in the Legislative Building or the Legislative Office Building.

With approval of the Legislative Services Commission, the Legislative Services Officer shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Directors of Legislative Assistants shall assign clerical staff to

the Commission, and the expenses relating to the clerical employees shall be borne by the Commission. The Commission may contract for professional, clerical, or consultant services as provided by G.S. 120-32.02. If the Commission hires a consultant, the consultant shall not be a State employee or a person currently under contract with the State to provide services.

All State departments and agencies and local governments and their subdivisions shall furnish the Commission with any information in their possession or available to them.

The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Commission in its work. The House of Representatives' and the Senate's Directors of Legislative Assistants shall assign clerical staff to the Commission, and the expenses relating to the clerical employees shall be borne by the Commission.

**SECTION 36.6.** The Commission shall report the results of its study and its recommendations to the 2009 General Assembly upon its convening. The Commission shall submit its final report on or before the date of the convening of the 2011 General Assembly. The Commission shall expire upon the delivering of its final report, or the convening of the 2011 General Assembly, whichever occurs first.

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# APPENDIX B

## COMMISSION MEMBERSHIP

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### *Pro Tem's Appointments*

**Sen. Floyd B. McKissick Jr.**      **Co-Chair**  
North Carolina Senate  
300 N. Salisbury Street, Room 621  
Raleigh, NC 27603-5925  
(919) 733-4599

Sen. Robert C. Atwater              Member  
North Carolina Senate  
300 N. Salisbury Street, Room 312A  
Raleigh, NC 27603-5925  
(919) 715-3036

Sen. Daniel Gray Clodfelter          Member  
North Carolina Senate  
300 N. Salisbury Street, Room 408  
Raleigh, NC 27603-5925  
(919) 715-8331

Sen. Katie G. Dorsett                  Member  
North Carolina Senate  
16 W. Jones Street, Room 2106  
Raleigh, NC 27601-2808  
(919) 715-3042

Sen. Richard Yates Stevens          Member  
North Carolina Senate  
300 N. Salisbury Street, Room 406  
Raleigh, NC 27603-5925  
(919) 733-5653

Mr. John Hodges-Copple              Public Member  
Triangle J COG  
PO Box 12276  
RTP, NC 27709

Mr. Paul Norby                          Public Member  
City-County Planning Board  
100 East First Street  
Winston-Salem, NC 27101  
(919) 733-5773

### *Speaker's Appointments*

**Rep. Jennifer Weiss**                  **Co-Chair**  
North Carolina House of Representatives  
300 N. Salisbury Street, Room 532  
Raleigh, NC 27603-5925  
(919) 715-3010

Rep. Kelly M. Alexander Jr.          Member  
North Carolina House of Representatives  
300 N. Salisbury Street, Room 632  
Raleigh, NC 27603-5925  
(919) 733-5778

Rep. Daniel Francis McComas          Member  
North Carolina House of Representatives  
300 N. Salisbury Street, Room 506  
Raleigh, NC 27603-5925  
(919) 733-5786

Rep. William C. McGee                  Member  
North Carolina House of Representatives  
300 N. Salisbury Street, Room 531  
Raleigh, NC 27603-5925  
(919) 733-5747

Rep. Raymond C. Rapp                  Member  
North Carolina House of Representatives  
16 W. Jones Street, Room 2213  
Raleigh, NC 27601-1096  
(919) 733-5732

Mr. Danny C. Pleasant                  Public Member  
Charlotte Dept of Transportation  
600 East Fourth Street  
Charlotte, NC 28202

Rep. Deborah K. Ross                  Public Member  
North Carolina House of Representatives  
16 W. Jones Street, Room 2223  
Raleigh, NC 27601-1096



### ***Commission Staff***

Giles Perry, Research Division  
Jennifer Mundt, Research Division  
Steve Rose, Research Division  
Mariah Matheson, Research Division  
545 Legislative Office Building  
300 North Salisbury Street  
Raleigh, NC 27603  
(919) 733-2578

Jeff Cherry, Bill Drafting Division  
Phyllis Pickett, Bill Drafting Division  
401 Legislative Office Building  
300 North Salisbury Street  
Raleigh, NC 27603  
(919) 733-6660

Amna Cameron, Fiscal Research Division  
Kristin Walker, Fiscal Research Division  
Mark Bondo, Fiscal Research Division  
Suites 203 and 619 Legislative Office Building  
300 North Salisbury Street  
Raleigh, NC 27603  
(919) 733-4910

### ***Commission Clerks***

Susan Whitehead, Office of Rep. Cullie Tarleton  
North Carolina House of Representatives  
2217 Legislative Building  
16 West Jones Street  
(919) 733-7727

Rosita Littlejohn, Office of Senator Floyd McKissick  
North Carolina Senate  
300 N. Salisbury Street, Room 621  
Raleigh, NC 27603-5925  
(919) 733-4599

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## APPENDIX C COMMISSION MEETING AGENDAS

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**January 26, 2009 – 2:00 P.M.**  
Legislative Office Building, Room 414  
300 North Salisbury Street  
Raleigh, North Carolina  
Agenda

1. Chairs' Remarks  
    Senator Floyd McKissick  
    Representative Jennifer Weiss
  
2. Committee Charge  
    Mr. Steve Rose, Research Division,  
    NCGA
  
3. Urban Growth Challenges  
    Mr. John Hodges-Copple, Regional Planning Director  
    Triangle J Council of Governments
  
4. Water Challenges and Issues  
    Mr. Bill Holman, Visiting Senior Fellow  
    Nicholas Institute for Environmental Policy Issues Duke University
  
5. Smart Growth Recommendations  
    Ms. Meg Ryan O'Donnell, President  
    Winning Strategies  
  
    Mr. Beau Mills, Partner  
    Fountainworks
  
6. 21st Century Transportation Recommendations  
    Ms. Lisa Hollowell, Fiscal Research Division  
    NCGA
  
7. Committee Discussion
  
8. Adjourn

**November 5, 2009 – 9:00 AM**  
Legislative Office Building, Room 544  
300 North Salisbury Street  
Raleigh, North Carolina  
Agenda

1. Chair's Remarks
  - Sen. Floyd McKissick, Co-Chair, Presiding
  - Rep. Jennifer Weiss, Co-Chair
  
2. Summary of the January 26, 2009 Commission meeting
  - Jennifer Mundt: Commission Analyst, Research Division, NCGA
  
3. Presentation of previous planning initiatives and general planning overview
  - Dr. David R. Godschalk: Stephen Baxter Professor Emeritus,  
Department of City and Regional Planning, University of North Carolina at Chapel Hill
  
4. Presentation of current and projected demographic trends in North Carolina
  - Robert Coats: Governor's Census Liaison and Coordinator  
State Data Center, Office of State Budget and Management
  
  - Jennifer Song: State Demographer  
State Data Center, Office of State Budget and Management
  
5. Presentation and description of existing regional entities and programs
  - Overview
  - Kristin Walker: Commission Analyst, Fiscal Research Division, NCGA
  
  - Joseph D. Crocker: Assistant Secretary for Community Development  
North Carolina Department of Commerce
  
  - Pat Harris: Director,  
Division of Soil and Water Conservation, North Carolina Department of  
Environment and Natural Resources (DENR)
  
  - Dianne Reid: Basinwide Planning Program Supervisor  
Division of Water Quality, DENR
  
  - Mike Bruff: Transportation Planning Branch Manager  
North Carolina Department of Transportation
  
6. Commission Discussion and Announcements
  
7. Adjournment

**December 2, 2009 – 1:00 PM**  
Legislative Office Building, Room 544  
300 North Salisbury Street  
Raleigh, North Carolina  
Agenda

1. Chair's Remarks
  - Rep. Jennifer Weiss, Co-Chair, Presiding
  - Sen. Floyd McKissick, Co-Chair
2. Best Practices in State Growth Management: Lessons from Oregon and Maryland
  - Gerrit Knaap: Executive Director
  - National Center for Smart Growth Research & Education
3. Commission Discussion and Announcements
4. Adjournment

**January 21, 2010 – 1:00 PM**  
Legislative Office Building, Room 643  
300 North Salisbury Street  
Raleigh, North Carolina  
Agenda

1. Chair's Remarks  
Rep. Jennifer Weiss, Co-Chair, Presiding  
Sen. Floyd McKissick, Co-Chair
2. Comments  
Dee Freeman: Secretary of the Department of Environment and Natural Resources
3. Presentation of current federal initiatives on sustainable growth including the Livable Communities Act of 2009 ([S. 1619](#)) and the HUD-DOT-EPA Interagency Partnership for Sustainable Communities.  
Shelley Poticha: Senior Advisor for Sustainable Housing  
United States Department of Housing and Urban Development
4. Presentation on the North Carolina Sustainable Communities Partnership  
Jim Westmoreland: Deputy Secretary for Transit  
North Carolina Department of Transportation
5. Commission Discussion and Announcements
6. Adjournment

**February 25, 2010 – 2:00 PM**  
Legislative Office Building, Room 415  
300 North Salisbury Street  
Raleigh, North Carolina  
Agenda

1. Chair's Remarks
  - Sen. Floyd McKissick, Co-Chair, Presiding
  - Rep. Jennifer Weiss, Co-Chair
  
2. Discussion of existing laws and authorities that either promote or preclude intergovernmental cooperation
  - Jim Blackburn: Legislative Counsel
  - North Carolina Association of County Commissioners
  
  - Karl Knapp: Director of Research and Policy Analysis
  - North Carolina League of Municipalities
  
3. Discussion of voluntary conservation planning partnerships
  - Tandy Jones: Director of Special Projects
  - Triangle Land Conservancy
  
4. Presentation on how local governments can best cope with the potential impact of growth on land use planning, schools, and the environment, the Chatham County perspective
  - George Lucier: Vice-Chair
  - Chatham County Board of Commissioners
  
5. Commission Discussion and Announcements
  
6. Adjournment

**March 23, 2010 – 2:00 PM**  
Legislative Office Building, Room 643  
300 North Salisbury Street  
Raleigh, North Carolina  
Agenda

1. Chair's Remarks
  - Rep. Jennifer Weiss, Co-Chair, Presiding
  - Sen. Floyd McKissick, Co-Chair
  
2. Overview of the Role of the Executive Branch in Logistics Planning
  - Roberto Canales P.E.: Secretary's Coordinator of Strategic Initiatives
  - North Carolina Department of Transportation
  
3. Urban Transportation Systems
  - Carolyn Flowers: CEO, Charlotte Area Transit Systems
  
  - Brent McKinney: Executive Director, Piedmont Authority for Regional Transportation
  
  - David King: General Manager, Triangle Transit
  
4. Collaborative Regional Effort: Strategies Regions Should Consider to Accommodate Economic Success and Growth.
  - Smedes York: Chair, Triangle Tomorrow and Reality Check Action Committee
  
5. Commission Discussion and Announcements
  
6. Adjournment

**April 20, 2010 – 3:30 PM**  
Legislative Office Building, Room 544  
300 North Salisbury Street  
Raleigh, North Carolina  
Agenda

1. Call to order and introductory remarks  
Representative Jennifer Weiss,  
Senator Floyd B. McKissick, Jr., Presiding
2. Financing Housing in Urban Communities  
Bob Kucab, Executive Director  
North Carolina Housing Finance Agency
3. Affordable Housing and Sustainable Communities Initiative  
Tom Barrie, AIA, Professor of Architecture  
School of Design, North Carolina State University
4. Affordable Housing/Urban Revitalization  
Nancy Murray, Chief Executive Officer  
Builders of Hope
5. Local Growth & Development  
Karen Rindge, Executive Director  
Wake UP Wake County
6. Discussion of “NC Communities Task Force” Bill  
Jeff Cherry, Staff Attorney  
Legislative Drafting Division
7. Committee discussion and announcements
8. Adjourn



**November 18, 2010 – 2:00 PM**  
Legislative Building, Room 1027  
16 West Jones Street  
Raleigh, North Carolina  
Agenda

1. Call to order and introductory remarks.  
Representative Jennifer Weiss, Presiding  
Senator Floyd B. McKissick
2. Brief review of the Commission's work to date.  
Kristin Walker, Commission Analyst  
Fiscal Research Division
3. Review of the NC Sustainable Communities Task Force legislation (§13.5 of S.L. 2010-31, as amended by §21.2 of S.L. 2010-180).  
Jennifer Mundt, Commission Analyst  
Research Division
4. Report on the first meeting of the Sustainable Communities Task Force.  
Lisa Riegel, Office of the Secretary  
Department of Environment and Natural Resources
5. Overview of the Seven Regional Planning Groups that Submitted Housing and Urban Development grant applications.  
Bill McNeil, Principal  
McNeil Planning Solutions
6. Regional perspectives on the federal Housing and Urban Development grant application process.  
Mike Ciriello, Transportation Land Use Planner  
Kerr-Tar Regional Council of Governments  
  
Mark Kirstner, Senior Transportation Manager  
Piedmont Authority for Regional Transportation
7. Commission discussion and announcements.
8. Adjourn.

**December 9, 2010 – 1:00 PM**  
Legislative Building, Room 1027  
16 West Jones Street  
Raleigh, North Carolina  
Agenda

1. Call to order and introductory remarks.  
    Senator Floyd B. McKissick, Presiding  
    Representative Jennifer Weiss
  
2. Approval of Commission meeting minutes.  
    November 5, 2009  
    December 2, 2009  
    January 21, 2010  
    February 25, 2010  
    March 23, 2010  
    April 20, 2010  
    November 18, 2010
  
3. Discussion / adoption of Commission Final Report.
  
4. Adjourn.

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# APPENDIX D

## LETTER OF SUPPORT

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GOVERNORS'  
INSTITUTE  
on community design

October 14, 2010

The Honorable Floyd B. McKissick, Jr.  
North Carolina Senate  
300 N. Salisbury Street, Room 621  
Raleigh, NC 27603-5925

The Honorable Jennifer Weiss  
North Carolina House of Representatives  
300 N. Salisbury Street, Room 532  
Raleigh, NC 27603-5925

The Honorable Dee A. Freeman  
North Carolina Department of Environment and Natural Resources  
1601 Mail Service Center  
Raleigh, NC 27699-1601

Dear Senator McKissick, Representative Weiss, and Secretary Freeman:

Passage of the Sustainable Communities Task Force legislation puts North Carolina at the national forefront of sustainability efforts. Successful implementation will ensure that your State retains that standing. If North Carolina can demonstrate active implementation of place-based policy, a priority of the national administration,<sup>1</sup> the State and its communities will have a definite advantage in many federal grant applications.

As you move forward with the task force's responsibilities, I offer continued assistance from the Governors' Institute on Community Design. The Governors' Institute is well positioned to provide the Sustainable Communities Task Force, and the Perdue Administration more broadly, with implementation assistance. The Institute draws upon numerous leading consultants and a breadth of experience. For example, we assisted with the development of the Arizona Smart Growth Scorecard and are currently assisting Governor Markell with a similar effort in Delaware.

Based upon our April workshop, our Final Report (**attached**), and our subsequent discussions, we have identified a two-step process for follow up technical assistance.

1. **The Institute will launch the process of a State discretionary funding inventory.** The Governors' Institute can convene a Task Force meeting to set in motion a process to identify State discretionary funding. The Institute would also bring in leading experts on this process to provide ongoing assistance to the Task Force.

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<sup>1</sup> See, for example, information on the place-based federal investment strategy at <http://www.whitehouse.gov/blog/2010/06/30/place-based-investments>

The Task Force currently has limited funds available, and federal sustainability grant programs are extraordinarily competitive (over 1,700 applications were received for TIGER II and Sustainable Communities Regional Planning Grants). While changing capital spending patterns can be a long and politically difficult process, the State has discretionary spending that can be more easily guided. To help prioritize investments, reveal new opportunities to link current programs to sustainable development criteria, and enhance the investment capacity of the Task Force, this inventory should be one of the Task Force's first tasks.

*For more information on this process, see "Step B: Inventory and pool state discretionary funds) on page 5 of our final report.*

2. **Assist in the development of a state investment strategy that (a) improves interagency coordination and (b) aligns state investments with sustainable development priorities.** The Governors' Institute can convene a Task Force meeting to assist in developing a statement of goals, a preliminary implementation approach, and a state investment strategy. This strategy can help to fulfill the Task Force's responsibility to develop a sustainable practices scoring system by including development of a scorecard, based upon the Massachusetts' Commonwealth Capital program. The Institute would bring in leading experts on this process to provide ongoing assistance to the Task Force. For maximum effectiveness, this process would be preceded by the inventory described above.

*For more information on this process, see Step C on page 6 of our final report.*

We encourage you to ask clarifying questions or specify other ways in which the Governors' Institute can be of assistance. While the scorecard is an effective tool for directing state investment toward sustainable development and for encouraging local actions in support of smart growth, we are available to assist with any of the recommendations set forth in our final report.

Sincerely,



Parris N. Glendening  
Governor (1995-2003)