

City Manager's Weekly Report

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Issue 2020-32

August 28, 2020

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Regular Council Meeting Tuesday, September 1 - Afternoon and Evening Sessions

Reminder that Council will meet next **Tuesday** in regularly scheduled sessions at **1:00 P.M.** and **7:00 P.M.**
The agenda for the meeting was published on Thursday:

<https://go.boarddocs.com/nc/raleigh/Board.nsf>

Please note there will be a **Closed Session** immediately following the afternoon session of the Council meeting.

Reminder: If there is an item you would like to have pulled from the consent agenda for discussion, please send an e-mail mayorstaff@raleighnc.gov by 11 A.M. on the day of the meeting.

INFORMATION:

Bloomberg City Fiscal Health and Equity Initiative

Staff Resource: Mary Vigue, Budget & Management Services, 996-4273, mary.vigue@raleighnc.gov

The City previously partnered with Bloomberg Philanthropies through the What Works Cities initiative. Bloomberg Philanthropies is providing a new opportunity to participate in the Bloomberg [City Fiscal Health and Equity Initiative](#) to assist the City in pursuing equity-centered financial strategies. The program aligns with City Council's stated equity goals and provides technical assistance and networking opportunities to source innovative methods to integrate equity analyses into major budget decisions and maintain strong fiscal health during economic uncertainty. Staff will submit an application of interest and should the City be selected to participate, work would begin in October.

(No attachment)

Conservation Corps North Carolina Summer Residency

Staff Resource: Mary Owens, Parks, 996-3292, mary.owens@raleighnc.gov

Raleigh Parks, Recreation and Cultural Resources Department engaged a team from Conservation Corps North Carolina (CCNC) from June 29 to July 24 this summer. The team of eight local teens and two young adults, serving as team leads, worked on park management projects throughout the Walnut Creek corridor and Nature Preserves. The goal of the program was to provide hands-on opportunities and education related to careers in conservation to local teens.

The CCNC team completed much needed preservation efforts throughout the parks system. Numerous City employees shared expertise and experience to further the educational component. Among others, the team spoke with stormwater engineers, park planners, natural resource professionals and urban foresters. They also participated in a Black Birders Week bird banding demonstration and have become passionate advocates for natural spaces and parks. A memorandum with additional information is included with the *Weekly Report* materials.

(Attachment)

Small Business Relief Program - Update

Staff Resource: Veronica Creech, Ofc. of Econ. Dev. & Innovation, 996-2707, veronica.creech@raleighnc.gov
Beth Friedrich, Ofc. of Econ. Dev. & Innovation, 996-3134, beth.friedrich@raleighnc.gov

On April 21 Council authorized the Small Business Relief Program with a total appropriation of \$1,000,000 to assist small businesses located in Raleigh. The funding was distributed between two non-profit partners to supplement existing grant programs that support Raleigh-based small businesses: \$855,400 went to [Carolina Small Business Development Fund \(CSBDF\)](#) with \$84,600 going to CSBDF as an administration fee, and \$60,000 went to Wake Technical Community College ("Wake Tech") for the [Rally Fund for Small Business](#).

As of June 12, the Wake Tech Rally Fund had expended all \$60,000 to small business grants being made to 23 businesses.

The CSBDF began to take applications from local Raleigh businesses on May 11. As a reminder for Council, the criteria to qualify for a grant was include the business must be located in Raleigh; employ 49 employees

or less; be locally and independently owned; be a storefront; have experienced at least a 25% reduction in revenue since the onset of COVID-19; have revenue of \$2.5 million or less; and have no business bankruptcies, liens, or open judgments. Applications were accepted for ten days; grants were not made on a first come first served basis, but rather were randomized once the review was completed.

There were 610 applications submitted as of May 21, with 357 of those representing minority/women owned businesses. Of those applications, 112 approved grants were offered.

As of August 20, Carolina Small Business Relief Fund has received \$481,754 from 33 corporate sponsors. The CSBDF is anticipating \$40,950 pledged by three corporate sponsors; an additional \$23,967 has also been received from private sources. The total received by CSBDF to date, including the original \$855,000 from the City, is \$1,361,121. Of that amount, \$1,284,769 has been disbursed to a total of 182 grant recipients.

The City will receive an end-of-year report from CSBDF reporting on all grant activity from May 21, 2020; private funds and corporate dollars are still incoming to CSBDF, and the grant process remains active. In addition to the CSBDF final report, Wake Tech will also survey recipients of the Rally Fund that received City dollars and report outcomes for the small businesses that received those funds.

(No attachment)

Lake Johnson Loop Trail Improvement Project

Staff Resource: Oscar Carmona, Parks, 996-3285, oscar.carmona@raleighnc.gov

The Lake Johnson Loop Trail Improvement Project includes repaving and improving drainage conditions along the north side of the Lake Johnson Loop (East Loop) between the Lake Johnson Waterfront Center and Lake Dam Road. The project is supported by the 2014 Park Bond.

In order to make these improvements, tree removal along this segment is proposed. Staff has coordinated this project with Urban Forestry staff for compliance with City code and policy. Development and maintenance along the Capital Area Greenway system come with varying degrees of disturbance, however, staff works hard to balance the protection/conservation of trees while providing safe and quality amenities to our citizens. Urban Forestry staff will work with the contractor to help make adjustments, alterations and ensure compliance throughout the project.

A construction *Notice to Proceed* has been issued for September 2020 with a project completion in March 2021. During this time, the paved trail located on the south side of Lake Johnson, between the Lake Dam Road and the Lake Johnson Waterfront Center, will remain open as will the entire unpaved West Loop Trail. For more information on this project, please visit the [project webpage](#). Additional information may be found the staff memorandum included with the *Weekly Report* materials.

(Attachment)

Event Cancellations & the Special Events Weekly Digest

Staff Resource: Derrick Remer, Emergency Mgt. & Special Events, 996-4657, derrick.remer@raleighnc.gov

Council will recall that all special events, to include any and all New Year's Eve celebrations, are canceled through at least December 31, 2020. It is undetermined how long restrictions on mass gatherings may last.

A list of special event cancellations and postponements can be found [here](#). As the COVID-19 situation continues to evolve, staff will evaluate next steps and provide an update on event scheduling. Until that time, the *Special Events Weekly Digest* will remain temporarily paused.

(No attachment)

Council Member Follow Up Items

General Follow Up Item

Community Engagement Consultant Progress Report (Council Member Knight)

Staff Resource: Linda Jones, Housing & Neighborhoods, 996-5707, linda.jones@raleighnc.gov

Staff was requested to provide periodic updates for the progress of work from Mickey Fearn on his community engagement consulting work. The City Council can expect monthly reports from the consultant. In addition, Mr. Fearn will be presenting a full report to City Council during the September 8 work session. Included with the *Weekly Report* materials is a status report for the period July 18 through August 18.

(Attachment)

Follow Up from the June 16 City Council Meeting

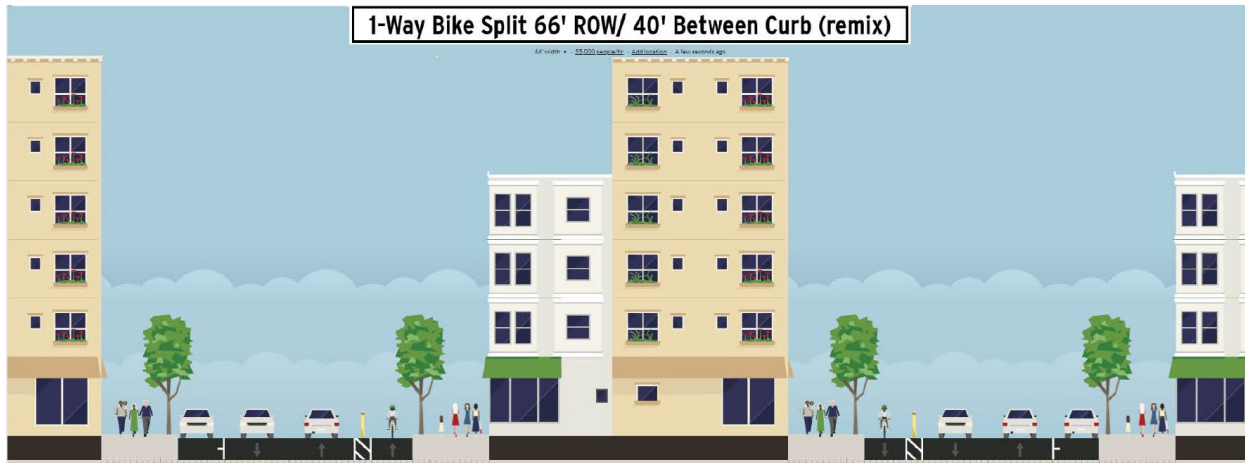
North-South Downtown Greenway Connector – Start of Construction

Staff Resources: Paul Black, Transportation, 996-2476, paul.black@raleighnc.gov

Kenneth Ritchie, Engineering Services, 996-4112, kenneth.ritchie@raleighnc.gov

During the meeting staff provided an update on the North-South Downtown Greenway Connector project, a first of its kind project to provide separated bicycle facilities in downtown Raleigh. The new bike lanes on both Harrington and West Streets will provide a safe, reliable and healthy means to commute into downtown Raleigh between Glenwood South and the Warehouse District. Construction of the North-South Downtown Greenway Connector is slated to begin September 8.

Identified as part of the 2016 BikeRaleigh Plan, these separated bike lanes will expand the City's bikeway network, offer access to seven bikeshare stations located within or adjacent to each corridor, and provide a connection to two-planned future greenway segments. Features include painted buffer zones with flexible bollards that give bicyclists more protection while signaling to motorists the potential presence of bike traffic. The bollards will also help discourage vehicles from illegally parking in bike lanes.

Harrington Street and West Street – Cross Sections

To create on-street bike lanes that physically separate motor vehicles and bicyclists, the following curb space changes can be anticipated:

- Some downtown on-street parking will be permanently removed along both Harrington and West Streets;
- some commercial loading zones will be relocated; and
- two additional accessible parking spaces will be created.

Example – Vertical Delineators with Pavement Markings

The Roadway Design and Construction division of the Engineering Services Department will oversee construction, which is scheduled to take approximately 30 days to complete. The contractor, NPS Solutions

LLC, will begin on West Street and work block-by-block, completing West Street before beginning work on Harrington Street. The schedule should limit impacts to businesses by minimizing multiple disturbances at access points. Traffic delays along both the West and Harrington Street corridors should be minimal; no road closures are planned. Drivers should proceed with caution when approaching the construction area as flaggers will on-site to direct 2-way traffic through the work area.

Businesses and residents along both corridors were notified of the impending project by post cards that were received last week. Staff will also be handing out additional project information to corridor stakeholders and is currently finalizing a video to provide project details. Staff has also coordinated with the Downtown Raleigh Alliance to assist with public engagement efforts.

(No attachment)

Follow Up from the August 18 City Council Meeting

COVID-19 Testing Sites in High-Risk Communities (Council Member Forte)

Staff Resource: Derrick Remer, Emergency Mgt. & Special Events, 996-4657, derrick.remer@raleighnc.gov

During the meeting staff was asked to research the possibility of increasing the number of COVID-19 testing sites throughout Raleigh, especially in high-risk communities. A number of initiatives are already underway to expand testing in these populations.

In late May, Wake County opened a drive-thru testing site at the Wake County Commons building in Southeast Raleigh. County health officials simultaneously began operating pop-up drive-thru testing sites in various locations throughout the area, working with community partners to identify sites that would best serve the county's most vulnerable populations.

Since that time, the County has established a dedicated drive-thru site at the Sunnybrook Building Parking Deck in Southeast Raleigh. Residents are encouraged to sign up for this free service on the County's [COVID-19 Information Site](#) in order to secure their appointment. The County continues to increase its testing capacity at this site, completing nearly 1600 tests per week as of early August. Looking ahead into the fall and winter months and upcoming flu season, County officials are working to secure a more permanent COVID-19 testing facility that is readily accessible to high-risk communities.

In addition to the work Wake County has done in regards to testing, the State spearheaded an effort in July, when the North Carolina Department of Health and Human Services (NCDHHS) launched the Community testing in High-priority And Marginalized Populations (CHAMP) initiative to increase access to no-cost COVID-19 testing for African American, LatinX/Hispanic and American Indian communities that had limited testing sites. Due to the disproportionate rate at which the virus has affected historically marginalized populations, NCDHHS recognized the need to begin meeting people where they are, in their communities. Aside from the CHAMP initiative, NCDHHS also maintains an up-to-date list of [Community Testing Events](#), which can last from one to several days, with many of these events providing tests at no cost.

Wake County Public Health and NCDHHS are responsible for managing health-related services for both the county and the state, including the residents of Raleigh. The City of Raleigh works with these organizations, as well as local healthcare agencies and community groups, to coordinate the delivery of these services whenever possible. This coordination has already come in the form of identifying and providing sites for the

distribution of Personal Protective Equipment to regional long-term care facilities, as well as providing staff resources to assist with the distribution of masks and educational materials to vulnerable populations throughout the city.

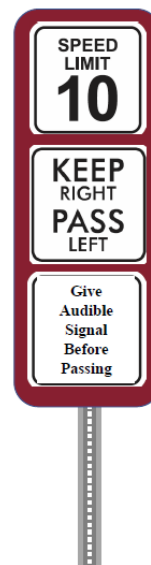
COVID-19 testing and related outreach will be an ongoing, long-term facet of our public healthcare system. While the City itself does not establish sites for COVID-19 testing, we will continue to support the County and State as they broaden their efforts to reach at-risk individuals in our area.

(No attachment)

Pedestrian Safety at Shelley Lake (Council Member Buffkin)

Staff Resource: Sally Thigpen, Parks, 996-4858, sally.thigpen@raleighnc.gov

During the meeting Council requested information on pedestrian safety at Shelley Lake following a recent bicyclist/pedestrian incident. Staff has been working to identify systemwide solutions for improving greenway safety, especially those involving bicyclist/pedestrian accidents. In 2013, the Raleigh Police Department Greenway Volunteer Program was formed. This program utilizes volunteers, who are active greenway users, to monitor trail activity from a safety standpoint including speeding, improper use of trails and practicing proper etiquette. Staff with Greenway Maintenance has completed several rounds of trail inspections to identify potential hazards including surface conditions, sightlines, hazardous trees and pavement markings. Parks staff is also utilizing mobile devices and technology to inventory current signage and pavement markings to identify where additional signs and markings are needed from a safety standpoint. Greenway Planning staff is currently working on additional etiquette signage such as “Share The Road”, “Stay To The Right/Pass On The Left” and “Announce When Passing On Left”. A concept rendering for such signage is below:



Multi Sign Concept

Staff has also addressed etiquette in the greenway newsletter, social media and the City website to include public service campaign videos, brochure on trail etiquette and safety tips. Bicycle bells have occasionally been distributed to trail bicyclists. From a trail design perspective, solutions include increased trail width, pavement markings and improving sight lines.

Staff recognizes that enforcement of trail rules, speed limit and etiquette is challenging, but will continue to work to ensure that safety is a top priority for trail users.

(No attachment)

Utilization of Open Space Usage During COVID-19 - Public Comment (Council Member Cox)

Staff Resource: Oscar Carmona, Parks, 996-3285, oscar.carmona@raleighnc.gov

The maximum outdoor group size limit of 25 has stayed in effect through the NC Safer at Home Phase 2 extensions and currently remains in effect up through September 11, 2020. While technically allowed via the current Governor's Executive Order, staff has not reopened many of the park facilities and amenities to public use and access including athletic fields and open spaces. The City has operated with the management philosophy that we are going to do everything we can to help slow the spread of COVID-19. Staff has cancelled and credited rentals of athletic fields and multipurpose fields at least through September 11 and also deferred registered youth athletic programs such as flag football and youth baseball until after September 11.

While park facilities and amenities such as athletic fields and multipurpose fields are technically closed, the public has continued to utilize them. We believe that informal team practices and other sport and fitness activities are currently occurring in many of these spaces as through informal, unsanctioned social gatherings. To date, we have received limited concerns about conflicts with these activities. Staff is hopeful when Phase 3 is initiated, regular programming and event support to meet the needs of the community and allowing third-parties exclusive use of space while following COVID-19 recommendations as suggested by the US Center for Disease Control and the NC Department of Health and Human Services can resume. Included with the *Weekly Report* materials is a staff memorandum containing additional information.

(Attachment)

Community Gardens with On-Site Sales - Public Comment

Staff Resource: Mark Holland, Planning & Development, 996-2625, mark.holland@raleighnc.gov

During the meeting a citizen requested a modification to the requirements of the Unified Development Ordinance (UDO) to allow on-site sales for community gardens within residential zoning districts. City Council requested that staff provide a report on a potential text change.

Staff researched the current regulations and considered potential impacts and concerns. A staff memorandum is included with the *Weekly Report* materials which evaluates current regulations for community gardens and identifying a possible text change for consideration by the City Council.

(Attachment)



Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

FROM: Mary Owens, Resource Development Manager
Parks Recreation & Cultural Resources

CC: Oscar Carmona, Director
Parks Recreation & Cultural Resources

Sally Thigpen, Assistant Director of Parks
Parks Recreation & Cultural Resources

DEPARTMENT: Parks, Recreation and Cultural Resources

DATE: August 28, 2020

SUBJECT: Conservation Corps North Carolina Summer Residency

The Raleigh Parks, Recreation and Cultural Resources (PRCR) Department engaged a team from Conservation Corps North Carolina (CCNC) from June 29 to July 24 this summer. The team of 8 local teens and 2 young adults, serving as team leads, worked on park management projects throughout the Walnut Creek corridor and Nature Preserves. The goal of the program was to provide hands-on opportunities and education related to careers in conservation to local teens.

They completed much needed preservation efforts throughout the parks system. Numerous City employees shared their expertise and experience to further the educational component. Among others, the team spoke with stormwater engineers, park planners, natural resource professionals and urban foresters. They participated in a Black Birders Week bird banding demonstration and have become passionate advocates for natural spaces and parks.

Accomplishments:

- Removed 1.09 acres of invasive plants (privet, white mulberry, porcelain vine, English ivy, Japanese hop vine, air potato vine, autumn olive, mimosa, wisteria)
- Installed 50 feet of wire deer fencing at Annie Louise Wilkerson
- Installed 4 fence posts at Durant Nature preserve
- Mulched 1,050 feet of walking path
- Created and installed 9 bluebird houses and 9 nuthatch boxes
- Removed 450 ft of metal fence from Dorothea Dix Park
- Created 50 ft of new tread
- Maintained 1.01 miles of tread
- 34 bags of trash collected
- Removed 12 tires from Walnut Creek

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- Created 2 art pieces in partnership with Raleigh Arts and local artists using litter found in Walnut Creek



Team members are introduced to bird banding during a demonstration in partnership with North Carolina State University students at the Walnut Creek Wetland Park.



Enjoying the view after a hard day's work at Dorothea Dix Park.



Team members building a “trash sculpture” with artists from Paper Hand as an art installation at the Wetland Park.



With training from Urban Forestry, the team learned how to safely use equipment to gain access to the tops of trees.



Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

FROM: Oscar Carmona, Director
Parks, Recreation and Cultural Resources

DEPARTMENT: Parks, Recreation and Cultural Resources

DATE: August 28, 2020

SUBJECT: Lake Johnson Trail Improvement Project Update

I understand we recently received communication from interested parties concerning upcoming trail improvements at Lake Johnson and below please find an update regarding the project.

The Lake Johnson Loop Trail Improvement Project includes repaving and improving drainage conditions along the north side of the Lake Johnson Loop (East Loop) between the Lake Johnson Waterfront Center and Lake Dam Road. The project is supported by the 2014 Park Bond.

A construction Notice to Proceed has been issued for September 9, 2020 with a project completion in March 2021. During this time, parking at the Waterfront Center will be limited during this time and staff is coordinating with the contractor to find ways to minimize this impact. Additionally, the paved trail located on the south side of Lake Johnson, between Lake Dam Road and the Lake Johnson Waterfront Center, will remain open as will the entire unpaved West Loop Trail.. For more information on this project, please visit the [project webpage](#).

In order to make these improvements, tree removal along this segment is proposed. Staff has coordinated this project with Urban Forestry staff for compliance with City code and policy. Development and maintenance along the Capital Area Greenway system comes with varying degrees of disturbance, however, staff works hard to balance the protection/conservation of trees while providing safe and quality amenities to our citizens. Urban Forestry staff will work with the contractor to help make adjustments, alterations and ensure compliance throughout the project.

Development and maintenance projects in parks and along the Capital Area Greenway system come with varying degrees of disturbance and associated budgets. The Parks, Recreation and Cultural Resources (PRCR) Department works hard to balance the protection/conservation of trees while providing safe and quality amenities to our citizens. The trees being removed in direct proximity to the trail will provide space/opportunity for the remaining understory and adjacent trees to take advantage of the additional space and resources. PRCR plants hundreds of trees in parks all over the City every year with volunteer groups and Parks district crews that aren't influenced by development/construction. We plant trees to secure the next generation, add aesthetic and environmental benefits, mitigate storm/disease/insect damage and to provide screening/shade where appropriate.

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The Urban Forestry Division reviews City projects and provides information, recommendations and requirements to the designers and Project Managers as to the impact of the project on trees. Our goal is to protect trees that are to remain and remove those trees that aren't adequately protected. The designers and Project Managers take that information and make determinations on the final design based on the goals and budget for the project. Urban Forestry staff will review the plan for compliance with City code and policy. Urban Forestry staff will work with the Project Manager and contractors to help make adjustments, alterations and ensure compliance throughout the project.

Tree removal along this section of the Lake Johnson East Loop is needed in order to improve drainage conditions, reduce safety hazards and conflicts with tree roots and asphalt, to provide safe sight visibility and to also provide adequate access to the the project area with paving equipment. The project scope includes the following requirements to the contractor as they pertain to tree removal and tree protection:

1. Do not damage trees that are to remain.
2. All trees 25" or greater shall be saved unless identified by Urban Forestry to be removed.
3. The existing health of remaining trees shall be examined by City of Raleigh staff and a determination as to the removal of additional trees will be made,
4. Trees within the greenway typical section shall be removed as required to construct the trail. Trees outside of the section but within the limits of disturbance shall be cut to 6" below grade and stump will remain.
6. Trees 10" diameter at breast height (dbh) and larger within 10' of the project limits of disturbance on City of Raleigh property that are significantly impacted may be required to be removed after grading has occurred at the discretion of the City Urban Forester.

The repaving project at Lake Johnson has taken over two years to get final permit approval for construction.. The project design has had rigorous environmental review for permits from the City of Raleigh, the North Carolina Department of Environmental and Natural Resources (NCDENR) and the US Army Corps of Engineers (ACOE). These permits included a Soil Erosion and Sedimentation Permit from the City of Raleigh and Division of Energy, Mineral & Land Resources Stormwater, a 401 Water Quality Certification and Buffer Authorization from the Division of Water Resources and a Nationwide Permit 3 from US Army Corps of Engineers which authorizes development projects in floodplains or wetlands.

Council Member Follow Up

ML FEARN, LLC
201 Lord Berkley Rd
Raleigh, NC 27610
Mickeyfearn47@gmail.com
206 931-8035

August 28, 2020

To: Linda Jones,

Re: Bi-weekly Report: 2

Community Engagement Project report: 7/18 – 8/18

Activities:

City Staff

Community Engagement staff:

- Regular process check-in conversations with Linda Jones
- Completed Community Engagement staff interviews
- Completed staff interview analysis
- Discussed interview findings and perceptions with CE staff
- Discussed preparing for our “Journey”
- Discussed forming the internal and external CE committees:
 - The process for selecting committee members
 - How should the committees be structured?
 - How many committee members?
 - What is the process for identifying and selecting committee members?

Discussions with City staff:

- Ken Bowers, Planning/Second conversation
- Oscar Carmona, Parks, Recreation and Cultural Resources
- Dr. Audrea Caesar, Office of Equity and Inclusion
- Michael Ballen, Raleigh Police
- Kerry Painter, Convention and Performing Arts Center
- Check-in discussion with Mayor Mary-Ann Baldwin

Communications with residents:

- Discussion with “Raleigh Alliance”
- Scheduled meetings with Mordecai CAC

Project administration and research:

Conducting ongoing research with municipalities:

- Seattle
- Minneapolis
- Portland
- San Francisco
- Boulder, and
- Philadelphia



Raleigh

MEMO

TO: Ruffin L. Hall, City Manager

FROM: Oscar Carmona, Director

DEPARTMENT: Parks, Recreation and Cultural Resources

DATE: August 24, 2020

SUBJECT: Open Space Usage During COVID-19

During the August 18, 2020 City Council meeting, Council Member Cox asked about options around using limited capacity and program exceptions for events in City parks during Phase 2 of the North Carolina response to COVID-19.

On March 26, 2020, Wake County initiated a Stay at Home proclamation for Wake County citizens. Effective Friday, March 27, the City of Raleigh (COR) inclusive of the Parks, Recreation and Cultural Resources Department (PRCR) in response to the proclamation, closed park facilities and amenities such as recreation centers, comfort stations, water fountains, tennis courts, basketball courts, playgrounds, athletic fields, multipurpose fields, etc. to public access and use.

On May 5, 2020 the Governor followed suite issuing a Phase 1 Executive Order entitled "Stay at Home", placing restrictions on all but essential functions. This executive order did consider use of park open space and trails as essential but limited outdoor group size to no more than 10 people. COR/PRCR maintained closure of park facilities and amenities but did ensure access was available for park open space and trails.

On May 20, 2020 the Governor issued phase 2 Executive order entitled "Safer at Home." This order guided a controlled reopening for businesses and services with guidelines on maximum capacities and other restrictions. Safer at Home allowed outdoor group sizes to increase from a maximum of 10 to a maximum of 25 people.

This maximum outdoor group size limit of 25 has stayed in effect through the NC Safer at Home Phase 2 extensions and currently remains in effect up through September 11, 2020. While technically allowed via the current Governor's Executive Order, COR/PRCR have not reopened many of the park facilities and amenities to public use and access including athletic fields and open spaces. COR has operated with the management philosophy that we are going to do everything we can to help slow the spread of COVID-19. To that effect, COR/PRCR, have not made park spaces such as athletic fields and multipurpose fields available for third-party rental use by 25 people or less out of concern that group use may viewed as encouraging behavior counter to the Governor's direction of slowing the spread of COVID-19. PRCR has cancelled and credited rentals of athletic fields and multipurpose fields at least through September 11 and even deferred registered youth athletic programs such as flag football and youth baseball until after September 11, 2020.

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If during the week of September 11, 2020, the Governor issues an executive order moving the State of North Carolina into a Phase 3 COVID-19 response where outdoor group sizes can increase beyond 25 individuals, PRCR could reopen park facilities and amenities such as athletic fields and multipurpose fields to public use. PRCR's existing open space and field rental program could restart, allowing third-parties exclusive use of space while following COVID-19 recommendations as suggested by the US Center for Disease Control and the NC Department of Health and Human Services. A need for a new space allocation process should not be required.

We are also aware of other cities in the country which are allowing park and open space to be used to facilitate business activities during the pandemic. If this is an item that City Council would like staff to look into further; following Council direction, staff would develop draft policies, procedures and processes to appropriately schedule and monitor these activities to make sure the program and activities would fall within State guidelines for gathering limits and insure that the program will be beneficial.

Lastly, while PRCR park facilities and amenities such as athletic fields and multipurpose fields are technically closed, the public has continued to utilize them. We believe that informal team practices and other sport and fitness activities are currently occurring in many of these spaces as through informal, unsanctioned social gatherings. Parks, Recreation and Cultural Resources staff have prioritized monitoring and enforcement to activities that clearly violate public health guidance or impede other patron's use or enjoyment of the park. To date, we have received limited concerns about conflicts with these activities. We are hopeful when Phase 3 is initiated, COR/PRCR can return to regular programming and event support to meet the needs of the community.



Raleigh MEMO

TO: Ruffin Hall, City Manager
THRU: Patrick Young, Director
FROM: Mark R. Holland
DEPARTMENT: Planning and Development
DATE: August 28, 2020
SUBJECT: Community Gardens with On-Site Sales

Introduction

At the August 18, 2020, City Council meeting, a citizen requested a modification to the requirements of the Unified Development Ordinance (UDO) to allow on-site sales for community gardens within Residential zoning districts. The Council requested that staff provide a report on a potential text change. Staff researched the current regulations and considered potential impacts and concerns. Based on this research, staff has provided standards for a possible text change to addressing this proposed use. These standards should be considered as a base framework for discussion and can be modified as deemed appropriate.

Background

The Office of Sustainability and the Planning and Development Department are working together to provide guidance that help Raleigh residents understand the current regulations in the UDO and how to navigate the process, as well as identifying opportunities to remove barriers to both community gardens and urban agriculture. The Environmental Advisory Board and other community groups are interested in expanding community gardens and urban agriculture in Raleigh. The city also supports the Wake County Food Security plan through the Strategic Plan in Safe, Vibrant, Healthy Community key focus area. The UDO contains regulations for uses titled "Community Garden and Urban Agriculture."

The "Community Garden" use is currently defined as, "areas of land managed and maintained by a group of individuals to grow and harvest food crops and non-food ornamental crops, for personal or group use, consumption, or donation. They may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by the group." Community garden uses are currently allowed as a limited use within the R-1 and R-10 Residential districts, AP (Agricultural Productive), CMP (Campus), and all Mixed-Use districts. It is allowed as a special use

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within the R-2, R-4 and R-6 Residential districts and the Manufactured Housing (MH) district. A community garden may operate as a primary use and be located on an otherwise vacant parcel.

The use standards for community gardens include allowance of detached accessory structures, fencing, lighting, compliance with applicable standards of the UDO and a limitation on the raising of animals, and (crucially) a prohibition on on-site sales.

The UDO also contains regulations for a use titled “Produce Stand.” This use is currently defined as, “a produce stand permits the itinerant sale of agricultural produce and homemade food goods without a permanent structure or improvements.” Produce stand uses are currently allowed as a limited use within all zoning districts except for the Conservation Management (CM) district where it is not permitted. A produce stand may operate without the existence of any on-site growing or harvesting of crops. When located in a Residential district, a produce stand must be located on a parcel with an existing civic building or use, apartment building, or detached house used for single-unit living.

The use standards for produce stands include sales area size limitations, location standards in Residential districts, structure setbacks, off-street parking, signage allowance, limitation on hours of operation, public right-of-way encroachment and the requirement for submittal of a plot plan showing all requirements for the site.

The Office of Sustainability has identified numerous food supply, health, equity, resilience, community, environmental and economic benefits to allowing these uses. Staff is currently working on the Community-wide Climate Action Plan (CCAP), which includes example actions of food access, community gardens and urban agriculture, tree planting, pollinator habitats, reduction in urban heat islands, and greenway development.

The intent of expanding permitting these uses is to allow additional opportunities for small agribusinesses to sale or distribute their produce throughout the year. It also provides a more convenient means of purchasing locally grown produce.

Recommendation

The staff contemplated several considerations and potential concerns with the addition of on-site sales to community garden uses, particularly in the case where it would be permitted in Residential districts. These considerations and concerns include, but are not limited to, the following:

- The allowable size of any sales area.
- A limitation on sales to those produced on-site, which may include produce, flowers, plants, meat, eggs, honey, dairy products, etc.
- Limitation on hours and months of operation.
- Location and type of permitted accessory and/or temporary structures.
- On-site preparation and sale of food.
- Handling of waste.

- Allowance in all Residential districts and along any street type.

With these considerations staff recommends a text change to the use standards identified in Section 6.6.1.B., Community Garden, of the UDO to allow on-site sales in Residential districts as a permitted use. In addition to the existing use standards, staff recommends the following:

- Additional standards to address the collection and removal of waste.
- Sales should be limited to items produced on-site.
- A limitation on the total sales area of no more than 2,000 square feet per lot. This is consistent with the produce stand standards.
- A parking standard of one off-street space per 200 square feet of area devoted for sales. This is consistent with the produce stand standards.
- A minimum setback of 10 feet from all property lines for tents, stands, signs and other associated structures. This is consistent with the produce stand standards.
- Signage shall be limited to a single sign of no more than 12 square feet. This is consistent with the produce stand standards.
- A zoning permit shall be required. The permit should demonstrate consistency with any adopted standards and requirements, as well as, and existing standards and requirements of the UDO.

With this option, staff believes the intent of the UDO will be maintained while also recognizing the benefits identified by the Office of Sustainability. The Planning and Development Department and the Office of Sustainability will continue to collaborate on removing barriers to both community gardens and urban agriculture.

Next Steps

If a text change is initiated by the City Council, staff would review the proposed amendment internally and formulate draft language. Once we have a final draft of the proposed language, the text change will be scheduled for the Planning Commission. At the same time, the draft language will be placed on the public portal for comment. Once the Planning Commission makes their recommendation, it will be presented to the City Council for final decision.