



The University Of North Carolina Umstead Review Panel

Panel Determination

April 8, 2009

North Carolina Arboretum Request for Determination on Proposed Wedding Program

A. Request for Determination

On January 29, 2009, The North Carolina Arboretum submitted a public request for a determination that use of its facilities for a wedding program would be permissible under N.C.G.S. 66-58 (b)(8) of the Umstead Act. The request proposes rental of Arboretum facilities for “green weddings” in conjunction with services to promote and provide education about sustainable practices, and to facilitate economic development in the community and region:

“With more than 434 acres of cultivated gardens, woodlands and trails, the Arboretum, since 1995, has offered its facilities for rental to businesses, government, education and non-profit groups that fall within its mission areas. Its facility rental program averages 500 meetings and events annually with more than 25,000 people participating in these activities from throughout the region, the state and beyond. The proposed wedding program will be an additional component to the Arboretum’s already successful facility rental program and will allow the Arboretum to extend its public service and economic development reach to a new audience.”

Arboretum Proposal, Page 1.

B. Notice and Proceedings

A hearing was set for April 8, 2009 in the Law Library, at the Spangler Center in Chapel Hill, North Carolina, and by teleconference. The Umstead Review Panel staff gave notice of the Request for Determination hearing to those on its registry on February 3, 2009. Notice of the hearing was given to the press and public, pursuant to the North Carolina Public Records Act, on April 1, 2009.

No affected individual or entity gave notice of objection to the request and no affected individual or entity appeared at the hearing to oppose the request, as is allowed under Board of Governors Policy 100.4 VIII (D).

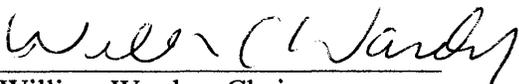
The Arboretum was represented at the hearing by George Briggs, Angie Chandler, Cindy Blankenship, and Clara Curtis. The presentation emphasized the unique mission of the Arboretum to cultivate connections between people and plants through creative expressions of landscape stewardship including economic development, education, research, garden demonstration and conservation. To enhance regional tourism, the Arboretum program is designed to enhance Western North Carolina as a wedding destination market and to support economic development of community and regional businesses and vendors that service weddings. A strong and unique niche of the Arboretum's proposed wedding program is the establishment of an educational "green wedding" guide to help couples lessen their impact on the environment through the use of organically grown and natural products and the reduction of consumable products in their wedding activities. The guide will also provide a resource list of locally grown food products, floral and décor, fabrics, jewelry, transportation, recycled paper products, furniture, and more.

After the presentation, the Panel questioned the presenters as to potential unfair competition for the anticipated services. The representatives of the Arboretum responded that there was no objection to the proposed wedding program. The Asheville Area Chamber of Commerce President and the Convention Visitor's Bureau Assistant Vice President serve as a regional voice for the business community, and both support the Arboretum's proposed wedding program. The Arboretum representatives noted that weddings are routinely held at UNC constituent institutions and State of North Carolina facilities, and the Arboretum has received requests for weddings for at least 15 years.

In response to questioning, the Arboretum representatives confirmed that they intended to engage in facilities rental and education only, and as a partner in regional tourism, the Arboretum's wedding program would enhance Western North Carolina as a wedding destination market and support economic development of regional businesses and vendors that service weddings.

C. Determination

The panel deliberated on the evidence and arguments presented and, recognizing the potential for the proposed wedding program to advance the mission of the Arboretum and promote regional economic development, voted unanimously to approve the Arboretum's request. It is the determination of the Umstead Review Panel that the Arboretum's requested activities are authorized under N.C.G.S. 66-58 (b)(8) and are not unfair competition.


William Warden, Chair